

CITY OF HERMOSA BEACH POLICE DEPARTMENT



POLICY AND PROCEDURES MANUAL

Paul LeBaron
Chief of Police

Issued 10/11/2021



A Statement by the Chief of Police

The Hermosa Beach Police Department is committed to be an integral part of the Hermosa Beach community. Our role is critical to public safety and we take that responsibility seriously. We strive for excellence in all we do and adhere to the Law Enforcement Code of Ethics as a guiding standard in our decision making. Also included in the introduction to this manual are Robert Peel's Principles of Policing that have stood as a foundation for effective law enforcement since 1829.

The policies in this manual have been created to ensure accountability to the community and the profession of law enforcement. All policies are posted online to ensure transparency in our decision making. Although no policy should take the place of treating all people with dignity and respect, these regulations require that all employees are held to the highest standards when serving our residents, businesses and visitors.

Because the Hermosa Beach Police Department is constantly striving to become better, this manual is a living document. As laws, tactics, technology and best practices change, our policy will change with them. This manual will undergo annual reviews to meet the strict standards set forth through the Commission of Accreditation for Law Enforcement (CALEA). When changes are made to this manual, the Chief of Police will have final approval.

In conclusion, the Hermosa Beach Police Department honors its place in the profession of law enforcement and in the community we serve. We respect our authority given to us by our citizens and maintain a reverence for human life and the Constitutional rights of all people. I am proud to be a part of the Hermosa Beach Police Department and support this manual as a symbol of public trust.

A handwritten signature in cursive script, appearing to read "W. Paul LeBaron".

W. Paul LeBaron
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

Our Mission:

We exist so Hermosa Beach can be the safest little beach city through partnerships, integrity and excellent service.

Our Vision:

We will be leaders in our profession by utilizing the best policing techniques and creating a workplace where our employees thrive.

Our Core Values:

Excellence through:

- **Dedication** – We are dedicated to being an integral part of the Hermosa Beach community and the profession of law enforcement.
- **Integrity** – We are committed to the Law Enforcement Code of Ethics and to be the best of who we are in all relationships.
- **Honesty** – We are honest in communication in the workplace and the community. As an organization, we consider transparency as a form of honesty.



LAW ENFORCEMENT CODE OF ETHICS

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all to liberty, equality and justice.

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

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

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



SIR ROBERT PEEL'S PRINCIPLES OF POLICING

1. To prevent crime and disorder, as an alternative to their repression by military force and severity of legal punishment.
2. To recognize always that the power of the police to fulfill their functions and duties is dependent on public approval of their existence, actions and behavior, and on their ability to secure and maintain public respect.
3. To recognize always that to secure and maintain the respect and approval of the public means also the securing of the willing cooperation of the public in the task of securing observance of laws.
4. To recognize always that the extent to which the cooperation of the public can be secured diminishes proportionately the necessity of the use of physical force and compulsion for achieving police objectives.
5. To seek and preserve public favor, not by pandering to public opinion, but by constantly demonstrating absolute impartial service to law, in complete independence of policy, and without regard to the justice or injustice of the substance of individual laws, by ready offering of individual service and friendship to all members of the public without regard to their wealth or social standing, by ready exercise of courtesy and friendly good humor, and by ready offering of individual sacrifice in protecting and preserving life.
6. To use physical force only when the exercise of persuasion, advice and warning is found to be insufficient to obtain public cooperation to an extent necessary to secure observance of law or to restore order, and to use only the minimum degree of physical force which is necessary on any particular occasion for achieving a police objective.
7. To maintain at all times a relationship with the public that gives reality to the historic tradition that the police are the public and that the public are the police, the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interests of community welfare and existence.
8. To recognize always the need for strict adherence to police-executive functions, and to refrain from even seeming to usurp the powers of the judiciary of avenging individuals or the State, and of authoritatively judging guilt and punishing the guilty.
9. To recognize always that the test of police efficiency is the absence of crime and disorder, and not the visible evidence of police action in dealing with them.

Policy and Procedures Manual Overview

The Policies in this manual are numbered and grouped by chapters which represent four organizational components, as well as the Police Officer's Rules and Regulations:

- Chapter 1, Administration
- Chapter 2, Support Services
- Chapter 3, Operations
- Chapter 4, Community Services
- Chapter 5, Police Officers Rules and Regulations

Each Policy within a chapter is identified by a letter and three number decimal system. For example, Policy A1.01 refers to AAdministration, Chapter 1, Policy 01.

Each Policy in this manual contains a date the Policy became effective and the date it was updated, if applicable. Policies in this Manual will remain in effect until rescinded by the Chief of Police. General Orders, which are directives concerned with policy, rules and procedures that are temporary in nature, are maintained in a separate Manual and are self-canceling.

Locating a Policy

The Table of Contents lists all Policies by chapter and title. Located at the end of the manual are two indices; one Index for Policies by title, and one Index by subject. In the electronic format on the Department's shared drive, Policy titles and subjects in the Table of Contents and Indices are linked to the first page of each Policy. Clicking on a Policy title or subject will take you directly to a particular Policy within the manual.

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CHAPTER 1

ADMINISTRATION



HERMOSA BEACH POLICE DEPARTMENT

A1.01 STANDARDS OF CONDUCT

Effective 10/27/2009

Updated 12/16/2020

PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Hermosa Beach Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

POLICY

The continued employment or appointment of every member of the Hermosa Beach Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action. Peace officers and public employees are vested with a public trust which requires that they consistently demonstrate the highest degree of integrity and good moral character. Because society holds public employees to a high standard, it is the policy of this Department to have its employees abide by the following Code of Ethics and Manual of Rules. Additionally, all personnel will receive ethics training at least biennially.
(CALEA 1.1.2)

DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.
(CALEA 12.1.3)

I. UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The

responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.

The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

II. SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- a. Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- b. Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- c. Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.
- d. The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and California Constitutions and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

Employees shall perform their duties with professionalism, integrity, and courtesy and avoid any conduct that violates the public's trust.

Employees shall give a full day's labor for a full day's pay; giving to the performance of their duties an earnest effort. Employees shall put loyalty to the highest moral principles and the Department above loyalty to coworkers and friends.

(CALEA 26.1.1)

On-duty officers and off-duty officers in uniform shall at all times take appropriate action to:

- a) Protect life and property;
- b) Preserve the peace;
- c) Prevent crime;
- d) Arrest violators of the law; and
- e) Enforce federal and state laws and sections of the Municipal code coming within departmental jurisdiction.

CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service:

I. LAWS, RULES AND ORDERS

- a. Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or City manuals.
- b. Disobedience of any legal directive or order issued by any department member of a higher rank.
- c. Violation of federal, state, local or administrative laws, rules or regulations.

II. ETHICS

- a. Using or disclosing one's status as a member of the Hermosa Beach Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- b. The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
- c. The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- d. Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.

- e. Offer or acceptance of a bribe or gratuity.
- f. Misappropriation or misuse of public funds, property, personnel or services.
- g. Any other failure to abide by the standards of ethical conduct.
- h. Members must not allow personal motives to govern their decisions and conduct.

III. DISCRIMINATION, OPPRESSION OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing or providing favoritism to any person because of actual or perceived characteristics such as , race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power or immunity, knowing the conduct is unlawful.

IV. RELATIONSHIPS

- a. Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.
- b. Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.
- c. Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- d. Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.
- e. Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.

V. ATTENDANCE

- a. Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.
- b. Unexcused or unauthorized absence or tardiness.
- c. Excessive absenteeism or abuse of leave privileges.

- d. Failure to report to work or to the place of assignment at the time specified and fully prepared to perform duties without reasonable excuse.
- e. Officers and employees shall not feign illness or injury, falsely report themselves ill or otherwise attempt to deceive the Department as to the condition of their health.

VI. UNAUTHORIZED ACCESS, DISCLOSURE OR USE

- a. Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms or reports obtained as a result of the member's position with this department.
 - i. Members of this department shall not disclose the name, address or image of any victim of human trafficking except as authorized by law (Penal Code § 293).
- b. Disclosing to any unauthorized person any active investigation information.
- c. The use of any information, photograph, video or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain (whether direct or indirect) or without the express authorization of the Chief of Police or the authorized designee.
- d. Loaning, selling, allowing unauthorized use, giving away or appropriating any Hermosa Beach Police Department badge, uniform, identification card or department property for personal use, personal gain or any other improper or unauthorized use or purpose.
- e. Using department resources in association with any portion of an independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.

VII. EFFICIENCY

- a. Neglect of duty. Officers and employees shall not engage in any activities or personal business, which would cause them to neglect or be inattentive to duty.
- b. Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or the instructions of supervisors without a reasonable and bona fide excuse.
- c. Concealing, attempting to conceal, removing or destroying defective or incompetent work.
- d. Unauthorized sleeping during on-duty time or assignments.
- e. Failure to notify the Department within 72 hours of any change in residence address or contact numbers .

- f. Failure to notify the Personnel Department of changes in relevant personal information (e.g. information associated with benefits determination) in a timely fashion

VIII. PERFORMANCE

- a. Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.
- b. The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.
- c. Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department -related business.
- d. Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.
- e. Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.
- f. Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - i. While on department premises.
 - ii. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
 - iii. Gambling activity undertaken as part of an officer official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
 - iv. Excludes the purchase of State sanctioned Lottery tickets.
- g. Improper political activity including:
 - i. Unauthorized attendance while on-duty at official legislative or political sessions.
 - ii. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or, on department property except as expressly authorized by City policy, the memorandum

of understanding, or the Chief of Police.

- h. Engaging in political activities during assigned working hours except as expressly authorized by City policy, the memorandum of understanding, or the Chief of Police.
- i. Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. They shall perform their duties in a manner that will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department.
- j. Any act on- or off-duty that brings discredit to this department.

IX. CONDUCT

- a. Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.
- b. Unreasonable and unwarranted force to a person encountered or a person under arrest.
- c. Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.
- d. Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.
- e. Engaging in horseplay that reasonably could result in injury or property damage.
- f. Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the City.
- g. Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.
- h. Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.
- i. See Policy 700 - Department Owned and Personal Property.
- j. See Policy 700 - Department Owned and Personal Property.
- k. Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any memorandum of understanding or contract to include fraud in securing the appointment or hire.

- l. Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police of such action.
- m. Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

X. SAFETY

- a. Failure to observe or violating department safety standards or safe working practices.
- b. Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver license, first aid).
- c. Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.
- d. Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off- duty.
- e. Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the member's appointing authority.
- f. Unsafe or improper driving habits or actions in the course of employment or appointment.
- g. Any personal action contributing to a preventable traffic collision.
- h. Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but no later than the end of the member's shift.

XI. INTOXICANTS

- a. Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.
- b. Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.

- c. Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.

APPROVED:

A handwritten signature in cursive script, appearing to read "Paul LeBaron".

Paul LeBaron
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

A1.02 DISCIPLINE PROCEDURES

Effective 10/27/2009
Updated

PURPOSE

To establish procedures for an effective disciplinary system.

POLICY

The Police Department has a responsibility to the community and its members to institute policies and procedures establishing an effective and fair system of discipline for all department personnel. All disciplinary action shall be administered for the purpose of insuring that the offense will not recur, and that the best interests of the community and the police department will be paramount. Discipline may be imposed by the Department to assist an employee in meeting the standards set by the department. As an alternative to discipline, the Department may also assist an employee through educational training or counseling in order to ensure all personnel are in compliance with Department and City standards. Each situation will be evaluated on a case-by-case basis to determine the appropriate Department response.

PROCEDURES

- I. Nature of Discipline
 - A. A well-disciplined public safety agency is a department whose members voluntarily conform to all department policies, procedures and rules. It follows that the best-disciplined department is the least in need of corrective action. Nevertheless, a violation of the department's policies, procedures, rules or the law, may require disciplinary action.
 - B. Discipline may be utilized by the Department to either ensure compliance with Department and City standards and expectations, or for punitive measure. The nature of disciplinary action depends upon the circumstances of each particular situation. While the Department strives to allow employees reasonable opportunities to positively conform their behavior and/or performance, the Department also realizes that progressive discipline cannot be followed in all cases due to the gravity of the offense, the impact of conduct on the public and/or the Department, or for other related reasons.
- II. General conduct subject to disciplinary action by any member or employee of the Hermosa Beach Police Department includes:
 - A. Personal actions that are adverse or contrary to the reputation or mission of the Department.

- B. Any offense punishable under the laws or statutes of the United States, the State or local Municipal Code regulations,
- C. Violations of any provision of the rules and regulations of the Department;
- D. Disobedience of any lawful order; or
- E. Incompetent performance of assigned duties.

III. Specific conduct subject to disciplinary action

- A. A member of the Department may be made the subject of disciplinary action whenever a member's conduct so warrants.
- B. Examples of conduct which may result in disciplinary action include, but are not limited to, the following:
 - 1. The commission of a crime.
 - 2. Use of intoxicants in violation of this Policy Manual.
 - 3. Illegal use of narcotics or drugs.
 - 4. Willful neglect of duty.
 - 5. Willful disobedience of orders.
 - 6. Absence from duty without leave.
 - 7. Conduct unbecoming an officer.
 - 8. Use of unreasonable or unnecessary force.
 - 9. Sleeping on duty.
 - 10. Accepting or soliciting a bribe.
 - 11. Soliciting gratuities.
 - 12. Use of police badge, uniform, business card or identification card for personal gain.
 - 13. Aiding and abetting a prisoner to escape.
 - 14. Appropriating for one's own use property, evidence, or items received in the course of duty.
 - 15. Falsification of reports, official records, or communications.
 - 16. Divulging information that may be detrimental to an investigation or another person without first obtaining consent from a supervisor.
 - 17. Feigning sickness or injury to escape duty.
 - 18. Willful rough and careless handling of Department property.
 - 19. Any other conduct that reflects adversely on the Department, City, and/or its members.

(CALEA 26.1.1)

IV. Identifying acts of misconduct - Acts of misconduct by Department members are brought forward through the following means:

- A. Complaints by citizens.

- B. Complaints by other Department members.
 - C. Observations by supervisory members of the Department.
 - D. Findings arising from audits or investigations.
 - E. Complaints and/or information received from other law enforcement or criminal justice agencies.
 - F. Complaints against Department members will be handled in accordance with the policy for “Internal Affairs Investigations”.
- V. Disciplinary actions available – When corrective action is indicated by the finding, one or more of the following actions may be taken by the Chief of Police.
- A. Verbal Reprimand
 - B. Written reprimand
 - C. Suspension
 - D. Demotion
 - E. Dismissal from the Department
- VI. Departmental authority for disciplinary action.
- A. Final department disciplinary authority and responsibility rests with the Chief of Police. Punitive actions that may be taken against an employee in the interest of discipline are specified in Rules and Regulations Sections 10.00 through 190.25.
(CALEA 26.1.4 c)
 - B. Supervisory personnel, including Acting Watch Commanders, may administer a verbal reprimand.
 - 1. Observed infractions committed by an employee of equal or higher rank or classification shall be directed to the reporting employee’s supervisor.
(CALEA 26.1.5)
- VII. Relief from Duty
- A. In case of a situation in which the possibility of proposing termination, suspension, or demotion of a permanent employee is indicated, but where the Department needs time to conduct an investigation before proposing such action, or in a situation where immediate removal of an employee from the job is needed to avoid disruption of work for the protection of persons or property, or for similar reasons, the employee may be relieved of duty with pay.
 - B. Normally, the highest-ranking supervisor on duty shall have the authority to invoke this regulation in situations of disruption, although it is recommended that administrative review be sought in advance when time permits. Supervisors invoking this regulation should be prepared to justify fully their actions and shall notify the Chief or the Lieutenant in the individual’s chain of

command at the earliest opportunity. If the Captain relieves a Lieutenant from duty he shall notify the Chief at the earliest opportunity.

1. The Chief shall determine if this regulation is to be invoked in situations where an investigation is to occur.
2. Nothing in this regulation shall give supervisors of this Department the authority to relieve from duty or escort from city property employees of other departments. Department employees may assist in removing City employees from other departments off of City premises if circumstances warrant.

VIII. Notification

The member or employee being disciplined will be informed of the charges and penalties assigned at the time such action is taken.

IX. Appeals from Penalties

Appeals from penalties imposed as disciplinary measures may be taken as provided in the applicable portion of Rules and Regulations Section 10.20, or current MOU. Specific procedures for appeals are detailed in Exhibit A of the Police Officer and Sergeants MOU.

(CALEA 26.1.6)

X. Dismissal

If a non-probationary employee's misconduct results in dismissal, the following information will be provided to the employee:

- A. A written statement citing the reason for dismissal;
- B. The effective date of the dismissal;
- C. A statement of the status of fringe and retirement benefits after dismissal.

(CALEA 26.1.7)

XI. Maintenance of Records of Disciplinary Actions

- A. All disciplinary records will be forwarded to the Personnel Department for inclusion in the employee's permanent personnel file.
- B. Copies of records forwarded to Personnel will be maintained in the employee's department file, which will be maintained in the Chief's office.
- C. No records of discipline may be placed in an employee's file that does not have the employee's signature attached. If the employee refuses to sign acknowledging receipt, the supervisor will note this and sign and date the item.
- D. Disciplinary records may not be purged from an employee's personnel file except as provided for in the department's destruction of records policy or MOU agreement.

(CALEA 26.1.8)

XII. Supervisor and Command Officer Responsibilities

A. First Line Supervisor Responsibility

1. Monitor performance of all assigned personnel for changes in work habits or personality changes, such as reporting late to work, excessive absences or patterns to requests for time off, moodiness, aloofness, aggressiveness, and/or misconduct.
2. Address concerns with the affected employee and attempt to determine cause of change in behavior.
3. Initiate a review by the Lieutenant in the individual's chain of command by notifying him/her of any concerns and/or documenting any situations involving misconduct.

B. Lieutenant's Responsibility

1. Monitor performance of employees through reviews of use of force reports, counseling forms and other discipline, citizen complaints, performance evaluations and traffic accidents to determine if there are any patterns of concern involving individual employees.
2. Review all incidents of misconduct or concerns forwarded by first line Supervisors.
3. In consultation with the Chief, determine the appropriate intervention such as remedial training, peer counseling or referral to professional counseling, in an attempt to identify and abate patterns of misconduct before they reach a serious level. (Participation in EAP is voluntary and cannot be compelled.)
4. Establish remedial actions such as employee improvement plans which contain specific action plans and goal setting and monitoring.
5. Monitor the progress with follow-up meetings with the affected employee and supervisor.

(CALEA 26.1.5)

- C. The Chief of Police will perform an annual evaluation of the system to determine its effectiveness and make recommendations for improvements.

APPROVED:



Greg Savelli
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

A1.03 GRIEVANCE PROCEDURES

Effective 10/27/2009
Updated

PURPOSE

- a. To promote improved employee-employer relations by establishing grievance procedures on matters.
- b. To provide that grievances shall be heard and settled as informally as possible.
- c. To enable grievances to be settled promptly and/or as near to the point of origin as possible.

Definition

A grievance is defined as any dispute concerning the interpretation, intent or application of the written Memorandum of Understanding or departmental rules and regulations governing personnel practices or working conditions applicable to employees covered by the Memorandum of Understanding. An impasse in meeting and conferring upon the terms of a proposed Memorandum of Understanding is not a grievance.

PROCEDURE

Contract language currently exists for each employee of this Department. Grievance procedures must be followed by each member of the Hermosa Beach Police Department as outlined in each Memorandum of Understanding:

Police Management: Article 9

Police Officers and Sergeants: Article 10

General and Supervisory Employees/Teamsters: Article 57

Professional and Administrative Employees: Article 25

APPROVED:

A handwritten signature in black ink, appearing to read "ASL", is written over a horizontal line.

Greg Savelli
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

A1.04 ORGANIZATION AND DIRECTION

Effective 10/27/2009

Updated 08/06/2018

PURPOSE AND SCOPE

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

DIVISIONS

The Chief of Police is the chief executive officer of the Department and the final departmental authority in all matters of policy, operations and discipline. The Chief of Police exercises all lawful powers of the office and issues such orders as are necessary to assure the effective performance of the Department. Through the Chief of Police, the Department is responsible for the enforcement of all laws and directives coming within its jurisdiction.

(CALEA 12.1.1)

The Chief of Police is responsible for administering and managing the Hermosa Beach Police Department.

There are three divisions in the Police Department as follows:

- Operations Division
- Investigative/Administrative Services Division
- Community Services Division
(CALEA 11.1.1)

I. Operations Division

The Operations Division is commanded by a Lieutenant, whose primary responsibility is to provide general management direction and control for the Operations Division. The Operations Division consists of Uniformed Patrol and Special Operations, which includes Traffic, the Reserve Officer Program and the Downtown Enforcement Unit

II. Investigative/Administrative Services Division

The Investigative/Administrative Services Division is commanded by a Lieutenant, whose primary responsibility is to provide general management direction and control for the Investigations/Administrative Services Division. The Investigative/Administrative Services Division consists of the Investigations Bureau, Crime Analysis Unit, Property and Evidence Unit, Jail Operations, Court Liaison, Records Bureau and the Professional Standards Unit.

III. Community Services Division

Community Services Division is commanded by the Community Services Division Manager, whose primary responsibility is to provide general management direction and control for the Community Services Division. The Community Services Division consists of the uniformed Community Services Officers (Parking and Animal Control), Administrative Services Coordinator, Community Outreach, and Volunteers in Policing (VIP).

COMMAND PROTOCOL

In the absence of the Chief of Police, the Captain shall act as the Department Executive Officer. If the Captain is also absent the Chief shall designate a Lieutenant to act as the Department Executive Officer.

In normal day-to-day Department operations, the chain of command established by the Department organizational chart will be adhered to.

In Department situations involving personnel of different functions engaged in a single operation where prior command authority has not been assigned, the highest-ranking officer shall assume command. However, supervisors are cautioned not to arbitrarily assume command in normal situations from junior ranking members without sound justification.

In exceptional situations where two officers of equal rank are the senior officials present and where functional assignment is not a determining factor, then seniority shall be used to determine who is in charge.

For all pre-planned and special events, an Officer-in-Charge will be assigned as part of the event-planning phase.

(CALEA 12.1.2a-d)

AUTHORITY AND RESPONSIBILITY

- A. At every level within this Department, responsibility is accompanied by commensurate authority.
- B. Each employee is given the authority to make decisions necessary for the effective execution of their responsibilities.
- C. Each employee is accountable for the use of delegated authority. The delegation of authority should be consistent with this Department's values and mission statement.
- D. Every supervisor will be held accountable for the activities of employees under their immediate control.
 - a. Supervisors
 - b. Watch Commanders

SUCCESSION OF COMMAND

The Chief of Police exercises command over all personnel in the Department. During planned absences, the Chief of Police will designate a Captain or the Division Commander to serve as the acting Chief of Police.

Except when designated as above, the order of command authority in the absence or unavailability of the Chief of Police is as follows:

- (a) Captain
- (b) Operations Division Commander
- (c) Investigative/Administrative Services Division Commander
- (d) Sergeant/Watch Commander
- (e) Police Officer

UNITY OF COMMAND

The principles of unity of command ensure efficient supervision and control within the Department. Generally, each employee shall be accountable to one supervisor at any time for a given assignment or responsibility. Except where specifically delegated authority may exist by policy or special assignment (e.g., K-9, SWAT), any supervisor may temporarily direct any subordinate if an operational necessity exists.

ORDERS

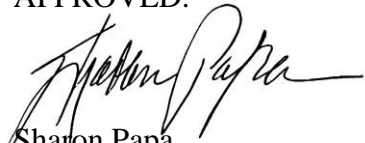
Members shall respond to and make a good faith and reasonable effort to comply with the lawful order of superior officers and other proper authority.

GOALS AND OBJECTIVES

The Chief of Police and Captain will formulate, annually update, and distribute to all personnel, written goals and objectives for the Department and for each organizational component.

(CALEA 15.2.1)

APPROVED:


Sharon Papa
Chief of Police

Attachment A: Organizational Chart

Organizational Structure and Responsibility

I. DIVISIONS

The Department is organized as follows:

- Reporting directly to the Chief of Police are the Captain and the Chief's Secretary
- Reporting directly to the Captain are the Operations Lieutenant, the Investigative/Administrative Services Lieutenant, Community Services Division Manager and the Administrative Assistant/Accreditation Manager
- Reporting directly to the Operations Lieutenant in the Operations Division are the Patrol Sergeants, the Community Lead Sergeant, the Traffic Sergeant (if assigned)
- Reporting directly to the Investigative/Administrative Services Lieutenant are the Detective Sergeant, the Administrative Sergeant, the Crime Analyst and the Police Services Officer Supervisors
- Reporting directly to the Community Services Division Manager are the Community Services Supervisors and Administrative Services Coordinator

A. OPERATIONS DIVISION

The major responsibilities of each area in the Operations Division include:

- The Operations Lieutenant is responsible for managing the Patrol, Traffic, and Community Lead units of the police department.
- The Patrol Bureau responds to calls for service; provides proactive patrols of the city in vehicles, on bicycles, and on foot; and documents incidents and crimes in department reports. Traffic officers have the primary responsibility of traffic enforcement and collision investigation. They may patrol on motors or in vehicles and they report to the Traffic Sergeant or on duty Watch Commander.
- The Community Lead unit is primarily responsible for enforcement in the Downtown area with emphasis on alcohol and disturbance violations and problem oriented policing projects. Officers assigned to this unit may report to the Community Lead Sergeant or the on duty Watch Commander

B. INVESTIGATIVE/ADMINISTRATIVE SERVICES DIVISION

The major responsibilities of each area in the Investigative/Administrative Services Division include:

- The Investigative/Administrative Services Lieutenant is responsible for managing the Detective Bureau, Crime Analysis, Internal Affairs, Hiring / Training, Jail, Records, and Property / Evidence elements of the police department.
- The Detective Bureau, supervised by the Detective Sergeant, is responsible for investigating crime, filing cases with the District attorney or City Prosecutor, and serving on task forces.

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Organizational Structure and Responsibility

- The Administrative Sergeant is responsible for conducting Internal Affairs investigations, Hiring / Training, other duties as assigned, and assisting the Accreditation Manager as needed.
- The Jail Facility is used to temporarily house arrestees. The Records Bureau maintains all records held by the agency, enters information in the records management system, releases information per state law, performs records checks, and prepares statistical reports. The Property and Evidence unit stores evidence / property, assists with CSI, sends evidence to the lab for testing, and arranges for the disposition / destruction of property as required. The Jail, Records Bureau, and Property and Evidence units are staffed by Police Service Officers (PSO) who report to PSO Supervisors.

C. COMMUNITY SERVICES DIVISION

The Community Services Division is primarily responsible for parking enforcement, parking meter collection and maintenance, administrative review, taxi cab permits, animal control and community outreach to include: Coffee with a Cop, Pets in the Park, Safety Fair, and National Night Out.

Community Services Supervisors are responsible for supervising parking enforcement and animal control. The Administrative Services Coordinator is responsible for supervising meter collections and maintenance, taxi cab permits, and Administrative reviews.

II. AUTHORITY AND RESPONSIBILITY

I. Captain

1. The Captain is responsible for running day to day operations of the three divisions of the Police Department. The Captain will also assist the Chief of Police in developing policy and procedure, overseeing and preparing the budget, purchasing, maintenance of the physical plant, liaison with other agencies and the community, IA investigations as needed, other duties as assigned, and being the Acting Chief of Police during the Chief's absence.

II. Lieutenant/Division Manager

1. Subject to direction from the Captain or Chief of Police, Lieutenants have indirect control over all officers and employees within the Department. In addition to the general and individual responsibilities of all officers and employees, Lieutenants are responsible for the following:
 - (a) Maintenance: Assurance that equipment, supplies and materials assigned to his/her command are correctly used and maintained.
 - (b) Reports and Records: Preparation of required correspondence and reports, and maintenance of records relating to the activities of his/her command. Assurance that information is communicated up and down the chain of command as required.
 - (c) Organization and Assignment: Proper organization and assignment of duties within the bureaus and units under his/her command to assure proper performance of departmental functions.

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- (d) Inter-Divisional Action: The promotion of harmony and cooperation within other units of the Department. Initiations of proper actions in cases not regularly assigned to his/her command when delay in action might result in failure to perform a police duty.
- (e) Discipline and Morale: The maintenance of discipline and morale within the Department and the investigation of personnel complaints not assigned elsewhere.
- (f) Loyalty: The development and maintenance of an esprit de corps and loyalty to the Department.
- (g) Command: The inspection, direction and control of personnel under his/her command to assure proper performance of duties and adherence to established rules, regulations, policies and procedures. Providing for continuation of command or supervision in his/her absence.

III. Supervisors

1. A supervisor may be assigned to field or staff duties. During his/her tour of duty, he/she must closely supervise the activities of subordinates, making corrections where necessary and commending where appropriate. Also, each supervisor is specifically responsible for the following:
 - (a) Leadership: Effective supervision demands leadership. Provision of leadership shall include on-the-job training as needed for efficient operation and coordination of effort when more than one officer or employee is involved.
 - (b) Direction: Supervisors must exercise direct command in a manner that assures the good order, conduct, discipline and efficiency of subordinates. Exercise of command may extend to subordinates outside his/her usual sphere of supervision if the police objective or reputation of the Department so requires, or if no other provision is made for personnel temporarily unsupervised. This authority shall not be exercised unnecessarily. If a supervisor requires a subordinate other than his/her own to leave a regular assignment, the supervisor so directing will inform the subordinate's supervisor as soon as possible.
 - (c) Enforcement of Rules: Supervisors must enforce departmental rules and regulations and ensure compliance with departmental policies and procedures.
 - (d) Inspection: Supervisors are responsible for inspection of activities, personnel and equipment under their supervision and initiation of suitable actions in the event of a failure, error, violation, misconduct, or neglect of duty by a subordinate.
 - (e) Assisting Subordinates: Supervisors shall have a working knowledge of the duties and responsibilities of their subordinates. They shall observe contacts made with the public by subordinates, be available for assistance or instruction as may be required and take active charge when necessary.

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Organizational Structure and Responsibility

IV. Watch Commanders

1. The Watch Commander is the supervisor over a patrol shift. Patrol Sergeants perform this function. In the absence of a Patrol Sergeant an officer who has been assigned as a designated Watch Commander by the Chief of Police will perform this function. In addition to general and individual responsibilities of all member sand employees, the Watch Commander is specifically responsible for the following:
 - (a) Good Order: The general and good order of his/her command during tour of duty to include proper discipline, conduct, welfare, field training and efficiency
 - (b) Briefing: Conduct of prescribed shift briefing, communication of all orders or other information at briefings and inspection and correction of his/her command, as necessary.
 - (c) Reporting: Reporting as required by the Operations Lieutenant. Maintenance of such records as specified by higher authority.
 - (d) Personnel Complaints: Inquiry into personnel complaints against officers or employees under his/her command in accordance with the appropriate departmental directive.
2. In the absence of those members of the Department who regularly exercise authority over the Department, the Watch Commander shall be designated as the ranking authority of the Department.

V. Chief's Administrative Assistant

1. The Chief's Administrative Assistant is responsible for the payroll, maintenance of Department files and archives including personnel, training files, and purchase requisitions, and preparing reports as needed.

VI. Administrative Assistant/Accreditation Manager

1. The Administrative Assistant/Accreditation Manager is responsible for accreditation files, purchase requisitions, assisting in preparing the budget, and offers backup to the Chief's Secretary.

RESPONSIBILITIES

I. Police Department:

1. Effectively administer the Rules and Regulations, Policies and Procedures, and General Orders of the Department
2. Ensure that the department remains in compliance with all CALEA accreditation standards, complete all required accreditation reports, and review all proposed changes to department policies and procedures that have an effect upon accreditation
3. Responsibility: Chief of Police and Captain

II. Crime Prevention/Community Service:

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Organizational Structure and Responsibility

1. Provide services that assist in the prevention of crime, contribute to a safe environment and are of service to the community
 2. Responsibility: Operations Division Lieutenant and Investigative/Administrative Services Division Lieutenant
- III. Patrol/Traffic Operations:
1. Work proactively to reduce the incidence of crime, establish effective traffic enforcement programs and foster confidence through visible patrol strategies.
 2. Responsibility: Operations Division Lieutenant
- IV. Community Services/Parking Enforcement/Animal Control:
1. Provide services that assist community parking and animal control regulations that foster confidence through visible patrol strategies and prompt service.
 2. Responsibility: Community Services Division Manager
- V. Parking Meter Maintenance/Administrative Review:
1. Provide services that enable the city to collect parking revenues, maintain equipment, and fairly administer municipal parking enforcement statutes.
 2. Responsibility: Community Services Division Manager
- VI. Detective/Investigations Bureau:
1. Identify, apprehend, and prosecute individuals involved in criminal behavior.
 2. Responsibility: Investigative/Administrative Services Division Lieutenant
- VII. Regional Task Force:
1. Provide liaison (Detective/Investigator) to operate within regional multi-jurisdictional task force enforcement units.
 2. Responsibility: Investigative/Administrative Services Division Lieutenant
- VIII. Court Liaison:
1. Provide liaison to the Los Angeles County District Attorney's Office and the Office of the City Prosecutor to successfully present and prosecute criminal cases.
 2. Responsibility: Investigative/Administrative Services Division Lieutenant
- IX. Professional Standards Unit:
1. Conduct internal investigations that are thorough, fair, impartial, and timely, to instill departmental and community faith and trust.
 2. Ensure that all employees are provided the opportunities to develop their personal and professional knowledge and skills to not only meet minimums, but to establish goals to exceed requirement.
 3. Secure the best qualified candidates for current or future vacant department positions.

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Organizational Structure and Responsibility

4. Responsibility: Investigative/Administrative Services Division Lieutenant
- X. Jail/Records/Property and Evidence:
 1. Provide effective processing and supervision of detainees/arrestees and assist patrol officers, investigators, and the department.
 2. Provide services in Records that enhance the efficiency of the department and assist patrol officers, investigators, and the department.
 3. Provide effective and secure management of property and evidence.
 4. Responsibility: Investigative/Administrative Services Division Lieutenant
- XI. Multi-hazard Emergency Preparedness:
 1. Maintain a coordinated, comprehensive and operational emergency response program and planning process.
 2. Responsibility: Operations Division Lieutenant and Investigative/Administrative Services Division Lieutenant

III. GOALS AND OBJECTIVES

- I. Definitions
 1. Goals: Stated in broad, almost immeasurable terms, and are based on the duties assigned to the Department. Goals are long-term guides that provide solid direction, provide guidance and stability for planning future activities of the Department. Goals are statements of the end result that the Department intends ultimately to achieve.
 2. Objectives: Specific, measurable, obtainable statements of actions to be accomplished. One or more objectives, if satisfactorily attained during a year, should effectively contribute toward attainment of a departmental goal.
- II. Establishment of Departmental Goals and Objectives:
 1. Input will be sought from individual employees for proposed revisions.
 2. Annually, the supervisor of each component will evaluate their areas progress toward attainment of the goals and objectives that pertain to them.
 3. Evaluation of the achievement of goals & objectives is essential to determine the extent to which objectives were achieved and to identify reasons for successes and failures.
 4. Evaluating should include an assessment of the:
 - (a) Amount of activity that takes place
 - (b) Extent to which the performance is adequate to the total amount of need
 - (c) Ratio between effort and performance
 - (d) Results of effort
 5. A multi-year plan should include the following information:

Hermosa Beach Police Department

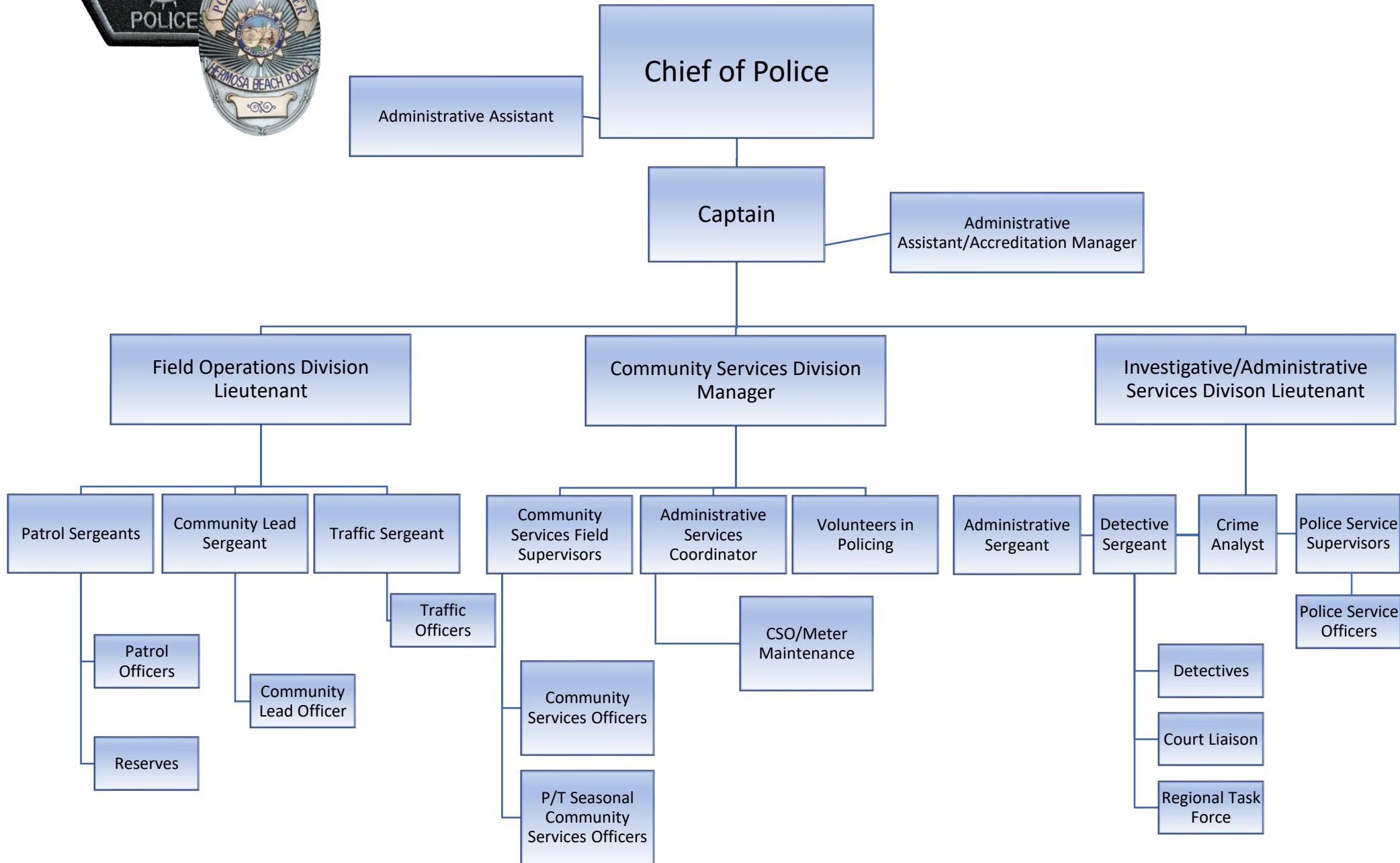
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Organizational Structure and Responsibility

- (a) Goals and Objectives of the Organization
- (b) Anticipated Workload and Population Trends
- (c) Anticipated Personnel Requirements
- (d) Anticipated Capital Improvements and Equipment Needs
- (e) Provisions for Review and Revision as Needed



Hermosa Beach Police Department Organizational Chart





HERMOSA BEACH POLICE DEPARTMENT

A1.05 JOB DUTIES AND RESPONSIBILITIES

Effective 10/27/2009
Updated

PURPOSE

The purpose of this policy is to provide all employees with a clear and readily accessible statement of duties and responsibilities for each position classification and job assignment, both sworn and non-sworn, within this Department.

JOB CLASS SPECIFICATIONS

The City of Hermosa Beach Personnel Department is responsible for developing and maintaining the specifications for each job class within the Police Department. A description of each job class specification is available to Police Department personnel via the Department intranet. Employees may access this information by logging onto the Department's computer system and opening the "Job Classifications" folder located on the system's shared drive.

The Chief of Police, or his/her designee, will conduct an annual review of job classifications. The City's Personnel Department will be advised, via memorandum, that the review has been completed. The Personnel Department will be advised of any recommend revision(s) to the job classifications at this time.

JOB ASSIGNMENT RESPONSIBILITIES

A description of each job assignment's duties and responsibilities is available to Police Department personnel via the Department intranet. This information may be accessed by any employee by logging onto the Department's computer system and opening the "Job Assignment Responsibilities" folder located on the system's shared drive.

The appropriate Division Commander, or his/her designee, will conduct an annual review of the job duties and responsibilities. Any necessary revisions will be completed at this time.

(CALEA 21.2.2)

APPROVED:

A handwritten signature in black ink, appearing to read "A. Savelli".

Greg Savelli
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

A1.06 POLICY MANUAL

Effective 08/06/2018

PURPOSE AND SCOPE

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

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

POLICY

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

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

AUTHORITY

The Chief of Police shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Chief of Police or the authorized designee is authorized to issue General Orders, which shall modify those provisions of the manual to which they pertain. General

Orders shall remain in effect until such time as they may be permanently incorporated into the manual.

DEFINITIONS

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

Adult - Any person 18 years of age or older.

Beat: A geographical area of variable size to which one or more officers are specifically assigned to accomplish policing responsibilities.

Bureau: A functional unit, which may be a sub-unit of a division or under the immediate direction of the Chief of Police. It may be commanded by any rank, depending on its size and the nature and importance of its function.

CCR - California Code of Regulations (Example: 15 CCR 1151).

Chain of Command: The vertical Chain of Command shall be adhered to in the transmittal of commands of communications between the Chief of Police and all subordinate officers and employees.

CHP- The California Highway Patrol.

CFR - Code of Federal Regulations.

City - The City of Hermosa Beach.

Command Staff: Members of the Department having the equivalent rank of Lieutenant or higher.

Department/HBPD - The Hermosa Beach Police Department.

Division: The first subordinate organizational unit within the Department.

DMV - The Department of Motor Vehicles.

Employee - Any person employed by the Department.

General Orders: Temporary directives concerned with policy, rules, and procedures affecting more than one organizational component and are of a temporary or self-canceling nature. Issued by the Chief of Police.

Juvenile- Any person under the age of 18 years.

Lawful Order: Any written or oral directive issued by a superior officer to any subordinate or group of subordinates in the course of police duty which is not a violation of any law, or any departmental rule or regulation.

Manual - The Hermosa Beach Police Department Policy Manual.

May - Indicates a permissive, discretionary or conditional action.

Member - Any person employed or appointed by the Hermosa Beach Police Department, including:

- Full- and part-time employees
- Sworn peace officers
- Police Service Officers
- Community Service Officers
- Reserve, auxiliary officers
- Professional Staff employees
- Volunteers.

Memoranda: Transmitters of information of interest, not necessarily directives, or documentation to provide written direction at levels of command not authorized to issue general or special orders. Issued by Supervisors or Command personnel.

M.O.U – The Memorandum of Understanding for each bargaining unit within the Police Department

Officer - Those employees, regardless of rank, who are sworn peace officers of the Hermosa Beach Police Department.

Officer in Charge: Any member below the rank of Lieutenant in charge of an organizational unit

On-duty - A member's status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

Personnel Actions: Announcements of change in status of personnel, such as promotions and interdepartmental transfers. Issued by the Chief.

Policy: Designates a governing principle of management and reflects the objectives, philosophy and direction of the Department.

POST - The California Commission on Peace Officer Standards and Training.

Procedure: Designates a step-by-step outline of action to be followed for the accomplishment of a task.

Professional Staff - Employees and volunteers who are not sworn peace officers.

Rank - The title of the classification held by an officer.

Rules/Regulations: A set of specific guidelines to which all employees must adhere.

Seniority: Status attained by length of continuous service generally based upon the date of appointment to a specific job classification.

- Seniority among officers and employees will be established by date of hire; or if the same, by the Chief of Police.
- Seniority Sergeants will be established by date of appointment/promotion; or if the same, seniority will be as announced by the Chief of Police.

Shall or will - Indicates a mandatory action.

Shift: A designated span of time within a 24-hour period during which personnel are actually engaged in the performance of their duties.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

Special Orders: Directives affecting only a specific segment of the organization or statements of policy or procedure regarding a specific circumstance or that which is of a temporary or self-canceling nature. Issued by Supervisors or Command personnel.

Supervisor - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

Unit: Any number of employees of the Department regularly grouped together under one head to accomplish a police purpose.

USC - United States Code.

ISSUING THE POLICY MANUAL

The Policy Manual will be maintained electronically.

An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. The Policy Manual will be maintained and accessible on the Lexipol application via any web accessible device. No changes shall be made to the manual without authorization from the Chief of Police or the authorized designee.

Each member shall acknowledge that he/she has been provided access to, and has had the opportunity to review the Policy Manual and General Orders. Members shall seek

clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

PERIODIC REVIEW OF THE POLICY MANUAL

The Chief of Police will ensure that the Policy Manual is periodically reviewed and updated as necessary.

REVISIONS TO POLICIES

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

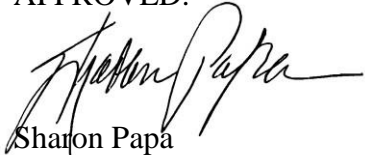
Members are responsible for keeping abreast of all Policy Manual revisions.

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

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Division Commanders, who will consider the recommendations and forward them to the command staff as appropriate.

Proposed policies and/or revisions will be reviewed to ensure they do not conflict with current practices of the Department or any existing directives or state law. Policies will be distributed to all command staff for comment prior to implementation.

APPROVED:



Sharon Papa
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

A1.07 LIMITS OF AUTHORITY

Effective 10/27/2009
Updated

PURPOSE

The purpose of this policy is to establish the legal authority that is vested in the sworn police officers employed by the City of Hermosa Beach.

AUTHORITY

California Penal Code Section 830.1 establishes "any police officer of a city" as a peace officer. The authority of any such peace officer extends to any place in the State of California:

1. "As to any public offense committed or which there is probable cause to believe has been committed within the political subdivision which employs him; or
2. Where he has the prior consent of the Chief of Police, or person authorized by him to give such consent, if the place is within a city or of the Sheriff, or person authorized by him to give such consent, if the place is within a county; or
3. As to any public offense committed or which there is probable cause to believe has been committed in his presence, and with respect to which there is immediate danger to person or property, or of the escape of the perpetrator of such offense."
(CALEA 1.2.1)

California Penal Code Section 12027 establishes that officers, as defined in Penal Code Section 830.1, are authorized to carry weapons to be used in the performance of their duties.
(CALEA 1.2.2)

APPROVED:

A handwritten signature in black ink, appearing to read "Greg Savelli".

Greg Savelli
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

A1.08 USE OF DISCRETION

**Effective 10/27/2009
Updated**

PURPOSE

The purpose of this policy is to define discretion and to establish a policy for its use by the sworn personnel of the police department.

DISCRETION DEFINED

Discretion is defined as the freedom or authority to make decisions and choices.

POLICY

It is the policy of this Department that when sworn members are faced with a situation where discretion can be exercised, they must carefully evaluate the circumstances and consider the following areas:

- Federal, state, and local statutes
- Case law
- Training
- Department policies and procedures
- The Mission statement adopted by the Department
- Contemporary public opinion

The use of discretion is sharply limited in felony crime situations. A greater latitude of discretionary judgment is permitted in the investigation of misdemeanor and infraction offenses. Each officer will be held strictly accountable for his actions in these circumstances.

(CALEA 1.2.7)

APPROVED:

A handwritten signature in black ink, appearing to read "Greg Savelli".

Greg Savelli
Chief of Police

Discriminatory Harassment

314.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent department members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

314.2 POLICY

The Hermosa Beach Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation (Government Code § 12940(k); 2 CCR 11023). The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights it is designed to protect.

The nondiscrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

314.3 DEFINITIONS

Definitions related to this policy include:

314.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments; making crude and offensive statements or remarks; making slurs or off-color jokes, stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

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314.3.2 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.

314.3.3 SEXUAL HARASSMENT

The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person's sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment, position, or compensation.
- (b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.
- (c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

314.3.4 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles, or standards, including:

- (a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission (EEOC) and the California Civil Rights Council guidelines.
- (b) Bona fide requests or demands by a supervisor that the member improve the member's work quality or output, that the member report to the job site on time, that the member comply with City or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

314.4 RESPONSIBILITIES

This policy applies to all department personnel. All members shall follow the intent of these guidelines in a manner that reflects department policy, professional standards, and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to the member's immediate supervisor may bypass the chain of command and make the report to a higher-ranking supervisor or manager. Complaints may also be filed with the Chief of Police, the Human Resources Manager, or the City Manager.

Any member who believes, in good faith, that the member has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment, discrimination, or

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retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with resolution as stated below.

314.4.1 QUESTIONS OR CLARIFICATION

Members with questions regarding what constitutes discrimination, sexual harassment, or retaliation are encouraged to contact a supervisor, a manager, the Chief of Police, the Human Resources Manager, the City Manager, or the California Civil Rights Department for further information, direction, or clarification (Government Code § 12950).

314.4.2 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors and managers shall include but are not limited to:

- (a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.
- (b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.
- (c) Ensuring that their subordinates understand their responsibilities under this policy.
- (d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (e) Making a timely determination regarding the substance of any allegation based upon all available facts.
- (f) Notifying the Chief of Police or the Human Resources Manager in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

314.4.3 SUPERVISOR'S ROLE

Supervisors and managers shall be aware of the following:

- (a) Behavior of supervisors and managers should represent the values of the Department and professional standards.
- (b) False or mistaken accusations of discrimination, harassment, or retaliation can have negative effects on the careers of innocent members.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members, or issuing discipline, in a manner that is consistent with established procedures.

314.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member should take prompt and reasonable steps to mitigate or eliminate

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any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination, retaliation, or harassment shall be fully documented and promptly and thoroughly investigated.

314.5.1 INFORMAL RESOLUTION

Members who believe they are experiencing discrimination, harassment or retaliation should be encouraged to inform the individual that their behavior is unwelcome, offensive, unprofessional or inappropriate. However, if the member feels uncomfortable or threatened or has difficulty expressing his/her concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor. All complaints made to a supervisor, regardless of the severity, shall be documented and investigated.

314.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the supervisory resolution process, a formal investigation will be conducted.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint, or for offering testimony or evidence in an investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include but is not limited to details of the specific incident, frequency and dates of occurrences, and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed, or retaliated against because of their protected status, are encouraged to follow the chain of command but may also file a complaint directly with the Chief of Police, the Human Resources Manager, or the City Manager.

314.5.3 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated against, or retaliated against are entitled to bring complaints of employment discrimination to federal, state, and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

314.6 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented on forms and in a manner designated by the Chief of Police. The outcome of all reports shall be:

- (a) Approved by the Chief of Police, the City Manager, or the Human Resources Manager, depending on the ranks of the involved parties.

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- (b) Maintained in accordance with the department's established records retention schedule.

314.6.1 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and the actions taken to remedy or address the circumstances giving rise to the complaint.

314.7 TRAINING

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that the member has been advised of this policy, is aware of and understands its contents, and agrees to abide by its provisions during the member's term with the Department.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents, and agree that they will continue to abide by its provisions.

314.7.1 STATE-REQUIRED TRAINING

The Training Sergeant should ensure that employees receive the required state training and education regarding sexual harassment, prevention of abusive conduct, and harassment based on gender identity, gender expression, and sexual orientation as follows (Government Code § 12950.1; 2 CCR 11024):

- (a) Supervisory employees shall receive two hours of classroom or other effective interactive training and education within six months of assuming a supervisory position.
- (b) All other employees shall receive one hour of classroom or other effective interactive training and education within six months of their employment or sooner for seasonal or temporary employees as described in Government Code § 12950.1.
- (c) All employees shall receive refresher training every two years thereafter.

If the required training is to be provided by the Civil Rights Department online training courses, the Training Sergeant should ensure that employees are provided the following website address to the training course: <https://calcivilrights.ca.gov> (Government Code § 12950; 2 CCR 11023).

314.7.2 TRAINING RECORDS

The Training Sergeant shall be responsible for maintaining records of all discriminatory harassment training provided to members. Records shall be retained in accordance with established records retention schedules and for a minimum of two years (2 CCR 11024).

314.8 WORKING CONDITIONS

The Administrative Services Division Commander or the authorized designee should be responsible for reviewing facility design and working conditions for discriminatory practices. This person should collaborate with other City employees who are similarly tasked (2 CCR 11034).

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314.9 REQUIRED POSTERS

The Department shall display the required posters regarding discrimination, harassment and transgender rights in a prominent and accessible location for members (Government Code § 12950).

314.10 ISSUING AUTHORITY

	Effective Date	Updated Date
		
W. Paul LeBaron, Chief of Police	October 26, 1998	June 6, 2023

ADMINISTRATIVE MEMORANDUM

TO : All Employees

FUNCTION: Personnel

FROM : City Manager

SUBJECT: ANTI-HARASSMENT POLICY **NO.:** P-7

PURPOSE:

The City of Hermosa Beach is committed to providing a work environment free of discriminatory harassment. This Policy defines discriminatory harassment, and sets forth a procedure for the investigation and resolution of complaints of such harassment by or against an employee or applicant.

POLICY:

Discriminatory harassment violates this Policy (a violation of this policy may not be a violation of state and/or federal law, although discriminatory harassment is prohibited by both) and will not be tolerated. Discriminatory harassment of an applicant or employee includes harassment based on race, religious creed, sex, national origin, ancestry, disability, medical condition, marital status, age or sexual orientation. It is also improper to retaliate against any individual for making a complaint of discriminatory harassment or for participating in a harassment investigation. Retaliation is a violation of this Policy.

This Policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities and compensation.

Employees who violate this Policy may be subject to disciplinary action up to and including termination.

DEFINITION:

Harassment can consist of virtually any form or combination of verbal, physical, visual or environmental conduct. It need not be explicit, or even specifically directed at the victim. Sexually harassing conduct can occur between people of the same or different genders. Sexual harassment may be quid pro quo or environmental.

Harassment includes, but is not limited to the following misconduct:

1. Verbal: Inappropriate or offensive remarks, slurs, jokes or innuendoes based on sex, religious creed, national origin, ancestry, disability, medical condition, marital status, age or sexual orientation. This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, sexual prowess, marital status, pregnancy or sexual orientation; repeated unwelcome flirting or propositions; demands for sexual favors; verbal abuse, threats or intimidation of a sexual nature; or sexist, patronizing or ridiculing statements that convey derogatory attitudes about a particular gender.

2. Physical: Inappropriate or offensive touching, assault, or physical interference with free movement when directed at an individual on the basis of sex, religious creed, national origin, ancestry, disability, medical condition, marital status, age or sexual orientation. This may include, but is not limited to, kissing, patting, lingering or intimate touches, grabbing, massaging, pinching, leering, staring, unnecessarily brushing against or blocking another person, whistling or sexual gestures.

3. Visual or Written: The display or circulation of offensive or derogatory visual or written material, or the failure to remove it if it is related to sex, religious creed, national origin, ancestry, disability, medical condition, marital status, age or sexual orientation. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics or electronic media transmissions. Display includes placing the material on bulletin boards, chalkboards, or vehicles.

4. Quid Pro Quo Sexual Harassment: Quid pro quo occurs when submission to sexual conduct is explicitly or implicitly made a condition of a job, a job benefit or the absence of a job detriment.

5. Environmental: A work environment that is permeated with sexually-oriented talk, innuendo, insults or abuse not relevant to the subject matter of the job. A hostile environment can arise from an unwarranted focus on sexual topics or sexually suggestive statements. An environment may be hostile if unwelcome sexual behavior is directed specifically at an individual or if the individual merely witnesses unlawful harassment in his or her immediate surroundings. The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual's work.

Romantic or sexual relationships between supervisors and employees are discouraged. There is an inherent imbalance of power and potential for exploitation in such relationships. The relationship may create an appearance of impropriety and lead to charges of favoritism by other employees. A welcome sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing.

By definition, sexual harassment is not within the course and scope of an individual's employment with the City.

REPORTING PROCEDURES

- A. It is the responsibility of every employee to help eliminate all forms of discriminatory harassment by controlling their conduct and behavior and by reporting occurrences or actions that may lead to a charge of harassment. Employees may report incidents of harassment to any manager or supervisor, or to the Personnel Director.
- B. Any employee who believes that he/she has been made the subject of discriminatory harassment shall report the alleged act immediately to his/her supervisor, the Department Director, the Personnel Director or the City Manager.
- C. Under no circumstances shall an employee of the City who believes that he or she has been the victim of discriminatory harassment be required to first report that harassment to a supervisor or manager if that person is the individual who has done the harassing.

OBLIGATIONS OF SUPERVISORS/MANAGERS

- 1. A copy of this policy shall be provided to all employees in the City.
- 2. All supervisors and managers, shall make available to any new employees a copy of this policy.
- 3. The City shall periodically notify employees of the procedures for registering a complaint as well as available redress. Such notification shall occur through the normal channels of written or oral communication.
- 4. The Personnel Department shall make available information from the Department of Fair Employment and Housing and the Equal Employment Opportunity Commission about filing claims of discriminatory harassment upon the request of any employee.

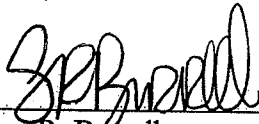
INVESTIGATIVE PROCEDURES

- A. Any and all complaints of harassment will be investigated thoroughly, promptly, without prejudice and in as confidential a manner as possible. The results of the investigation shall be promptly forwarded to the Personnel Department. The employee shall be advised of the results of the investigation and that appropriate action was taken, if any.
- B. Disciplinary action, if any, shall be taken in accordance with City policy.
- C. Employees who are witnesses to or are victims of harassment may be required to provide statements during administrative investigations regarding their observations.

REPRISALS OR RETALIATION

Retaliation, including engaging in direct reprisal or encouraging others to do so, is strictly forbidden. No actions may be taken against any person who:

- A. Complies with, or encourages others to comply with, any provision of this policy.
- B. Files a complaint concerning any violation of this policy.
- C. Testifies, assists or participates in any investigation or hearing resulting from a complaint under this policy; or
- D. Exercises or attempts to exercise any right conferred under this policy.



Stephen R. Burrell
City Manager

REVISED : 10/26/98

ADM-7



HERMOSA BEACH POLICE DEPARTMENT

A1.10 PLANNING AND RESEARCH

Effective 10/27/2009
Updated

PURPOSE AND SCOPE

The Hermosa Beach Police Department does not currently maintain a trained, active, operational Planning and Research Unit; however, planning and research is still an operational function of police department personnel. The direction of such activities shall fall under the direct control of the Chief of Police and necessary functions may be delegated as deemed appropriate.

PLANNING AND RESEARCH

Any Planning and Research duties assigned to police department personnel shall be assigned by, and will report directly to, the Chief of Police and Captain.
(CALEA 15.1.2)

Current Planning and Research duties assigned to police department personnel shall be assigned as follows:

- Accreditation:
The Accreditation Manager will ensure that the department remains in compliance with all CALEA accreditation standards, verifies completion of all required accreditation reports, and reviews all proposed changes to department policies and procedures that have an effect upon accreditation.
- Rules and Regulations, Policies and Procedures, and General Orders Manual Review:
The Captain is responsible for the maintenance of the Department's Operating Manuals.
- Grants Administration:
Any grant administrative functions shall be assigned by the Chief of Police.
- Police Planning:
Information gathering and dissemination of such information utilizing the police department's automated information system files to produce a variety of management reports as requested or needed by the Chief of Police, department personnel, city staff, and elected officials shall be directed by the Chief of Police.

- Analytical Studies:

Surveys, studies and other detailed analysis in order to make recommendations concerning efficient utilization of existing resources shall be directed by the Chief of Police.

(CALEA 15.1.1)

DEPARTMENT MULTI-YEAR PLAN

The Chief of Police and Captain shall annually prepare a multi-year plan which will include the following information:

- Goals and Objectives of the Organization
- Anticipated Workload and Population Trends
- Anticipated Personnel Requirements
- Anticipated Capital Improvements and Equipment Needs
- Provisions for Review and Revision as Needed

(CALEA 15.1.3)

APPROVED:



Greg Savelli
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

A1.11 FISCAL MANAGEMENT AND AGENCY OWNED PROPERTY

**Effective 10/27/2009
Updated 06/05/2013**

SUBJECT

Fiscal management of the Hermosa Beach Police Department and Department procedures for adding, replacing, and inventorying agency-owned property.

PURPOSE

To outline the authority and responsibility for managing the fiscal operations of the Hermosa Beach Police Department and to establish the procedures for the inventory and control of agency-owned property.

POLICY

It is the policy of this Department to ensure the appropriate and necessary procedures are delineated for the management of fiscal operations and capital assets and equipment.

- I. Fiscal Management Functions
 - A. The Chief of Police has the overall final authority and responsibility to plan, manage, and approve all expenditures of the funds allocated to the Hermosa Beach Police Department.
(CALEA 17.1.1)
 - B. The Department's internal fiscal management involves planning, budgeting, purchasing, and reconciling all budgets and budget reports.
 1. The Chief's Administrative Assistant is responsible for the following daily fiscal management activities:
 - a. Conducting all fiscal transactions, processing purchase orders, and expenditures and submitting invoices.
 - b. Processing travel requests, petty cash and reconciling credit card statements.
 - c. Processing deposits for front counter fees.
 2. The Accreditation Manager is responsible for the following fiscal management activities:
 - a. Monitoring revenues and expenses, and reconciling budget reports.
 - b. Providing the Chief of Police with monthly budget reports, analyzing Department personnel and funding requirements for preparation of

the annual budget to be submitted by the Chief for City Manager approval.

- c. Providing historical information on the Department's expenditures, requirements and current Grant provisions.

(CALEA 17.2.1)

3. Police Services Officers and Community Services Officers are authorized to accept cash at the Police Department counter in Records for the following services/permits:

- a. Alarm Permits
- b. Daily Parking Passes
- c. Trustee Bookings
- d. Bail
- e. Repossession Fees
- f. Police Photography Fees
- g. Unpaid Notice of Parking Violation

Receipt records for cash received will be maintained in the Police Department Records Bureau and will be reconciled each month in accordance with Administrative Memorandum F-12.

4. Monthly Revenue Status Reports and Expenditure Detail Reports are distributed by the Finance Department each month.

- C. Prior to committing Department funds, Department personnel must submit all funding requests, including purchase requisitions, petty cash, travel requests, credit card expenditures, and work orders to the Chief's Administrative Assistant or the Accreditation Manager along with any associated costs, estimates, and item information. The Chief of Police, or his/her designee, will authorize all cash disbursements, regardless of amount.

1. The following procedures will be used when requesting funds to purchase items not budgeted in the current fiscal year.
 - a. The request must include a quote or supporting documentation that includes the total amount of the requested purchase, including tax, shipping, and any additional fees, such as maintenance agreements or annual support.
 - b. The request must include a justification for the unanticipated purchase, as well as an indication of what currently budgeted item will not be purchased, or the cost of which was less than anticipated, that makes the funds available for the unanticipated purchase.
 - c. The request must be preapproved by the Chief of Police, or his/her designee, prior to a purchase order or material requisition being

obtained by the Chief's Administrative Assistant or the Accreditation Manager.

Whenever possible, unanticipated purchases that are not of immediate need should be delayed and considered during the mid-year budget review process which takes place in January of each year.

- D. Custodian duties for petty cash funds are performed by the Chief's Secretary on a monthly basis in accordance with the Finance Department's Administrative Memorandum F-1.
(CALEA 17.4.2 a-f)
- E. The Hermosa Beach Police Department follows the Purchasing Procedures set forth in the City of Hermosa Beach Financial Policies and Procedures Manual.
(CALEA 17.3.1 a-e)
- F. The Finance Department, on an annual basis, will arrange for an independent audit of the agency's fiscal activities and internal controls in accordance with the auditing standards specified in the City of Hermosa Beach Request for Proposal Annual Audit Services.
(CALEA 17.4.3)

II. Annual Budget Process

- A. The Captain, Operations Lieutenant, and Support Services Lieutenant submit written budget requests to the Chief of Police for inclusion in the final budget. All requests and recommendations are evaluated based on Department goals and objectives. The Police Chief annually submits budget proposals to the Finance Department, for submission with the Police Department Budget.
(CALEA 17.2.2)
- B. After approval, Finance appropriates the approved budget into the Department accounts and handles all subsequent postings. The City maintains an internal service fund for equipment related purchases and repairs. Other Department accounts include:
 - 1. General Fund Police
 - 2. Grants Fund- Bulletproof Vest Partnership
 - 3. Supplemental Law Enforcement Service Fund (SLESF)
 - 4. General Fund Community Services
 - 5. Proposition A Fund
 - 6. Asset Seizure/Forfeiture Fund
- C. The Department may access monthly online computer activity reports to identify and review expenditures by account which will be reconciled by the Finance Department. These reports include:
 - 1. The initial budget appropriation for accounts.
 - 2. Monthly postings of all expenditures and authorized encumbered funds for payment.
 - 3. Current balances on all accounts reflecting all unencumbered funds.

4. All Budget Revisions and postings of any deposits of monies allocated and/or due the Department.

Monthly reports include the beginning and ending balances on all accounts. Hard copies of the Revenue Status Report and Expenditure Detail Report are provided by the Finance Department each month.

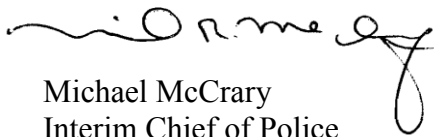
(CALEA 17.4.1 a-d)

III. Agency-Owned Property

- A. All property/equipment that has been purchased with department resources or assigned to the Department by the City, is considered department-owned. Once equipment is issued to an individual officer, non-sworn employee or department unit, the proper care and maintenance of the property is expected of the assignee(s). The operational readiness of this equipment will be insured through the use of line inspections by the employee's supervisor.
- B. Maintaining stored agency property in a state of operational readiness is the responsibility of the supervisor of the unit where it is assigned. This equipment will be inspected at least quarterly.
 1. The Operations Lieutenant is responsible to control and maintain all non-issued equipment and property such as radios, batons, cameras, PAS devices, handcuffs, leather gear, department bicycles and their accompanying equipment, and equipment to be issued to future employees as well as all radio equipment.
 2. The Investigations Sergeant is responsible to control and maintain all specialized crime scene processing equipment and kits, all surveillance and recording equipment, and photography and video equipment.
 3. The Community Services Supervisor is responsible to control and maintain all equipment associated with Community Services operations.
 4. The Department Range Master is responsible to control and maintain all weapons and ammunition stored at the department and all less-lethal equipment. The Department Range Master shall complete an inventory of all weapons and ammunition annually.
(CALEA 17.5.3)
- C. The Support Services Lieutenant will serve as the department's Property Steward and will verify IT equipment and business machines maintained by IT Support and insure that items are removed or added to the list as required by the Equipment Replacement Schedule, and in accordance with the policies and procedures in the City of Hermosa Beach Administrative Memorandum F-8 and F-11.
 1. Finance will record and assign a unique property identification number to all IT equipment and business machines with a life expectancy of at least one year.
 2. Exceptions to this include:

- a. Cell phones / Smartphones
(CALEA 17.5.1)
3. Each employee will be issued equipment as required by their job classification, and noted on the Department's individual equipment receipt.
 - a. Employees will sign noting receipt of equipment.
 - b. It shall be the responsibility of each employee that receives equipment from the department to safeguard and maintain these items. Property lost or damaged due to negligence on the part of the employee shall be replaced by the employee at their expense. In the event a piece of equipment is stolen, damaged, or lost, the circumstances regarding the loss shall be prepared in writing by the employee and forwarded to the employee's supervisor who will forward the report to the Chief of Police for review. In the event that the loss occurred through no fault of the employee, the department may replace the item.
 - c. Generally, department owned equipment that becomes worn or defective through normal use may be replaced by the department subject to the approval of the Chief of Police.
 - d. At the time of separation from the Department, all issued equipment will be returned.
4. Administrative review of care and use of Department property:
 - a. All reported abuse or damage of Department equipment, including vehicles, will be reviewed by the Operations Lieutenant to determine whether;
 - 1) Department rules, policy or procedures were violated.
 - 2) Any relevant policy was clearly understandable and effective to cover the care or use.
 - 3) Department training is currently adequate.
 - b. All findings of policy violations or training will be reported to the Chief of Police for resolution and/or discipline.
5. The Operations Lieutenant may reissue equipment as appropriate or arrange for the disposal of damaged equipment.
(CALEA 17.5.2)

APPROVED:



Michael McCrary
Interim Chief of Police
5/28/2013



HERMOSA BEACH POLICE DEPARTMENT

A1.12 COLLECTIVE BARGAINING

Effective 10/27/2009

Updated

PURPOSE

To establish procedures for collective bargaining between City of Hermosa Beach and the employee groups representing members of the Hermosa Beach Police Department.

POLICY

The City of Hermosa Beach recognizes the rights of its employees to form an organized group or groups, which among other functions, negotiates labor agreements with the City of Hermosa Beach. The City of Hermosa Beach will abide by all legally applicable laws and rules governing the collective bargaining process.

The City of Hermosa Beach and the Police Department recognize that collective bargaining rights mandate a defined relationship for negotiations, grievance examination, and other related Memorandum of Understanding (labor agreement) which specifies management rights and certain rights of designated bargaining unit personnel to utilize duty time for certain labor unit functions, file grievances, and negotiate contracts.

PROCEDURE

I. Collective Bargaining Units

- A. All of the Department's employees (except volunteer and "at-will" positions) are represented by one of four labor unions recognized by the City of Hermosa Beach. Each labor union maintains a specific Memorandum of Understanding (MOU) with the City of Hermosa Beach. The four agreements are as follows:

MOU between: City of Hermosa Beach and Police Officers and Sergeants Bargaining Group (**POA**). This contract represents all sworn police officers below the rank of Lieutenant.

MOU between: City of Hermosa Beach and Police Management Bargaining Group (**Management**). This contract represents all sworn police officers at the rank of Lieutenant or Captain.

MOU between: City of Hermosa Beach and Professional and Administrative Employees (**P&AE**). This contract represents the Administrative Assistant/Accreditation Manager and Chief's Secretary.

MOU between: City of Hermosa Beach and General and Supervisory Employees Bargaining Group (**Local 911**). This contract represents all other non-sworn employees with the Department.

II. Bargaining Process

- A. The City Manager for the City of Hermosa Beach may designate a representative as the entity to conduct negotiations and bargaining with the labor unions pursuant to California Government Code Section 3500-3510 as amended, which is generally referred to as the Meyers-Milias-Brown Act.
 - 1. The management of the Hermosa Beach Police Department does not normally participate in the negotiation process; however, it may provide input and recommendations to the labor negotiation team.
 - 2. The principle negotiator is a designated representative from the City Manager's Office. The remainder of the negotiation team is also comprised by individuals appointed by the City Manager's Office.
- B. The City of Hermosa Beach, City Manager and his/her designated representative are committed to participate in good faith in the bargaining process with the recognized bargaining units representing its employees.
- C. The City of Hermosa Beach, City Manager and his/her designated representative are committed to abide by the ground rules that arise out of the collective bargaining process.
- D. The City Manager's Office, the City of Hermosa Beach, the Hermosa Beach Police Department and its employees are committed to abide, in both letter and spirit, by the negotiated Memorandum of Understanding that has been ratified by the City and each of the bargaining units representing its employees.

(CALEA 24.1.1)

III. Agreement Distribution

- A. When all parties ratify a negotiated labor agreement, the Chief of Police or his/her designee will obtain a written, signed copy of the agreement from the City Manager's Office.
- B. The Chief of Police or his/her designee will disseminate information relative to a new labor agreement, including modifications to existing agreements to managers and supervisors of bargaining unit employees.
- C. The Chief of Police or his/her designee will review and amend, if necessary, all written directives and procedures to coincide with the terms of the labor agreement.

(CALEA 24.1.2)

APPROVED:

A handwritten signature in black ink, appearing to read 'AS', with a long horizontal stroke extending to the right.

Greg Savelli
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

A1.13 PERSONNEL EARLY WARNING SYSTEM

Effective 10/27/2009
Updated

PURPOSE

A Personnel Early Warning System is designed to assist supervisors in identifying police employees whose performs and/or behavior indicates that intervention may be necessary to prevent negative consequences for the employee and the Department. Involvement in multiple citizen complaints/ administrative investigations, multiple on-duty traffic collisions, multiple vehicular pursuits, and multiple use of force incidents may be indicative of an employee who is in need of intervention.

The system will:

- A. Compile accurate statistical information regarding citizen complaints, administrative investigations, on-duty traffic collisions, vehicular pursuits, and use of force incidents.
- B. Provide a means to identify patterns of behavior to enable supervisors to address training or other needs at an early stage and improve employee performance.

The Personnel Early Warning System does not relieve the supervisor of their normal responsibility to monitor and initiate a review and remedial action, as warranted, of their assigned employees' performance related issues.

POLICY

The Support Services Lieutenant will maintain a computerized database that is designed to keep an accurate record of citizen complaints/administrative investigations, on-duty traffic collisions, vehicular pursuits, and use of force incidents. Only those citizen complaints/administrative investigations with a disposition of sustained or not sustained, and those on-duty traffic collisions that are found by the Department's Safety Committee or the employee's chain-of-command to be preventable, will be used to activate the Personnel Early Warning System.

The Personnel Early Warning System shall activate when an employee has:

- a. Three or more citizen complaints/administrative investigations within a twelve-month period.
- b. Three or more on-duty traffic collisions within a twelve-month period.
- c. Three or more vehicular pursuits, which were initiated by the employee, in a twelve-month period.

- d. Four or more use of force incidents in a twelve-month period that required examination by the Use of Force Review Board.
- e. A combination of five or more of any of the above incidents in a twelve-month period.

(CALEA 35.1.9 a, b)

The Support Services Lieutenant shall notify, in writing, the Division Commander of the involved employee that the Personnel Early Warning System has been activated, with a copy to the Chief of Police. The notification should include:

- a. A synopsis of the incident(s) that caused the activation, including the disposition(s).
- b. A synopsis of all the applicable incidents maintained by Internal Affairs (sustained or not sustained citizen complaints/administrative investigations, on-duty traffic collisions, vehicular pursuits, and/or use of force incidents).

The Support Services Lieutenant shall notify the employee's immediate supervisor that the Personnel Early Warning System has been activated. The employee's supervisor will then notify the employee of the review. The appropriate division commander shall then conduct a review of the employee's performance consisting of, but not limited to:

- a. Training File
- b. Personnel File (evaluations, discipline, and commendations/awards)
- c. Evaluation Log
- d. Attendance Records
- e. Penal Code 148/241-243 Reports

The Division Commander shall submit a written response to the Chief of Police with his/her findings, and a Personal Improvement Plan, if applicable. Possible corrective measures may include, but are not limited to:

- a. Counseling by peers, supervisors or commanders.
- b. Referral to the Employee Assistance Program (EAP).
- c. Remedial training to address identifiable problems.
- d. Fitness for Duty evaluation, if authorized by the Chief of Police and the City's Director of Personnel.

The Division Commander may determine that based on their review, no corrective action is necessary.

(CALEA 35.1.9 e)

The Chief of Police shall review the written response and must approve any corrective measures. The Division Commander shall insure that any corrective measures are accomplished, and forward a report to the Chief of Police with the final results. After being reviewed by the Chief of Police, the final report will be maintained in the employee's Evaluation Log for one year.

(CALEA 35.1.9 d)

The Personnel Early Warning System shall be reviewed annually to evaluate the system's effectiveness and changes made, as required.

(CALEA 35.1.9 c)

EMPLOYEE ASSISTANCE PROGRAM (EAP)

The City of Hermosa Beach makes an Employee Assistance Program (EAP) available to all of its employees, through the Holman Group, to address a full array of personal and professional problems that may affect an employee's day-to-day life. Participation in the EAP is voluntary and benefits vary by specific bargaining groups. Information regarding individual benefits can be found in the various MOU's representing Police Department personnel.

During P.O.S.T. certified Supervisory Training Class, supervisors are trained in the identification of employee behavior indicative of the existence of employee concerns; problems or issues that could impact an employees job performance. It is the responsibility of the employee's supervisor to provide the employee with contact and benefits information necessary for obtaining services as may be needed.

Employees and their immediate family members may also self-refer to any of the programs offered by the Holman Group as needed. Additional benefit and enrollment information is available in the Personnel Department, or online at www.holmangroup.com.

An employee's voluntary use of the EAP is confidential. Absent a legally defined, compelling reason, information can only be released to the City upon written approval of the involved employee.

(CALEA 22.2.6 a-f; 35.1.9 f)

APPROVED:



Greg Savelli
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

A1.14 PERFORMANCE EVALUATIONS (Supersedes General Order 6)

**Effective 10/27/2009
Updated**

PURPOSE

To provide an effective process to document performance and facilitate continuing communication between supervisors and subordinates, and to establish a process and supervisory responsibilities for the completion of police officer performance evaluations.

POLICY

Employee performance evaluations will be written based on job related factors specific to the position occupied by the employee without regard to sex, race, color, or creed. Each evaluation will be based upon the employee's performance during the applicable evaluation period. However, prior and recurring issues from previous evaluations may be referenced where appropriate. The employee's immediate supervisor will complete each evaluation. The immediate supervisor should seek the input of other supervisors directly familiar with the employee's performance during the rating period. Contents of the employee's Evaluation Log, where applicable, will also be used to assist the supervisor(s) in creating an accurate evaluation. (CALEA 35.1.4)

EVALUATION PROCESS

I. Supervisory Interaction

The evaluation process does not occur once a year with the completion of the Performance Evaluation Rating Sheet. The process should occur daily through personal observations and interaction with the subject employees. Recognition or recommendation for improvement should occur at the same time as the events that demonstrate exceptional or deficient performance. An Evaluation Log is kept for all sworn and non-sworn uniformed officers where supervisors keep track of performance issues that arise during the year. Any notations made in the employees Evaluation Log for the current rating period may be included in the officer's evaluation.

The written performance evaluation is the formal documentation of observations made and guidance given to the employee during the prior year. Ideally, the written evaluation will not include any issues which had not previously been brought to the employee's attention.

EVALUATION LOG

I. Evaluation Log Design

The Evaluation Log shall be contained in a standard two-hole pressboard binder, red in color, with the employee's name and rank on a file tab inside the folder and affixed to the front of the binder on a white label. A standard log type form shall be permanently attached to the inside left cover with four (4) columns marked; Date, Page Number, Employee's Signature and Supervisor's Signature. Under the column heading employee's signature will be the words "employee acknowledgement".

II. Entries into the Evaluation Log

Only supervising employees at least one civil service rank above the subject employee may make entries in the Evaluation Log. This shall include employees in acting positions (i.e., acting sergeant, acting lieutenant) excluding acting watch commander. In the event an employee working as the acting watch commander becomes aware of an action worthy an entry into an employee's Evaluation Log the acting watch commander will contact any of the employees authorized to make entries into the Evaluation Log and make notification to them of the event in writing. Any additional paperwork placed into the Evaluation Log will have a page number marked on the lower right corner. The page number will be recorded on the log in the appropriate column. Entries made in the Evaluation Log shall be reviewed by the employee at the first available opportunity and shall be acknowledged with the employee's signature. In the event the employee refuses to sign the acknowledgement form, refer to Policy O3.12 in this manual.

III. Positive and Negative Comments from Outside Sources

This area of the Evaluation Log is intended to be used as a temporary repository for any form of communication (card, letter, e-mail, documentation of phone calls, etc.) received by the department concerning an employee. The employee will be made aware of the communication as soon as possible after its inclusion in the Evaluation Log. Based on these outside comments, the Supervisor may write a commendation or note recommendations for improvement.

PERFORMANCE EVALUATIONS

The written performance evaluations used by this department are intended to help motivate department members to work at their highest capacity. Objective job standards have been established to measure each employee's work product. Documented evaluations provide a means to reward employees for their achievements through recognition and help to plan their future professional development.

Evaluations may play a role in an employee's promotional opportunities or assignment to specialized details. Evaluations also help to correct marginal or below standard performance and can demonstrate an employee's failure to correct below standard performances over time.

Supervisors and staff are reminded that the recognition, evaluation, and guidance of employees is a constant and continuing process. Evaluators are responsible for knowing what employees under their control are doing, and how well they are doing it.

I. Performance Evaluation Rating Sheet

A. Sworn Personnel

The Performance Evaluation Rating Sheet for police officers is a departmentally approved document that includes measurement definitions within categories of performance and job standards objectives. The Rating Sheet will be used in conjunction with the Standardized Performance Guidelines to indicate performance levels for each job standard. The form includes narrative sections for specific achievements, recognition of strong points, areas for improvement, and action plans for improvement/career development.

B. Non-Sworn Personnel

The Performance Evaluation Form for non-sworn uniformed and administrative personnel are specific to each classification. These forms have their own set of measurement definitions and performance criteria and will be used to indicate the employee's performance level within specific categories. Each form also includes narrative sections for specific achievements, as well as areas requiring improvement with suggested remedial steps to be taken, and/or suggestions for career development.

II. Unsatisfactory Performance

Any time a non-probationary employee's performance is deemed to be unsatisfactory, the supervisor shall notify the employee in writing at least 90 days prior to the end of the employees annual rating period. The supervisor will provide actions the employee should take to improve their performance to an acceptable level.

(CALEA 35.1.6)

III. Evaluation Periods

All Hermosa Beach Police Department employees will receive performance evaluations annually. The evaluations cover a one-year period and will be completed as close to the employee's employment anniversary date as circumstances allow.

Probationary employees will receive performance evaluations in accordance with their MOU. Sworn probationary employees will receive evaluations every three months upon completion of their formal field training, and until the end of their probationary employment period. During formal field training the probationers Daily Observation Reports and monthly Field Training Officers evaluations will serve as the employee's evaluations.

Reserve officers will receive performance evaluations yearly. Reserve officers under formal field training shall have the Daily Observation Reports and monthly Field Training Officers evaluations serve as their employee evaluations.

(CALEA 35.1.2, 35.1.3, 35.1.5a)

IV. Evaluators/Raters

Sergeants/Supervisors are responsible for evaluating those in the Officer ranks and will give consideration to input from command officers. Sergeants must have attended a POST approved Supervisory course prior to conducting and preparing evaluations.

Officers undergoing the Field Training Program shall be evaluated by the Field Training Officer currently assigned to them.

Division Commanders (Lieutenants) will complete evaluations for Sergeants.

Evaluations for Lieutenants will be completed by Captains or the Chief of Police. These evaluations will be a narrative and may or may not include the departmental evaluation form. This will be determined by the duties and responsibilities of the Lieutenant during the rating period. Evaluations for Captains will be completed by the Chief of Police in a similar fashion.

Because of changing shifts and assignments a department member may be supervised by several people during any given rating period. The Officer's Divisional Commander will determine which Sergeant will complete the evaluation. Consideration will be given to how much and how recently the Officer has worked with each Sergeant during the rating period.

Prior to completing the evaluation the rating supervisor/Sergeant will discuss the employee's performance with their other supervisors. The Sergeant will complete the performance evaluation and submit it to the Division Commander who will review and sign it. The performance evaluation will then be forwarded to the Chief of Police for review and signature. It will then be returned to the rating supervisor and presented to the subject employee.

In order to ensure the rater's apply ratings uniformly, supervisors and managers will be rated on their ability to be fair and impartial when rating employees, their participation in counseling employees, and their ability to carry out the rater's role in the performance evaluation system.

(CALEA 35.1.8)

V. Performance Evaluation Narrative Comments

The performance evaluation form includes narrative sections which must be effectively used by the rating supervisor. Narratives should include, but not be limited to:

- a. Specific areas of performance in need of improvement
- b. Action plans for improvement
- c. The employees training needs or desires
- d. Special assignments worked during the rating period
- e. Performance in relation to specific assignments
- f. Supervisory or leadership potential
- g. Interest and suitability for specialized assignments
- h. Individual specialized skills or professional interests

i. Any other issues the rater feels are pertinent
(CALEA 35.1.1a-d; 35.1.5 b)

VI. Acknowledgment/Response by Employee

The rating supervisor will present and discuss the evaluation with the employee after its approval by the Division Commander and Chief of Police. The rating supervisor shall discuss the level of performance expected and goals for the new rating period and career counseling pertaining to advancement, specialized assignments and training appropriate for the employee's current assignment and the results of their performance evaluation. Any employee who objects to a rating received will have the ability to submit the objection in writing which shall accompany the evaluation. The objection shall be reviewed by the employee's superiors within the chain-of-command.


The employee must sign the evaluation form as an acknowledgment of receipt only. The signed and completed form will be forwarded to the office of the Chief of Police via the Division Commander for inclusion in the appropriate departmental files with a copy provided to the employee.

VII. Evaluation and Evaluation Log Retention

All information contained in the Evaluation Log will be destroyed each year after completion of the Annual Performance Evaluation.

Employee evaluations shall be maintained in the employees personnel file in accordance with the City of Hermosa Beach Records Retention Schedule.

APPROVED:



Greg Savelli
Chief of Police

Special Assignments and Promotions

1002.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for promotions and for making special assignments within the Hermosa Beach Police Department.

1002.1.1 PROCEDURE

The Hermosa Beach Police Department is committed to promoting personnel who have been deemed to possess the desirable qualifications that are needed to fulfill the agency's commitment to the community, City Organization, and its staff.

1002.2 PROMOTIONAL REQUIREMENTS

Requirements and information regarding any promotional process are available at the Hermosa Beach Personnel Department.

1002.3 POLICY

The Hermosa Beach Police Department determines assignments and promotions in a non-discriminatory manner based upon job-related factors and candidate skills and qualifications. Assignments and promotions are made by the Chief of Police.

1002.4 SPECIAL ASSIGNMENT POSITIONS

The following positions are considered special assignments and not promotions:

- (a) Detective/Investigator
- (b) Traffic officer
- (c) Canine handler
- (d) Field Training Officer
- (e) Crime Impact Team member

Specialized Assignments are of a temporary duration and will rotate based on the Memorandum of Understanding.

1002.4.1 GENERAL REQUIREMENTS

The following requirements should be considered when selecting a candidate for a special assignment.

- (a) Off probation
- (b) Possession of or ability to obtain any certification required by POST or law
- (c) Exceptional skills, experience, or abilities related to the special assignment

1002.4.2 EVALUATION CRITERIA

The following criteria will be used in evaluating candidates for a special assignment:

Hermosa Beach Police Department

HBPD Policy Manual

Special Assignments and Promotions

- (a) Presents a professional, neat appearance.
- (b) Maintains a physical condition that aids in his/her performance.
- (c) Expressed an interest in the assignment.
- (d) Demonstrates the following traits:
 - 1. Emotional stability and maturity
 - 2. Stress tolerance
 - 3. Sound judgment and decision-making
 - 4. Personal integrity and ethical conduct
 - 5. Leadership skills
 - 6. Initiative
 - 7. Adaptability and flexibility
 - 8. Ability to conform to department goals and objectives in a positive manner

1002.4.3 SELECTION PROCESS

The selection process for special assignments will include an administrative evaluation as determined by the Chief of Police to include:

- (a) Supervisor recommendations - Each supervisor who has supervised or otherwise been involved with the candidate will submit a recommendation.
 - 1. The supervisor recommendations will be submitted to the Division Commander for whom the candidate will work.
- (b) Division Commander interview - The Division Commander will schedule interviews with each candidate.
 - 1. Based on supervisor recommendations and those of the Division Commander after the interview, the Division Commander will submit his/her recommendations to the Chief of Police.
- (c) Assignment by the Chief of Police.

The selection process for all special assignment positions may be waived for temporary assignments, emergency situations, training, and at the discretion of the Chief of Police.

1002.5 COLLATERAL DUTIES

Police Sergeants and Police Officers may be assigned collateral duties in addition to their primary assignment. Collateral duties are not considered Special Assignment positions. Collateral duties shall be based on the needs of the Department as determined by the Chief of Police. Rotation of collateral duties allows for a greater number of officers to receive specialized training and allows for an expanded pool of employees prepared to assume the responsibilities of a number of positions. Because of the training required, most assignments will be for a period of time sufficient to allow for the best use of the expertise gained from time in the position. Some collateral duties will be rotated based on the individual's current primary assignment. For example, if the Field Training

Hermosa Beach Police Department

HBPD Policy Manual

Special Assignments and Promotions

Officer (FTO) Supervisor transfers to the Detective Bureau, then the responsibility for the FTO program will be transferred to a Patrol Sergeant.

1002.6 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police October 27, 2009

August 1, 2023



HERMOSA BEACH POLICE DEPARTMENT

A1.16 EMPLOYEE RECOGNITION POLICY

Effective 10/27/2009
Updated

PURPOSE

To establish a procedure for recognizing exemplary performance by Department employees.

POLICY

It shall be the policy of this department to recognize and honor the exemplary performance of department personnel.

PROCEDURE

I. Employee Recognition and Awards Program

A. The following awards have been established by the South Bay Chambers of Commerce for sworn officers:

1. Medal of Valor- This award shall be presented to employees who distinguish themselves with conspicuous bravery, heroism, or other outstanding action and where the employee is aware of great personal danger prior to the performance of the act. Presentation of the award is based on the performance of the act, which would be considered in excess of the normal demands of service and under circumstances where the employee was fully aware of the scope of the action and the threat to physical safety.
2. Distinguished Service Award- This award shall be presented to employees who take outstanding action beyond the call of duty to preserve the life of a person. The rescuer need not have been subjected to personal risk.
3. Sustained Superiority Award- this award shall be presented to employees who shall by their act or acts, tangibly and conspicuously further the cause of law enforcement in the community by outstanding or superior conduct. The performance of such act or acts shall be motivated solely by the desire to benefit the community without thought of personal gain.

B. Nomination and Selection Process

1. Any member of the Department may recommend another employee for an award.

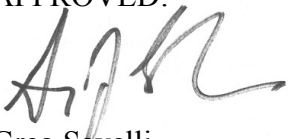
2. Employees shall submit their recommendation to their immediate supervisor in writing, detailing the circumstances and reason for the recommendation.
3. The supervisor shall follow up and verify the circumstances described and shall submit all material to the Chief of Police.
4. The Chief of Police will review the material and determine whether or not to nominate the employee for an award.
5. Awards are received at the annual South Bay Medal of Valor Awards Ceremony.

C. City and Departmental awards

1. Department employees, including sworn or non-sworn, who perform an act or series of actions which bring credit to the department or to the employee individually may be recognized as deemed by the Chief of Police and/or the City Council.
2. These awards may be in the form of Letters of Commendation or Council Resolutions.

(CALEA 26.1.2)

APPROVED:



Greg Savelli
Chief of Police

Staffing Levels

206.1 PURPOSE AND SCOPE

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

206.2 MINIMUM STAFFING LEVELS

Minimum staffing levels should result in the scheduling of at least one regular supervisor (Watch Commander) on duty at all times.

206.2.1 SUPERVISION DEPLOYMENTS

In order to accommodate training and other unforeseen circumstances, an officer, who has been approved on the Watch Commander list, may be used as field supervisors in place of a field sergeant.

With prior authorization from the Chief of Police, an officer may act as the Watch Commander for a limited period of time.

206.3 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police October 27, 2009

June 6, 2023

Payroll Records

1019.1 PURPOSE AND SCOPE

This policy provides the guidelines for completing and submitting payroll records of department members who are eligible for the payment of wages.

1019.2 POLICY

The Hermosa Beach Police Department maintains timely and accurate payroll records.

1019.3 RESPONSIBILITIES

Members are responsible for the accurate completion and timely submission of their payroll records for the payment of wages.

Supervisors are responsible for approving the payroll records for those under their commands.

1019.4 TIME REQUIREMENTS

Members who are eligible for the payment of wages are paid on a scheduled, periodic basis, generally on the same day or date each period, with certain exceptions, such as holidays. Payroll records shall be completed and submitted to Administrative Services as established by the City payroll procedures.

1019.5 RECORDS

The Executive Assistant to the Chief of Police shall ensure that accurate and timely payroll records are maintained as required by 29 CFR 516.2 for a minimum of three years (29 CFR 516.5).

1019.6 ISSUING AUTHORITY



Effective Date

W. Paul LeBaron, Chief of Police

August 1, 2023



HERMOSA BEACH POLICE DEPARTMENT

A1.17 COMPENSATION AND BENEFITS (Supersedes General Order No. 5, 10, 12)

**Effective 10/27/2009
Updated 08/01/2015**

PURPOSE

This written directive establishes an informational resource in relation to the compensation and benefits afforded to Department personnel, and is aligned with the bargaining unit contracts.

POLICY

The Department supports the system-wide bargaining unit process and shall maintain compensation, benefits, and working conditions that are in compliance with existing contractual agreements. Nothing in this policy shall be construed to supersede existing contractual agreements.

CONTRACT AGREEMENTS

All of the Department's employees (except volunteer and "at-will" positions) are represented by one of four labor unions recognized by the City of Hermosa Beach. Each labor union maintains a specific Memorandum of Understanding (MOU) with the City of Hermosa Beach. The four agreements are as follows:

MOU between: City of Hermosa Beach and Police Officers and Sergeants Bargaining Group (**POA**). This contract represents all sworn police officers below the rank of Lieutenant.

MOU between: City of Hermosa Beach and Police Management Bargaining Group (**Management**). This contract represents all sworn police officers at the rank of Lieutenant or Captain.

MOU between: City of Hermosa Beach and Professional and Administrative Employees (**P&AE**). This contract represents the administrative assistants to the Chief of Police.

MOU between: City of Hermosa Beach and General and Supervisory Employees Bargaining Group (**Local 911**). This contract represents all other non-sworn employees with the Department.

SALARY COMPENSATION

For sworn personnel, the Department administers its compensation program according to the established POA and Management agreements.

For non-sworn personnel, the Department administers its compensation program according to the established P&AE and Local 911 agreements.

A. Entry-level salary.

1. The salary schedule that pertains to sworn personnel can be found in Article 12 of the POA MOU and in Article 11 of the Management MOU. The Chief of Police may recommend a higher entry-level salary based on the experience and background of the person hired.
2. The salary schedule that pertains to non-sworn personnel can be found in Exhibit A of the P&AE and Local 911 MOUs. Upon recommendation of the Chief of Police, an employee shall be assigned a salary rate within the salary range or sub-range appropriate to his/her classification.

B. Salary differential within ranks – sworn and non-sworn.

1. Salary differential within ranks is set by contract.
2. The differential between steps within the scales is standardized at a set percentage or amount subject to change via the bargaining process.

C. Salary differential between ranks – sworn and non-sworn.

1. Both entry and top-end salary levels are determined via the bargaining process.
2. The salary increases between ranks provide incentive for promotion and are designed to recognize more complex levels of responsibility.

D. Salary levels and augmentation for those with special skills or assignments (sworn positions).

1. Salary increases are offered to eligible employees based on education and experience, special assignment, and longevity.
 - a. Education and experience pay increases can be found in the POA MOU (Article 24) and Management MOU (Article 13).
 - b. Special assignment pay increases can be found in the POA MOU (Article 27).
 - c. Longevity pay increases can be found in the POA MOU (Article 23) and Management MOU (Article 12).

E. Salary levels and augmentation for those with special skills or assignments (non-sworn positions).

1. Salary increases are offered to eligible employees based on special assignment, merit, and longevity.
 - a. Special assignment pay increases can be found in the P&AE MOU (Article 8-Premium Pay, and Article 27-Out of Class Pay) and Local 911 MOU (Article 36-Higher Classification Pay, and Article 41-Premium Pay).
 - b. Merit pay increases can be found in the P&AE MOU (Article 9).
 - c. Longevity pay increases can be found in the Local 911 MOU (Article 40).

(CALEA 22.1.1 a,b,c,d,g)

OVERTIME AND COMPENSATORY TIME

Sworn personnel:

Overtime includes time that is directed by an appropriate supervisor and performed at a time outside of, and not continuous with, an employee's assigned regular work schedule. Overtime for shift coverage to meet minimum staffing levels shall be filled by the supervisor recognizing the need to backfill on overtime. Seniority will not be considered when filling minimums.

Posted overtime assignments will include the date and time for the assignment, location of the assignment and anticipated duties. Once posted, overtime sign-ups may begin. Any officer may sign up. Officers with less seniority may be "bumped" by more senior officers up until the date and time specified on the posting (which will be approximately the midway point between the posting and the assignment). On and after the date specified, any officer regardless of seniority may sign-up and may not be bumped.

Officers who sign up for overtime are then required to appear for that assignment. Should an officer miss such an assignment, without notice to the department, they may be subject to discipline in a manner consistent with Regulation 90-05. Officers who must cancel their overtime assignment due to unforeseen circumstances (which should be rare) must notify the on-duty Sergeant or Watch Commander. It will be that supervisor's responsibility to locate a replacement. If the assignment is more than three days away, the supervisor shall use the seniority list to call the officers. The supervisor shall document the time of each call and the result, i.e., no answer, message left on machine etc. There is no requirement to wait for each officer to respond to the request. The first officer who accepts will be assigned. If there is less than three days until the posted assignment, the supervisor is not required to use the seniority list. This order should be used to ensure the equal disbursement of available overtime in a fair and equitable manner while ensuring the department's staffing needs are met.

Officers shall review their information on the seniority list to determine the Department is calling a number that will most likely be capable of reaching them, i.e. cell phone or home phone.

Compensatory time earned is compensation in lieu of overtime pay and is awarded in the same rate as overtime (1.5/1 or as required by contract).

The earning of and paying out of overtime and compensatory time can be found in Article 14 of the POA MOU. Sworn officers governed by the Management MOU are not eligible to earn overtime or compensatory time.

Pre-scheduled overtime is subject to the approval of the Division Commander. Pre-scheduled overtime will be filled on a seniority basis. Unanticipated overtime will be filled on a first-available basis. If no officer elects to fill any overtime assignment, that assignment may be filled by a reserve police officer. If no reserve officer is available to fill the assignment, a regular sworn officer may be ordered to fill the assignment on a reverse-seniority basis.

Non-sworn personnel:

Overtime is authorized time worked in excess of forty (40) hours in a standard, seven-day workweek (commencing at 0001 hours on Sunday and ending at 2400 hours the following Saturday) for employees working a 5/40 or 4/40 schedule.

For employees working a 9/80 schedule, the workweek shall commence at 1101 hours on Friday and terminate at 1100 hours the following Friday.

For the purpose of administering a 3/12 work schedule, overtime shall be defined as time worked in excess of eighty (80) hours within a fourteen (14) day work schedule.

For employees belonging to the Local 911 bargaining group, overtime shall be determined in accordance with Article 27 of the MOU. Overtime for employees in the P&AE group shall be determined in accordance with Article 13 of their MOU.
(CALEA 22.1.1 e, f)

Off-Duty Work/Business Calls, Sworn and Non-Sworn Personnel:

The following procedure for compensation for off-duty phone calls shall be as follows:

When any employee of the Hermosa Beach Police Department is required to speak with attorneys representing the department on criminal or civil matters, the employee will be compensated similar to that of the Court Minimum, that being, two hours minimum at a rate of time and one-half. This would include scheduled DMV Hearings.

For other business related calls, with the exception of calls from supervisors regarding the scheduling of overtime, schedule/shift selections or in response to requests from the employee, the following shall apply;

For off-duty calls initiated by a supervisor, employees will be compensated for one hour at a rate of straight time and rounded to the next hour if the call exceeds the first hour.

LEAVE PROGRAM

Administrative Leave

A. Bereavement

1. Each employee shall receive a maximum of three (3) shifts per calendar year to be utilized because of a death in their immediate family.
2. If needed, an additional shift may be granted (two additional shifts may be granted for P&AE members).
3. Immediate family shall be defined as: father; mother; father-in-law; mother-in-law; brother; sister; spouse; or legal dependent.
4. Employees may predesignate and substitute other members for those members defined as "immediate family." The intent of this provision is neither to

expand the number of persons included in the definition nor to increase paid leave opportunities, but rather, to recognize variation in family structure.

5. For the purposes of bereavement leave, parents-in-law, step-children, step-parents, and persons living within the same household are to be considered in the definition of “immediate family.”

B. Jury Duty

1. Sworn peace officers with this Department are eligible to be exempt from jury service.
2. Employees covered by the P&AE MOU, if called to jury service, shall remain in their regular pay status while in jury service, in accordance with Article 16 of the MOU.
3. Employees covered by the Local 911 MOU, if called to jury service, will not be provided Jury Duty leave pay; however, if the State or Federal jury commissioners rescind their present policy of granting jury service exemptions to persons who do not receive Jury Duty leave pay, the employees will remain in their regular pay status while in jury service, in accordance with Article 45 of the MOU.

C. Leave to Vote

1. An employee who would otherwise be unable to vote outside of his/her regular working hours may be granted up to two (2) hours of work time, without loss of pay, to vote at a general, direct primary, or presidential primary election.
2. An employee shall be required to request such leave time from the appropriate supervisor at least two (2) working days prior to the election.

D. Military Leave

The Department supports members who are also members of the armed forces Reserve Component or National Guard through pre-deployment, deployment, and post deployment phases and will assist the member with reintegration after the military activation concludes.

1. Emergency military leave, temporary military leave, and indefinite military leave shall be granted to eligible employees in accordance with Military and Veterans Code Section 395.01.
2. Employees shall receive a salary from the City while on military leave.
3. The Department’s Administrative Sergeant is the designated agency point of contact for questions related to military leave policy and related paperwork.
4. The officer’s Division Commander or designee, such as Officer in Charge will serve as the department’s direct liaison with the deployed member and their family during pre-deployment, deployment, and post deployment periods.
5. All department personnel involved in a military activation exceeding 90 days will be scheduled for an interview with their Division Commander or designee to review City and Department directives, the employee’s obligations, and address

any questions at the that time.

6. Officers will return their agency owned equipment to the Administrative Sergeant for storage during deployment.
7. Officers returning from a military activation exceeding 90 days will be scheduled for an interview with their Division Commander or designee to review City and Department policies, the officer's obligation upon returning to work, and address any questions the officer may have at that time. The Division Commander or designee is responsible for inquiring and determining if the officer from military deployment has any special needs, particularly those involved in combat operations, and offer the City's Employee Assistance Program (EAP) or other local available and feasible resources for returning military personnel.
8. Returning sworn officers who missed a regular firearms and less-lethal weapons qualification are required to complete refresher training and requalify before resuming normal duty.
9. All returning officers are required to complete initial and/or refresher training for mandatory training topics that were not completed during military deployment before resuming normal duty.
(CALEA 22.2.8)

E. Long Term Disability (LTD)

1. For the purpose of this section, LTD includes provisions for both extended personal medical leave and family medical leave, including maternity/paternity/adoption leave and pregnancy disability leave.
2. Long Term Disability benefits for sworn personnel are funded and governed by the Hermosa Beach Police Officers' Association (HBPOA). Information regarding these benefits can be found in the HBPOA Rules and By-laws.
3. Long Term Disability benefits for non-sworn personnel are provided by the City. LTD benefits for employees of the P&AE bargaining are found in Article 21 of their MOU. LTD benefits for employees of the Local 911 bargaining group are found in Article 51 of their MOU.

F. Leave of Absence (LOA)

1. Non-sworn employees may be granted LOA, subject to the approval of the employee's department head. Any employee requesting LOA must make the request in writing. The request must include the dates the LOA commences and ends, an acknowledgement that the employee will receive no compensation from the City during the LOA, and that the City may hire a permanent replacement for the employee, causing the employee to be permanently terminated from employment with the City.
2. Sworn employees are allowed LOA, not to exceed sixty (60) days. LOA may only be granted once every other year and may be taken in conjunction with, or in addition to, regular vacation time. LOA is subject to approval by the Chief of Police. Requests for LOA must be submitted, in writing, no less than thirty (30) days prior to the commencement of the LOA. Employees on LOA will

not be compensated by the City in any way and will be responsible for the continuation of their benefits during their LOA.

G. Management Leave

1. Sworn officers covered by the Management MOU are allowed one hundred (100) hours of additional leave per calendar year.
2. Management Leave does not accumulate or carry over; it must be used each year and may not be “cashed out.”

Holiday Leave

- A. Sworn officers covered by the POA MOU are scheduled without regard to holidays and receive holiday compensatory time in lieu of paid holidays off. These officers shall accrue 9.33 hours of “Holiday Comp” time per month. Holiday compensatory time may be accrued and utilized in accordance with Article 20 of the MOU.
- B. For sworn officers covered by the Management MOU, the following holidays are considered as paid: New Year’s Day; Martin Luther King, Jr.’s Birthday; Presidents’ Day; Memorial Day; Independence Day; Labor Day; Veterans’ Day; Thanksgiving Day; Day after Thanksgiving (for those employees working a 5/40 schedule); and Christmas Day.
- C. Non-sworn employees covered by the P&AE MOU shall receive ninety (90) hours per year for the following holidays off with pay: New Year’s Day; Martin Luther King, Jr.’s Birthday; Presidents’ Day; Memorial Day; Independence Day; Labor Day; Veterans’ Day; Thanksgiving Day; and Christmas Day. If a holiday falls on a normal day off, the employee shall receive holiday compensation time. Holiday compensatory time will be accrued in accordance with Article 18 of the MOU.
- D. Holiday time for non-sworn employees covered by the Local 911 bargaining group is detailed in Article 47 of the MOU.
 1. Employees who work a 5/40 schedule shall receive the following holidays off with pay: New Year’s Day; Martin Luther King, Jr.’s Birthday; Presidents’ Day; Memorial Day; Independence Day; Labor Day; Veterans’ Day; Thanksgiving Day; Day after Thanksgiving; Christmas Eve (5 hours); Christmas Day; and New Year’s Eve (5 hours).
 2. Employees who work a 4/40 schedule shall receive the following holidays off with pay: New Year’s Day; Martin Luther King, Jr.’s Birthday; Presidents’ Day; Memorial Day; Independence Day; Labor Day; Veterans’ Day; Thanksgiving Day; and Christmas Day.
 3. Employees who work a 9/80 schedule shall receive ninety (90) hours of “Holiday Comp” time per calendar year.

Sick Leave

Compensatory time and vacation time are considered approved time off. The Watch Commander, PSO Supervisor, or CSO Supervisor may approve the use of compensatory or vacation time by their respective subordinates if it does not adversely affect the manpower

needs of the department and/or is requested far enough in advance to arrange for coverage (no less than 24 hours.) If an employee calls in sick, then a sick slip shall be submitted for the hours or day(s) missed. Supervisors shall not approve compensatory or vacation time in lieu of sick time.

- A. Sworn employees covered by the POA MOU accrue eight (8) hours of sick time per month, up to a maximum of six hundred (600) hours. Any additional accrued sick time over 600 hours will be “cashed out” by the City as part of the February 20th payroll. The utilization of sick time shall be in accordance with Article 21 of the MOU.
- B. Sworn employees covered by the Management MOU accrue six (6) hours of sick time per month until they have accrued a minimum of one hundred, seventy-six hours, at that time the accrual rate will change to eight (8) hours per month, up to a maximum of three hundred, fifty (350) hours. Any additional accrued sick time in excess of 350 hours will be “cashed out” on the next pay period. The utilization of sick time shall be in accordance with Article 21 of the MOU.
- C. Non-sworn employees covered by the P&AE MOU shall accrue eight (8) hours of sick time per month, up to a maximum of two hundred, forty (240) hours. Any additional accrued time over 240 hours will be “cashed out” on the December 5th payroll. The utilization of sick time shall be in accordance with Article 14 of the MOU.
- D. Non-sworn employees covered by the Local 911 MOU shall accrue seven (7) hours of sick time per month until they have accrued a minimum of one hundred, seventy-six (176) hours, at that time the accrual rate will change to eight (8) hours per month. The utilization of sick time will be in accordance with Article 43 of the MOU.

Vacation Leave

- A. Sworn employees accrue vacation time at the following rates (270 hour cap):
 - 1. Upon hire, at the rate of ninety-six (96) hours per year.
 - 2. Commencing with the 7th year, at the rate of 112 hours per year.
 - 3. Commencing with the 8th year, at the rate of 136 hours per year.
 - 4. Commencing with the 15th year, at the rate of 160 hours per year.
 - 5. Commencing with the 16th year, at the rate of 168 hours per year.
- B. Commencing with the 17th year, at the rate of 176 hours per year. Non-sworn employees accrue vacation time at the following rates (capped at the 30 month accrual level):
 - 1. Upon hire, at the rate of 80 hours per year.
 - 2. Commencing with the 4th year, at the rate of 96 hours per year.
 - 3. Commencing with the 6th year, at the rate of 112 hours per year.
 - 4. Commencing with the 10th year, at the rate of 128 hours per year.
 - 5. Commencing with the 14th year, at the rate of 144 hours per year.
 - 6. Commencing with the 18th year, at the rate of 160 hours per year.

(CALEA 22.2.1)

BENEFITS PROGRAM

Education Benefits

- A. Sworn employees belonging to the POA bargaining group, pursuant to Article 24 of the MOU, are entitled to the following:
 - 1. An employee who possesses an Associate in Arts (A.A.) or Associate in Science (A.S.) degree, or POST Intermediate Certificate, shall receive additional compensation of 5% above base salary.
 - 2. An employee who possesses a Bachelor in Arts (B.A.) or Bachelor in Science (B.S.) degree, or POST Advanced Certificate, shall receive additional compensation of 10% above base salary.

- B. Sworn employees belonging to the Management bargaining group, pursuant to Article 13 and Article 24 of the MOU, are entitled to the following:
 - 1. An employee who possesses a POST Management Certificate shall be eligible to receive additional compensation of 5% above base salary.
 - 2. The City will pay the education costs for any employee who enrolls in training and academic courses that could provide the employee additional skills and/or knowledge related to his/her position.
 - a. Subject to prior approval by the City Manager.
 - b. Costs include tuition/course fees and books/materials.
 - c. Costs will be capped at the most current California State University rate.

- C. Non-sworn employees, pursuant to both the P&AE and Local 911 MOUs, are entitled to the following:
 - 1. The City will pay the education costs for any employee who enrolls in training and academic courses that could provide the employee additional skills and/or knowledge related to his/her position.
 - a. Subject to prior approval by the City Manager.
 - b. Costs include tuition/course fees and books/materials.
 - c. Costs will be capped at the most current California State University rate.
 - 2. Reimbursement of tuition shall be on a pro-rated basis, depending on hours worked, for employees working less than full time.

Retirement Program

All full time employees with this Department are eligible to receive retirement benefits paid for by the City via the California Public Employees Retirement System (CalPERS).

The City also provides a medical insurance supplement to all eligible employees upon retirement.

Specifics regarding each employee's retirement benefits are detailed in the employee's applicable MOU. The sections are as follows:

1. Article 17 of the POA MOU.
2. Article 17 of the Management MOU.
3. Article 19 of the P&AE MOU.
4. Article 49 of the Local 911 MOU.

Health Insurance Program

For sworn personnel, the City will make available health, dental, vision, mental health, and life insurance. For non-sworn personnel, the City will also make available long term disability insurance (LTD).

Coverage specifics can be found in the following locations:

1. Article 15 of the POA MOU.
2. Article 15 of the Management MOU.
3. Article 20 of the P&AE MOU.
4. Article 50 of the Local 911 MOU.

Death and Disability Benefits Program

The City shall provide life insurance for each employee, pursuant to the employee's MOU. This benefit is as follows:

1. For employees covered by the POA MOU, the City shall provide a life insurance policy for each employee, payable in the amount of \$60,000 upon such employee's death.
2. For employees covered by the Management MOU, the City shall provide a life insurance policy for each employee, payable in the amount of two times (2x) the employee's annual salary.
3. For employees covered by the P&AE MOU, the City shall provide a life insurance policy for each employee, payable in an amount equal to the employee's annual salary upon such employee's death.
4. For employees covered by the Local 911 MOU, the City shall provide a life insurance policy for each employee, payable in the amount of \$40,000.

Employees may elect to increase their insurance coverage through the City's insurance provider, at their own expense, including insurance for Accidental Death and Dismemberment.

Upon the death of a qualifying employee, the immediate family of a sworn employee is eligible to receive a contribution from the Robert Mutch Fund, via the HBPOA. The contribution from the Robert Mutch Fund is designed to cover the cost of burial services.

Sworn employees who sustain a work-related injury in which they are unable to return to

work in their current job duties are eligible to receive their monthly salary via the City's Workers Compensation insurance, pursuant to Section 4850 of the California Labor Code. Such benefit extends for a maximum of one year per injury. Upon exhaustion of this benefit, the employee will revert to his/her LTD benefits.

The City may, at its discretion and with medical approval, order the injured employee back to work in a modified work status. If provided, the injured employee will resume his/her regular salary and the Workers Compensation insurance benefit ("4850 time") will be halted.

If an employee dies before retiring, CalPERS will provide several benefits for the employee's family or the beneficiary(ies) named by the employee. Pre-retirement death benefits are divided into two categories:

1. Not Eligible to Retire – Under the age of 50, or age 50 or over with less than five (5) years of CalPERS-credited service.
 - a. Group Term Life Insurance
 - b. Alternate Death Benefit
 - c. Special Death Benefit
 - d. Basic Death Benefit
 - e. 1959 Survivor Benefit

2. Eligible to Retire – Age 50 or over with a minimum of five (5) years CalPERS-credited service.
 - a. Group Term Life Insurance
 - b. Optional Settlement 2 – Death Benefit
 - c. 1957 Survivor Benefit
 - d. Special Death Benefit
 - e. Basic Death Benefit
 - f. 1959 Survivor Benefit

Liability Protection

Civil liability, due to injuries caused by employees within the scope of employment, and immunity of employees, is discussed in California Government Code Section 815.2 as follows:

1. A public entity is liable for injury proximately caused by an act or omission of an employee within the scope of his/her employment if the act or omission would, apart from this section, have given rise to a cause of action against that employee or his/her personal representative.

2. Except as otherwise provided by statute, a public entity is not liable for an injury resulting from an act or omission of an employee of the public entity where the employee is immune from liability.

The City will represent an employee, at no cost, in any civil action brought against the employee arising from any act or omission causing personal injury, death, or property destruction, where the act or omission occurred when the employee was determined to

be acting within the course and scope of his/her employment. Employees are also able to utilize their legal defense resources available through their respective labor union.

In order to insure that employees are properly represented in legal matters related to their employment with the Department, it is imperative that employees notify their Division Commander, in writing, of any legal action. The employees shall also provide copies of all legal papers and documents related to the incident.
(CALEA22.2.2)

CLOTHING AND EQUIPMENT

The Department will provide the appropriate clothing and/or safety gear to all personnel. A complete detailing of the items to be issued are contained in Policy A1.21 of this manual.

All Department-issued safety gear and clothing shall be maintained in satisfactory condition. The procedure for replacing worn-out or damaged safety equipment is detailed in Policy A1.21 of this manual.

Sworn personnel covered by the POA bargaining group will be provided an annual uniform replacement allowance in accordance with Article 25 of the MOU.

Sworn personnel covered by the Management bargaining group will be provided an annual uniform replacement allowance in accordance with Article 25 of the MOU.

Non-sworn personnel covered by the Local 911 bargaining group will be provided a monthly uniform allowance in accordance with Article 30 of the MOU.

PHYSICAL EXAMINATIONS

Any physical examinations required of Department employees shall be provided at no cost to the employee. Any physical examination should be conducted only to confirm the employee's continued fitness to perform the duties required of their assignment. The physical examination shall not be used to identify employees with disabilities who are otherwise able to perform their assigned duties, with or without reasonable accommodation.
(CALEA 22.3.1)

GENERAL HEALTH AND PHYSICAL FITNESS

The Department desires all sworn members to maintain an overall level of health and physical fitness consistent with this directive. All sworn officers through the rank of Chief of Police are encouraged to be physically fit to ensure their ability to perform the essential functions of the job.

All personnel covered by the POA bargaining group are authorized to engage in a physical fitness training regimen while "on-duty," in accordance with Article 28 of the MOU.
(CALEA 22.3.2)

PERSONNEL SUPPORT SERVICES

The Hermosa Beach Police Department offers support services to its employees through the City of Hermosa Beach Personnel Department on an as needed and case-by-case basis. Employees requiring assistance or information on available benefits associated with their employment may make an appointment directly with the Personnel Department. Such assistance may include, but is not limited to, health, dental, or vision plans, benefits available in the event of an employee’s death or serious injury, EAP, or deferred compensation plans. For direct assistance, contact the Personnel Assistant at 310-318-0230.
(CALEA 22.2.3)

EMPLOYEE ASSISTANCE PROGRAM (EAP)

The City of Hermosa Beach makes an Employee Assistance Program (EAP) available to all of its employees through the Holman Group to address a full array of personal and professional problems that may affect an employee’s day-to-day life.

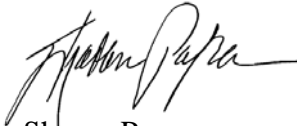
Participation in the EAP is voluntary and benefits vary by specific bargaining groups. Information regarding individual benefits can be found in the various MOU’s representing Police Department personnel.

Employees and their immediate family members may self-refer to any of the programs offered by the Holman Group as needed. Additional benefit information is available in the Personnel Department, or online at www.holmangroup.com.

An employee’s voluntary use of the EAP is confidential. Absent a legally defined, compelling reason, information can only be released to the City upon written approval of the involved employee.

(CALEA 22.2.6)

APPROVED:



Sharon Papa
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

A1.18 OUTSIDE EMPLOYMENT

Effective 10/27/2009

Updated 8/12/2020

PURPOSE

In order to avoid actual or perceived conflicts of interest for department employees engaging in outside employment, all employees shall obtain written approval from the Chief of Police and City Manager prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the Chief of Police in accordance with the provisions of this policy. In all cases of outside employment, the primary duty, obligation and responsibility of an employee is at all times to the Department. Emergency call back response to fulfill the Police Department's mission to the community shall take priority over outside employment.

I. DEFINITIONS

Outside Employment - Any member of this department who receives wages, compensation or other consideration of value from another employer, organization or individual not affiliated directly with this department for services, product(s) or benefits rendered. For purposes of this section, the definition of outside employment includes those employees who are self-employed and not affiliated directly with this department for services, product(s) or benefits rendered.

Outside Overtime - Any member of this department who performs duties or services on behalf of an outside organization, company, or individual within this jurisdiction. Such outside overtime shall be requested and scheduled directly through this department so that the Department may be reimbursed for the cost of wages and benefits.

OBTAINING APPROVAL

No member of this department may engage in any outside employment without first obtaining prior written approval of the Chief of Police and City Manager. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy may lead to disciplinary action.

In order to obtain approval for outside employment, the employee must complete a Notice of Outside Employment Application which shall be submitted to the employee's immediate supervisor. The application will then be forwarded through channels to the City Manager for consideration.

If approved, the employee will be provided with a copy of the approved permit. Unless otherwise indicated in writing on the approved permit, a permit will be valid through the end of the calendar year in which the permit is approved. Any employee seeking to renew a permit shall submit a new Outside Employment Application in a timely manner.

Any employee seeking approval of outside employment, whose request has been denied, shall be provided with a written reason for the denial of the application at the time of the denial (Penal Code § 70(e)(3)).

I. APPEAL OF DENIAL OF OUTSIDE EMPLOYMENT

If an employee's Outside Employment Application is denied or withdrawn by the Department, the employee may file a written notice of appeal to the City Manager within ten days of the date of denial.

II. REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT PERMITS

Any outside employment permit may be revoked or suspended under the following circumstances:

- (a) The immediate supervisor and/or Division Commander of an employee shall make himself/herself aware of all conditions surrounding an approved request. Should an employee's performance at this department decline, the supervisor shall make recommendations to the Chief for revocation of an approved request when it can be reasonably substantiated that the outside employment conflicts with departmental duties. All such recommendations shall be accompanied with a description of the employee's behavior or work habits affected by the outside employment. The Chief of Police may, at his or her discretion, revoke any previously approved outside employment permit(s). That revocation will stand until the employee's performance has been reestablished at a satisfactory level and his/her supervisor recommends reinstatement of the outside employment permit.
- (b) Suspension or revocation of a previously approved outside employment permit may be included as a term or condition of sustained discipline
- (c) If, at any time during the term of a valid outside employment permit, an employee's conduct or outside employment conflicts with the provisions of department policy, the permit may be suspended or revoked
- (d) When an employee is unable to perform at a full duty capacity due to an injury or other condition, any previously approved outside employment permit may be subject to similar restrictions as those applicable to the employee's full time duties until the employee has returned to a full duty status

PROHIBITED OUTSIDE EMPLOYMENT

Consistent with the provisions of Government Code § 1126, the Department expressly reserves the right to deny any Outside Employment Application submitted by an employee seeking to engage in any activity which:

- (a) Involves the employee's use of department time, facilities, equipment or supplies, the use of the Department badge, uniform, prestige or influence for private gain or advantage.
- (b) Involves the employee's receipt or acceptance of any money or other consideration from anyone other than this department for the performance of an act which the employee, if not performing such act, would be required or expected to render in the regular course or hours of employment or as a part of the employee's duties as a member of this department.
- (c) Involves the performance of an act in other than the employee's capacity as a member of this department that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other employee of this department.
- (d) Involves time demands that would render performance of the employee's duties for this department less efficient.
- (e) In any establishment where the sale of liquor is the principal business.
- (f) In any employment requiring affiliation, membership or allegiance, which would tend to interfere with the proper discharge of his/her duties as an employee of the department, or with his/her loyalty to the department or the community's interests.
- (g) In any employment requiring the service of civil process.
- (h) For any other municipality or political subdivision of the state, except by expressed permission of the Chief of Police.
- (i) Hours of employment shall not be approved for outside work to be performed at a time, which will conflict with the employee's normal tour of duty.

I. OUTSIDE SECURITY AND PEACE OFFICER EMPLOYMENT

Consistent with the provisions of Penal Code § 70, and because it would further create a potential conflict of interest, no member of this department may engage in any outside or secondary employment as a private security guard, private investigator or other similar private security position.

Any private organization, entity or individual seeking special services for security or traffic control from members of this department must submit a written request to the Chief of

Police in advance of the desired service. Such outside extra duty overtime assignments will be assigned, monitored and paid through the Department.

- (a) The applicant will be required to enter into an indemnification agreement prior to approval.
- (b) The applicant will further be required to provide for the compensation and full benefits of all employees requested for such outside security services.
- (c) Should such a request be approved, any employee working outside overtime shall be subject to the following conditions:
 - 1. The officer(s) shall wear the department uniform/identification.
 - 2. The officer(s) shall be subject to the rules and regulations of this department.
 - 3. No officer may engage in such outside employment during or at the site of a strike, lockout, picket, or other physical demonstration of a labor dispute.
 - 4. Compensation for such approved outside security services shall be pursuant to normal overtime procedures.
 - 5. Outside security services shall not be subject to the collective bargaining process.
 - 6. No officer may engage in outside employment as a peace officer for any other public agency without prior written authorization of the Chief of Police.

II. OUTSIDE OVERTIME ARREST AND REPORTING PROCEDURE

Any employee making an arrest or taking other official police action while working in an approved outside overtime assignment shall be required to complete all related reports in a timely manner pursuant to department policy. Time spent on the completion of such reports shall be considered incidental to the outside overtime assignment.

III. SPECIAL RESTRICTIONS

Except for emergency situations or with prior authorization from the Division Commander, undercover officers or officers assigned to covert operations shall not be eligible to work overtime or other assignments in a uniformed or other capacity which might reasonably disclose the officer's law enforcement status.

DEPARTMENT RESOURCES

Employees are prohibited from using any department equipment or resources in the course of or for the benefit of any outside employment. This shall include the prohibition of access to official records or databases of this department or other agencies through the use of the employee's position with this department.

I. REVIEW OF FINANCIAL RECORDS

Employees approved for outside employment expressly agree that their personal financial records may be requested and reviewed/audited for potential conflict of interest (Government Code § 3308; Government Code § 1126). Prior to providing written approval for an outside employment position, the Department may request that an employee provide his/her personal financial records for review/audit in order to determine whether a conflict of interest exists. Failure of the employee to provide the requested personal financial records could result in denial of the off-duty work permit. If, after approving a request for an outside employment position, the Department becomes concerned that a conflict of interest exists based on a financial reason, the Department may request that the employee provide his/her personal financial records for review/audit. If the employee elects not to provide the requested records, his/her off-duty work permit may be revoked pursuant to the Revocation/Suspension of Outside Employment Permits section of this policy.

CHANGES IN OUTSIDE EMPLOYMENT STATUS

If an employee terminates his or her outside employment during the period of a valid permit, the employee shall promptly submit written notification of such termination to the Chief of Police through channels. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through normal procedures set forth in this policy.

Employees shall also promptly submit in writing to the Chief of Police any material changes in outside employment including any change in the number of hours, type of duties, or demands of any approved outside employment. Employees who are uncertain whether a change in outside employment is material are advised to report the change.

OUTSIDE EMPLOYMENT WHILE ON DISABILITY

Department members engaged in outside employment who are placed on disability leave or modified/light-duty shall inform their immediate supervisor in writing within five days whether or not they intend to continue to engage in such outside employment while on such leave or light-duty status. The Division Commander shall review the duties of the outside employment along with any related doctor's orders and make a recommendation to the Chief of Police whether such outside employment should continue.

In the event the Chief of Police determines that the outside employment should be

discontinued or if the employee fails to promptly notify his/her supervisor of his/her intentions regarding their work permit, a notice of revocation of the member's permit will be forwarded to the involved employee, and a copy attached to the original work permit.

Criteria for revoking the outside employment permit include, but are not limited to, the following:

- (a) The outside employment is medically detrimental to the total recovery of the disabled member, as indicated by the City's professional medical advisors.
- (b) The outside employment performed requires the same or similar physical ability, as would be required of an on-duty member.
- (c) The employee's failure to make timely notice of their intentions to their supervisor.

When the disabled member returns to full duty with the Hermosa Beach Police Department, a request (in writing) may be made to the Chief of Police to restore the permit.

APPROVED



Paul LeBaron
Chief of Police

**Hermosa Beach Police Department
Notice of Outside Employment**

To: City Manager

Date: _____

Employee Name: _____ Dept: _____

In compliance with Rule "L," Section #4 of the Personnel Rules and Regulations for Civil Services Employees, and HBPD Policy #A1.18 – Outside Employment, I hereby inform the City that I am engaged in an occupation or outside activity for compensation.

Name of Employer: _____

Location: _____

Hours of Employment: _____

Days of week worked: _____

Nature of Employment: _____

This information can be verified by contacting:

Name	Title	Phone
------	-------	-------

I understand that the City Manager will determine whether or not this activity is compatible with City employment based on the criteria stated in Government Code Section 1126. I also understand that approval for this outside employment expires one year after the date of issuance and it is my responsibility to submit a request for renewal if I intend to continue this outside employment.

Employee Signature: _____ Date: _____

Department Review

Recommended Action: Approved Denied

Justification: _____

Department Head Date

City Manager Review

Recommended Action: Approved Denied

Justification: _____

Department Head Date



HERMOSA BEACH POLICE DEPARTMENT

A1.19 ON-DUTY AND OFF-DUTY INJURIES/ILLNESSES

Effective 10/27/2009

Updated 11/21/2016

PURPOSE

To establish procedures for the proper handling of an employee injury, illness, or exposure to bodily fluids of suspects.

POLICY

In any case where an employee is injured while on duty, whether the injury is minor or serious, or exposed to bodily fluids, the affected employee shall immediately report the injury to their immediate supervisor. It shall be the responsibility of the employee's immediate supervisor to direct and obtain proper medical attention.

1. In cases involving injuries which do not require IMMEDIATE emergency care, the Fire Department paramedics shall first be called to render medical aid, and in some serious cases, to stabilize the injured employee prior to transportation for further professional care.
2. In any case where the supervisor determines the seriousness of the injury will warrant advanced or specialized treatment and/or hospitalization, the injured employee shall be immediately transported by paramedic unit, ambulance, or other expedient means determined necessary by the supervisor to the hospital. While the injured employee is en route to the hospital, the immediate supervisor shall direct the communications center to notify the emergency room that the employee is en route, so that emergency preparation to receive the injured may be made. If during regular City business hours, the supervisor should also contact the Personnel Department and advise them of the injured employee and that the employee is being taken to the hospital.
3. If an employee is exposed to bodily fluids, not limited to but including, blood, saliva, urine or feces, of a suspect in the course of their duties, the Watch Commander or immediate supervisor of the employee shall send the employee to the City's authorized medical provider to have an exam and baseline testing conducted. The Watch Commander will ask the suspect to voluntarily submit to a blood draw to check for infectious diseases. If the suspect refuses, current law allows a court order to be obtained to force the blood draw and testing and the Watch Commander shall attempt to obtain the order.

4. If the injury to the employee is less serious, i.e., there is no requirement for advanced emergency care, specialized services or hospitalization, then the supervisor should call the Company Nurse at (877) 223-9310 to be triaged. If directed, the employee should be transported to Providence Little Company of Mary Care Station at 2382 Crenshaw Blvd., Torrance, (310) 618-9200. An authorization form may be obtained from the Personnel Department (during City Hall business hours) or the Watch Commander's office. If City Hall is closed, then the supervisor should contact the Care Station directly and advise them of the situation and that the injured employee will be en route for treatment. If the Care Station is closed, then the injured employee should be sent to the hospital.

REPORTING – SUPERVISOR’S RESPONSIBILITY

Supervisors shall document all injuries reported by employees, including any minor injuries. It is the supervisor’s responsibility to complete and submit the “Supervisor’s Report of Injury” form prior to the end of watch. This form must be filled out even when an employee does not seek or require immediate medical treatment. It is important to document all potential injuries in case a medical problem later develops. Additionally, for exposures to bodily fluids, the Watch Commander shall fill out the State of California Department of Public Health Exposure Form that is available in the Watch Commander’s office or online.

When completed, the Supervisor’s Report of Injury form and exposure form (if applicable), along with a copy of any and all medical paperwork received from the attending medical facility must be turned in to the Division Commander of the affected employee. The Division Commander shall ensure that the originals of these reports are forwarded to the Personnel Department and a copy is forwarded to the Office of the Chief of Police.

Employees that receive further medical care shall keep the Personnel Department aware of any future medical appointments to receive care. Employees are to forward copies of medical slips received from the treating medical facilities to their Division Commander and to the Personnel Departments.

INJURIES AND ILLNESSES OFF-DUTY (EXTENDED TIME OFF)

The purpose of this policy is threefold:

1. The primary concern is the protection of the employee. Due to the nature of police work and its inherent dangers, the City requires assurance that the employee is able to perform without the possibility of more serious injury occurring.
2. The second consideration is the possibility that the employee returning to work too soon, while suffering from a communicable or contagious disease such as the flu, might infect fellow employees.
3. The third consideration is the possibility of City liability. If an employee is allowed to return to duty while still suffering from an illness or injury, or post-operative recovery, and should become more seriously injured or ill at work, the question of

liability is raised.

If an employee is injured, ill, or will undergo some minor surgery not related to a duty occurrence, which will require absence from duty in excess of three days, the employee shall notify their immediate supervisor or Division Commander as to the nature of the injury, illness, or surgery. If the employee suffers any injury to a limb, i.e., arms, legs, fingers, toes, etc., the employee shall notify their immediate supervisor or Division Commander as to the nature of their condition.

In any of the preceding cases, the employee shall provide the Department written documentation of their personal physician's prognosis as to the estimated length of time the employee will be off duty.

After an employee is off duty for three (3) consecutive days, the City may, at its option, require a return to work checkup by the City physician or may accept the opinion of the employee's personal physician.

In all cases involving an injury to a limb which requires time off, the City may require a return to work examination.

When an employee is to be cleared to return to work by their personal physician, they shall immediately notify their Division Commander, who will then notify the City Personnel Department of the anticipated return date so that an appointment may be made in advance with the City physician, if required by the City.

If an employee gives the required notice before their anticipated return to work time, and the City is unable to obtain an appointment with the City physician for the employee, the employee shall not be docked for time off beyond the date the employee was cleared to return by their physician.

APPROVED:

A handwritten signature in black ink, appearing to read 'Sharon Papa', written in a cursive style.

Sharon Papa
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

A1.20 EMPLOYEE IDENTIFICATION CARDS

Effective 10/27/2009
Updated

PURPOSE

To ensure the public can identify law enforcement officers and employees of the Police Department and establish procedures for issuance and use of identification cards.

POLICY

It is the policy of this Department to issue proper identification to all of its employees and to require that all employees present that identification when requested to confirm their identity.

PROCEDURE

- I. Issuance of Police Department Identification Cards
 - A. All permanent employees of the Hermosa Beach Police Department shall be issued employee identification cards by the authority of the Chief of Police. Employees shall carry identification cards while on duty or when on official business for the Police Department.
 - B. Sworn employees will carry their ID cards with them at all times. It is recommended that non-sworn employees carry their identification cards at all times when off duty for access through police barricades in the event of an emergency.
 - C. The identification card will contain the name Hermosa Beach Police Department, photograph of a badge, photograph of the employee, the name of the employee and the rank or position of the employee on the front. The back of the card will include the employee's thumb print, serial number, employee identification information, and issue date.
(CALEA 22.2.7 b)
 - D. All regular police employees are required to show their identification to a concerned member of the public when requested to confirm that he/she is an official police employee, except an officer working in an undercover capacity.
(CALEA 22.2.7 a)
- II. Authorized Use of Police Department Identification Cards
 - A. No employee shall use the Police Department employee identification card for other than official business for the Police Department.

- B. The card will not be used to cash checks, to purchase alcoholic beverages, or to enter a place serving alcoholic beverages.
- C. No employee shall give or loan his/her identification card to any other person.
- D. Any loss or theft of the employee's identification card shall be reported to the employee's supervisor within twenty-four (24) hours of the occurrence.
- E. At no time shall a non-sworn employee use his/her identification card to represent himself/herself as a peace officer.
- F. Improper use of the Police Department identification card shall be cause for disciplinary action by the Police Chief or his/her designee, and the card will be withdrawn from use.

APPROVED:

A handwritten signature in black ink, appearing to read 'G. Savelli', written over the word 'APPROVED:'.

Greg Savelli
Chief of Police

Department Owned and Personal Property

700.1 PURPOSE AND SCOPE

Department employees are expected to properly care for department property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or department property while performing their assigned duty. Certain procedures are required depending on the loss and ownership of the item.

700.2 CARE OF DEPARTMENT PROPERTY

Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of department property assigned or entrusted to them. An employee's intentional or negligent abuse or misuse of department property may lead to discipline including, but not limited to the cost of repair or replacement.

- (a) Employees shall promptly report through their chain of command, any loss, damage to, or unserviceable condition of any department issued property or equipment assigned for their use.
- (b) The use of damaged or unserviceable department property should be discontinued as soon as practical and replaced with comparable Department property as soon as available and following notice to a supervisor.
- (c) Except when otherwise directed by competent authority or required by exigent circumstances, department property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.
- (d) Department property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without proper authority.
- (e) In the event that any Department property becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.

Hermosa Beach Police Department employees shall not modify, disable, render inoperative, deactivate or fail to activate any City-owned piece of equipment or any piece of equipment issued or entrusted to them without the expressed permission of a superior officer and only after notifying the on-duty watch commander of the intended action.

Hermosa Beach Police Department employees shall not use any personally owned piece of equipment in the course of their regular duties without the written permission from their Division Commander.

Maintaining stored agency property in a state of operational readiness is the responsibility of the supervisor of the unit where it is assigned. This equipment will be inspected at least quarterly.

700.2.1 OFFICE FURNITURE, AREAS, AND EQUIPMENT

Employees will not abuse office furniture or equipment or allow furniture or equipment to present an unprofessional, sloppy or unkempt appearance.

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- (a) Employees assigned to permanent work areas will keep those areas neat and clean. Items posted and placed in or around permanent work areas will be in good taste and appropriate to the place and position.
- (b) Employees shall not use equipment or space assigned as a permanent work area to another employee without that employee's permission.
- (c) As with personally issued items, office furniture equipment, and supplies are intended solely for official use.

700.2.2 CARE OF DEPARTMENT BUILDING

Officers and employees shall not mark, alter, or deface any surface in the Department building. No material shall be affixed in any way to any wall in the Department without specific authorization from a Division Manager or the Chief of Police. Nothing of a derogatory, discriminatory, or racial nature will be posted at any time.

700.3 FILING CLAIMS FOR PERSONAL PROPERTY

Claims for reimbursement for damage or loss of personal property must be made on the proper form. This form is submitted to the employee's immediate supervisor. The supervisor may require a separate written report of the loss or damage.

The supervisor shall direct a memo to the appropriate Division Commander, which shall include the results of his/her investigation and whether the employee followed proper procedures. The supervisor's report shall address whether reasonable care was taken to prevent the loss or damage.

Upon review by staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Chief of Police who will then forward the claim to the Finance Department.

The Department will not replace or repair luxurious or overly expensive items (jewelry, exotic equipment, etc.) that are not reasonably required as a part of work.

700.3.1 REPORTING REQUIREMENT

A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4 LOSS OR DAMAGE OF PROPERTY OF ANOTHER

Officers and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any employee who damages or causes to be damaged any real or personal property of another while performing any law enforcement functions, regardless of jurisdiction, shall report it as provided below.

- (a) A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

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- (b) A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4.1 DAMAGE BY PERSON OF ANOTHER AGENCY

If employees of another jurisdiction cause damage to real or personal property belonging to the City, it shall be the responsibility of the employee present or the employee responsible for the property to make a verbal report to his/her immediate supervisor as soon as circumstances permit. The employee shall submit a written report before going off duty or as otherwise directed by the supervisor.

These written reports, accompanied by the supervisor's written report, shall promptly be forwarded to the appropriate Division Commander.

700.5 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police October 27, 2009

June 6, 2023



HERMOSA BEACH POLICE DEPARTMENT

A1.21 OFFICER EQUIPMENT

Effective 10/27/2009
Updated 5/05/2010

PURPOSE

This policy describes the safety gear and other equipment to be provided by the Department for each officer classification and specifies the maintenance/replacement responsibility for each item. This policy also details which Department-issued items are to be returned by the officer upon separation from employment.

POLICY

After the initial issuance of the uniform by the Department, it is each Officers responsibility to replace items of the uniform which fail to meet departmental standards. Officers shall maintain uniforms and personal equipment in serviceable condition.

ALL POLICE OFFICERS

The Department will provide new officers with the below-listed equipment prior to the beginning of field training:

A. Safety equipment

1. Firearm (semi-automatic pistol), with holster
2. Three (3) ammunition magazines for issued firearm
3. Magazine pouch, leather or nylon (for two magazines)
4. PR-24 baton, straight baton, or ASP baton with baton ring or holder
5. Oleoresin Capsicum (OC) pepper spray, with holder
6. Taser and Taser camera, with hard plastic or nylon holster
7. One (1) set of handcuffs, with case, nylon or leather
8. Portable radio, with holder
9. Sam Browne belt, nylon or leather
10. Four (4) belt keepers, nylon or leather
11. Tactical ballistic ("Riot") helmet w/face shield
12. Gas mask, filter, and case
13. Body armor
14. Reflective safety vest
15. Flashlight and holder
16. CPR mask

B. Operational equipment

1. Uniform badge
2. Flat badge and I.D. case
3. Department Identification card
4. Set of keys, to include: station, vehicle, and handcuff

5. Digital audio recorder, with carrying case
 6. Digital camera
- C. Uniform (full time officers only, see below note for reserve police officers)
1. Two (2) trousers
 2. Two (2) shirts: one long-sleeved, one short-sleeved
 3. Black, leather or nylon, trouser belt
 4. Jacket
 5. Rain gear
 6. Neck tie and tie bar
 7. Name plate
 8. Utility Police ball cap
 9. One (1) tactical uniform (BDU) shirt
 10. One (1) tactical uniform (BDU) pants

In addition to the above, all new police recruits that are to be sent to a training academy shall additionally receive the following:

- A. Uniform (or Academy-specified equivalent)
1. Two (2) trousers
 2. Two (2) shirts
- B. Physical Training Gear (per Academy specifications)
1. Three (3) crewneck shirts (with required lettering)
 2. Two (2) sweatshirts (with required lettering)
 3. Two (2) running/gym shorts
 4. Two (2) sweatpants
- C. Manuals or code books as required by the Academy

Note: Reserve police officers will be issued two uniform shirts (1 long and 1 short sleeve) and one pair of uniform trousers. All other required uniform accessories and any additional uniforms shall be purchased at the reserve officer's expense.

MOTORCYCLE OFFICERS

Officers newly assigned to the Traffic Division and required to operate a motorcycle shall be equipped with the following:

- A. Uniform
1. Two (2) Motor breeches
 2. One (1) pair motor boots (leather)
 3. Leather motorcycle safety jacket
 4. One (1) pair collar emblems (motor officer insignia)
 5. One (1) whistle and chain
 6. One (1) pair safety glasses
 7. One (1) pair safety gloves
- B. Motorcycle safety helmet

All of the aforementioned items listed under “uniform” become the officer’s personal property upon completion of one-year service on motorcycle.

FOOT PATROL OFFICERS

Officers assigned to work foot patrol as a regular, specific assignment (i.e. Community Lead) shall be equipped with one additional tactical uniform (shirt and pants), in accordance with the Foot Patrol uniform specifications set forth in this chapter. These items will become the officer’s personal property upon issue.

POLICE SERVICE OFFICERS (PSO)

New Police Service Officers shall be provided with the following upon hire:

- A. Safety equipment
 1. One (1) set of handcuffs, with case
 2. Key holder
 3. CPR mask
 4. Reflective safety vest
 5. Rain jacket
- B. Operational equipment
 1. Service Officer badge
 2. Department Identification card
 3. Set of keys, to include station, vehicle, and handcuff
 4. Set of jail keys
 5. Radio holder
- C. Uniform
 1. Two (2) black shirts (optional: one (1) standard shirt; one (1) polo style)
 2. Two (2) black trousers
 3. Black basketweave trouser belt
 4. One (1) pair of black work shoes
 5. Jacket
 6. Two (2) cloth name tapes
 7. Metal name plate

All items listed under the “uniform” category become the personal property of the officer upon completion of one-year of service or approval of the Chief of Police.

COMMUNITY SERVICE OFFICERS (CSO)

New Community Service Officers shall be provided with the following upon hire:

- A. Safety equipment
 1. Black basketweave trouser belt
 2. Radio holder
 3. Flashlight and holder
 4. Oleoresin Capsicum (OC) spray, with holder (after approved training)
 5. Reflective safety vest
- B. Operational equipment
 1. Community Service Officer badge
 2. Department Identification card
 3. Set of keys, to include vehicle and station
- C. Uniform
 1. Long-sleeved shirt
 2. Two (2) short-sleeved shirts
 3. Two (2) trousers
 4. One (1) pair of black shoes or boots
 5. Jacket
 6. Rain gear
 7. Metal name plate

All items listed under the “uniform” category become the personal property of the officer upon completion of one-year of service or approval of the Chief of Police.

In addition to the above equipment, officers may wear the following additional equipment. Any optional equipment will be purchased at the officer’s expense.

- A. Personal cell phone carrier
- B. Work cell phone carrier (supervisors only)
- C. Leather or nylon “Sam Browne” duty belt
- D. Nylon trouser belt (may only be worn under the Sam Browne duty belt)
- E. Flashlight holder
- F. Key holder

REPLACEMENT OF UNIFORMS OR SAFETY EQUIPMENT

See Policy 700.2 - Department Owned and Personal Property

In the event that a piece of equipment or uniform is stolen, damaged, or lost, the officer shall prepare a written report documenting the incident circumstances and forward it to their supervisor, who will then forward it to the Chief of Police for review. If the employee is physically unable to prepare the report, the employee’s supervisor or the Watch Commander

shall prepare the report. In the event the loss occurred through no fault of the employee, the Department may replace the item at no expense to the employee.

Generally, all items of equipment and uniforms that become worn or defective through normal use are to be replaced in the following manner:

- A. All items deemed by this chapter to belong to the employee shall be replaced at the employee's expense.
- B. All other items may be replaced by the Department, subject to approval from the Chief of Police.

In the event that an item of Department property has become worn or defective, the employee will prepare a short report regarding the item and forward it to their supervisor along with the reported equipment (if possible). The supervisor shall inspect the item in question and, if in agreement, forward the report to the appropriate Division Commander for recommended repair/replacement. Any replacement requests shall be reviewed and approved for purchase by the Chief of Police.

RETURN OF DEPARTMENT PROPERTY

Unless specifically exempted, all items listed as safety or operational equipment issued by the Department remain the property of the City of Hermosa Beach and shall be returned by the officer immediately upon separation from the Department. Officers shall return the listed items to the appropriate Division Commander. Any officer who fails to return any City-owned property upon separation from the Department may be subject to applicable criminal and civil penalty.

(CALEA 22.2.5; 41.3.4)

APPROVED:



Greg Savelli
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

A1.22 LINE AND STAFF INSPECTIONS

Effective 10/27/2009

Updated 02/08/2010

PURPOSE

This policy establishes the procedural guidelines regarding the conduction of line and staff inspections as a method of evaluating the efficiency and effectiveness of Department operations.

DEFINITIONS

Line Inspection – Inspection conducted by personnel in control of the persons, facilities, procedures, or other elements being inspected. Line inspections may be carried out by any supervisor within the chain-of-command and is often conducted by supervisory personnel who may be responsible for ensuring that any substandard conditions revealed in the inspection are corrected.

Staff Inspection – Inspection conducted by personnel who do not have control of the persons, facilities, or procedures being inspected.

INSPECTIONAL PROCESS

The inspectional process is an essential mechanism for evaluating the quality of the Department's operations, ensuring the Department's goals are being pursued and standards are being followed. The inspectional process compares the Department's formal expectations with actual performance. Inspections can help the Department identify the need for additional resources and determine if available resources are being properly utilized.

The inspectional process, at both the line and staff levels, provides the Chief of Police and other elements of the command structure with a means of regularly assessing the Department's efficiency and effectiveness, and provides information necessary to plan for change.

LINE INSPECTIONS

Line inspections are performed within each organizational component by supervisory personnel who have direct authority and responsibility for the operation of the unit being inspected. There are two types of line inspections – formal and informal.

Formal inspections will be conducted in January and July of each year. These inspections will include, but not be limited to, the following areas:

- a. Personnel appearance, grooming, and uniforms
- b. Required safety equipment
- c. Weapons, where applicable
- d. Vehicle condition and equipment, where applicable
- e. Facilities, performed by the Captain

The results of formal inspections are prepared in written form and submitted to administrative or commanding officers, with a copy of each report to the Accreditation Manager. These reports will include any specific action taken to correct discrepancies and any recommendations for long-range solutions to deficiencies discovered during the inspection.

Informal inspections are performed by supervisory personnel during routine operations to ensure that department policy and procedures are adhered to. Immediate action is taken by the inspecting supervisor to correct discrepancies. A written inspection report may be completed but is not required.

Repeated deficiencies noted during any inspection (formal or informal) shall be documented and forwarded to the appropriate Division Commander.
(CALEA 53.1.1 a-e)

STAFF INSPECTIONS

Staff inspections generally focus on agency procedures and are conducted by command personnel or designee assigned the responsibility by the Chief of Police. A staff inspection system monitors organizational components in terms of their results.

Staff inspections shall be conducted by personnel who have no direct authority over the subject or function inspected.

A staff inspection will be conducted within all organizational components for the major functions at least every three years. Such components include:

- a. Property and Evidence
- b. Patrol operations
- c. Investigations
- d. Armory/Weapons
- e. Records and Records Management
- f. Internal Affairs
- g. Personnel files
- h. Training records

A written report will be submitted to the Chief of Police that identifies deficiencies and makes recommendations for improvement and/or correction and identifies positive aspects of the area inspected.

A follow-up inspection and written report will be completed for any noted deficiencies that cannot be immediately corrected.

(CALEA 53.2.1a-e)

APPROVED:



Greg Savelli
Chief of Police

Vehicle Use

703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the City of Hermosa Beach to provide assigned take-home vehicles.

703.2 POLICY

The Hermosa Beach Police Department provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments, and other considerations.

703.3 USE OF VEHICLES

Department members shall not use any Department vehicle without the permission of a commanding officer.

703.3.1 SHIFT ASSIGNED VEHICLES

The Watch Commander shall ensure a copy of the shift assignment roster indicating member assignments and vehicle numbers is completed for each shift and retained in accordance with the established records retention schedule. If a member exchanges vehicles during the member's shift, the new vehicle number shall be documented on the roster.

703.3.2 OTHER USE OF VEHICLES

Members utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, community event) shall first notify the Watch Commander. A notation will be made on the shift assignment roster indicating the member's name and vehicle number.

This subsection does not apply to those who are assigned to vehicle transportation duties to and from the maintenance yard or carwash.

703.3.3 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Members shall ensure that their assigned vehicle is adequately supplied with safety equipment, such as gloves, caution tape, road flares, first-aid kits, fire extinguisher, etc. If any safety equipment is not available, the Watch Commander shall be notified. Any previously unreported damage, mechanical problems, unauthorized contents, or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

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Vehicle Use

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any person in custody, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

703.3.4 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended.

703.3.5 MOBILE DIGITAL COMPUTER

Members assigned to vehicles equipped with a Mobile Digital Computer (MDC) shall log onto the MDC with the required information when going on-duty. If the vehicle is not equipped with a working MDC, the member shall notify Dispatch. Use of the MDC is governed by the Mobile Digital Computer Use Policy. Members shall log off of the MDC at the end of their shift.

703.3.6 VEHICLE LOCATION SYSTEM

Patrol and other vehicles, at the discretion of the Chief of Police, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the system. Vehicle Fleet Manager should periodically check that the system is functioning in all vehicles.

System data may be accessed by supervisors at any time. However, access to historical data by other than supervisors will require Division Commander approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

703.3.7 KEYS

Members approved to operate marked patrol vehicles should be issued a copy of the key as part of their initial equipment distribution. Members who are assigned a specific vehicle should be issued keys for that vehicle.

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Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member's chain of command.

703.3.8 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than City personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Along Policy.

703.3.9 ALCOHOL

Members who have consumed alcohol are prohibited from operating any department vehicle unless it is required by the duty assignment (e.g., task force, undercover work). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

703.3.10 PARKING

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

Department vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.

703.3.11 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the assigned vehicle program manager.

703.3.12 PROFESSIONAL STAFF MEMBER USE

Professional Staff members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Professional Staff members shall prominently display the "out of service" placards or light bar covers at all times. Professional Staff members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

703.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES

Department vehicles may be assigned to individual members at the discretion of the Chief of Police. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform the member's regular assignment.

703.4.1 ON-DUTY USE

Vehicle assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Chief of Police or the authorized designee.

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703.4.2 UNSCHEDULED TAKE-HOME USE

Circumstances may arise where department vehicles must be used by members to commute to and from a work assignment. Members may take home department vehicles only with prior approval of a supervisor and shall meet the following criteria:

- (a) The circumstances are unplanned and were created by the needs of the department.
- (b) Other reasonable transportation options are not available.
- (c) The member lives within a reasonable distance (generally not to exceed 25 miles) of the Hermosa Beach City limits.
- (d) Off-street parking will be available at the member's residence.
- (e) Vehicles will be locked when not attended.
- (f) All firearms, weapons and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

703.4.3 ASSIGNED VEHICLES

Assignment of take-home vehicles shall be based on the location of the member's residence, the nature of the member's duties, job description and essential functions, and employment or appointment status. Residence in the City of Hermosa Beach is a prime consideration for assignment of a take-home vehicle. Members who reside outside the City of Hermosa Beach may be required to secure the vehicle at a designated location or the Department at the discretion of the Chief of Police.

Members are cautioned that under federal and local tax rules, personal use of a City vehicle may create an income tax liability for the member. Questions regarding tax rules should be directed to the member's tax adviser.

Criteria for use of take-home vehicles include the following:

- (a) Vehicles shall only be used for work-related purposes and shall not be used for personal errands or transports, unless special circumstances exist and the Chief of Police or a Division Commander gives authorization.
- (b) Vehicles may be used to transport the member to and from the member's residence for work-related purposes.
- (c) Vehicles will not be used when off-duty except:
 - 1. In circumstances when a member has been placed on call by the Chief of Police or Division Commanders and there is a high probability that the member will be called back to duty.
 - 2. When the member is performing a work-related function during what normally would be an off-duty period, including vehicle maintenance or travelling to or from a work-related activity or function.
 - 3. When the member has received permission from the Chief of Police or Division Commanders.

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4. When the vehicle is being used by the Chief of Police, Division Commanders or members who are in on-call administrative positions.
5. When the vehicle is being used by on-call investigators.
- (d) While operating the vehicle, authorized members will carry and have accessible their duty firearms and be prepared to perform any function they would be expected to perform while on-duty.
- (e) The two-way communications radio, MDC and global positioning satellite device, if equipped, must be on and set to an audible volume when the vehicle is in operation.
- (f) Unattended vehicles are to be locked and secured at all times.
 1. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging).
 2. All weapons shall be secured while the vehicle is unattended.
 3. All department identification, portable radios and equipment should be secured.
- (g) Vehicles are to be parked at the member's residence unless prior arrangements have been made with the Chief of Police or the authorized designee. If the vehicle is not secured inside a locked garage, all firearms and kinetic impact weapons shall be removed and properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).
- (h) Vehicles are to be secured at the member's residence or the appropriate department facility, at the discretion of the Department when a member will be away (e.g., on vacation) for periods exceeding one week.
 1. If the vehicle remains at the residence of the member, the Department shall have access to the vehicle.
 2. If the member is unable to provide access to the vehicle, it shall be parked at the Department.
- (i) The member is responsible for the care and cleanliness of the vehicle. Routine maintenance and service shall be arranged with the City mechanic.

703.4.4 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the Hermosa Beach Police Department or while off-duty, an officer shall not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Officers may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Officers driving take-home vehicles shall be armed, appropriately attired and carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

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703.4.5 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

- (a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.
- (c) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (d) Any vehicle damage or required maintenance shall be reported on the City's designated online system (Accela).
- (e) All weapons shall be removed from any vehicle left for maintenance.
- (f) Supervisors are responsible to ensure the vehicles are being maintained in accordance with this policy.

703.5 DAMAGE, ABUSE AND MISUSE

When any department vehicle is involved in a traffic collision or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic collision report shall be filed with the agency having jurisdiction (see the Traffic Collision Reporting Policy).

Damage to any department vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format and forwarded to the Watch Commander. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

703.6 TOLL ROAD USAGE

Law enforcement vehicles are not routinely exempted from incurring toll road charges.

To avoid unnecessary toll road charges, all members operating department vehicles on a toll road shall adhere to the following:

- (a) Members operating department vehicles for any reason other than in response to an emergency shall pay the appropriate toll charge or utilize the appropriate toll way transponder. Members may submit a request for reimbursement from the City for any toll fees incurred in the course of official business.
- (b) Members passing through a toll plaza or booth during a response to an emergency shall notify, in writing, the appropriate Division Commander within five working days explaining the circumstances.

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703.6 ATTIRE AND APPEARANCE

When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.

703.8 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police October 27, 2009

June 6, 2023



HERMOSA BEACH POLICE DEPARTMENT

A1.23 TRAFFIC COLLISION REPORTING

Effective 10/27/2009

Updated 12/16/2020

PURPOSE AND SCOPE

The Hermosa Beach Police Department prepares traffic collision reports in compliance with the California Highway Patrol Collision Investigation Manual (CIM) and as a public service makes traffic collision reports available to the community with some exceptions.

RESPONSIBILITY

The Traffic Sergeant will be responsible for distribution of the Collision Investigation Manual. The Traffic Sergeant will receive all changes in the state manual and ensure conformity with this policy.

TRAFFIC COLLISION REPORTING

All traffic collision reports taken by members of this department shall be forwarded to the Watch Commander for approval. The Records Division will forward a copy of all traffic collision reports to the CHP or other persons as required.

REPORTING SITUATIONS

I. TRAFFIC COLLISIONS INVOLVING CITY VEHICLES

Traffic collision investigation reports shall be taken when a City-owned vehicle is involved in a traffic collision upon a roadway or highway wherein any damage or injury results. A general information report may be taken in lieu of a traffic collision report (CHP 555 form) at the direction of a supervisor when the collision occurs on private property or does not involve another vehicle. Whenever there is damage to a City vehicle, a Property Damage Only (HBPD form 554) shall be completed and forwarded to the appropriate Division Commander and other persons as required.

Photographs of the collision scene and vehicle damage should be taken at the scene of all traffic collisions.

II. TRAFFIC COLLISIONS WITH POLICE DEPARTMENT EMPLOYEES

When an employee of this department, either on-duty or off-duty, is involved in a traffic collision within the jurisdiction of the Hermosa Beach Police Department resulting in a serious injury or fatality, the Traffic Sergeant or the Watch Commander, should notify the

California Highway Patrol for assistance. The term serious injury is defined as any injury that may result in a fatality.

III. TRAFFIC COLLISIONS WITH OTHER CITY EMPLOYEES OR OFFICIALS

The Traffic Sergeant or on-duty Watch Commander should request assistance from the California Highway Patrol for the investigation of any traffic collision involving any City official or employee where a serious injury or fatality has occurred.

IV. TRAFFIC COLLISIONS ON PRIVATE PROPERTY

In compliance with the Collision Investigation Manual, traffic collision reports shall not be taken for traffic collisions occurring on private property unless there is a death or injury to any person involved, a hit-and-run violation, or Vehicle Code violation. An Incident Report may be taken at the discretion of any supervisor.

V. TRAFFIC COLLISIONS ON ROADWAYS OR HIGHWAYS

Traffic collision reports shall be taken when they occur on a roadway or highway within the jurisdiction of this department under any of the following circumstances:

- (a) When there is a death or injury to any persons involved in the collision
- (b) When there is an identifiable violation of the Vehicle Code
- (c) When a report is requested by any involved driver

NOTIFICATION OF TRAFFIC BUREAU SUPERVISIONS

In the event of a serious injury or death related traffic collision, the Watch Commander shall notify the Traffic Sergeant to relate the circumstances of the traffic collision and seek assistance from the Traffic Bureau. In the absence of a Traffic Sergeant, the Watch Commander or any supervisor may assign an accident investigator or motor officer to investigate the traffic collision.

DEPARTMENTAL ACCIDENT REVIEW BOARD

The Departmental Accident Review Board shall review all accidents and damage incidents involving City vehicles driven by members of the department.

The Accident Review Board should convene within 30 calendar days after receiving all completed report(s) including any damage assessments by the City Mechanic or Insurance company.

APPROVED:

A handwritten signature in cursive script, appearing to read "Paul LeBaron".

Paul LeBaron
Chief of Police

TRAFFIC COLLISION REPORTING

I. DEFINITIONS

Minor Damage: Slight damage to any involved vehicles such as dents, scratches, broken or cracked glass, tail lamp, etc., as determined by the Accident Review Board and sustained by the Chief of Police.

Moderate Damage: More than slight, but damage to one-fourth or less to any of the involved vehicles; for example, an entire fender, grill, quarter panel, door, hood, rear deck, etc., as determined by the Accident Review Board and sustained by the Chief of Police.

Major Damage: Damage to more than one-fourth to any of the involved vehicles such as an entire side, rear end, etc., as determined by the Accident Review Board and sustained by the Chief of Police.

Driver at Fault: Driver judged by the Accident Review Board as being the primary cause of an accident or damage.

Driver not at Fault: Driver judged by the Accident Review Board as not being the primary cause of an accident or damage.

II. TRAFFIC COLLISIONS INVOLVING CITY VEHICLES

It is the policy of the City of Hermosa Beach and its Police Department to reduce accidents and damage involving departmental vehicles.

The following procedures shall be adhered to with regard to accidents or damage involving a department vehicle while being operated by a Department member. Members involved in an accident shall write a detailed statement regarding the accident as soon as practical. The supervisor shall be responsible to ensure that an appropriate investigation of the accident is conducted and that proper notifications are made. An accident investigation such as a CHP 555 or Property Damage Only shall be conducted, the scope of which shall be determined by the nature and severity of the accident. At the supervisor's discretion, a neighboring agency may be called to investigate such accidents.

1. Major accidents shall be recorded on state form 555 and require a detailed diagram. A neighboring agency shall be called to investigate such accidents.
2. Accidents involving fatalities, potential fatalities, or school buses shall be investigated by the California Highway Patrol.
3. Photographs shall be taken to document damage and the scene of all accidents.
4. The Watch Commander shall conduct whatever additional investigation deemed proper, including calling a department investigator to conduct a collateral investigation to that of a neighboring agency.

Officers involved in accidents shall not make their own investigations or complete their own accident reports.

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III. DEPARTMENTAL ACCIDENT REVIEW BOARD

Following the accident investigation, and within a prescribed period of time, a Review Board shall be convened.

In an effort to make the Board's findings objective and impartial, the Board shall consist of a member of the Hermosa Beach Police Officers Association Board of Directors, a traffic officer, and an officer assigned to investigations, all selected by the Board Chairman. A Captain or Lieutenant shall be appointed by the Chief to serve as the Board Chairman. The Chairman shall assure that all Board members receive the reports in advance and will assure that meetings are held in accordance with this policy. The Chairman is a non-voting member of the Board.

If for good cause, the makeup of the Board cannot be constituted as set forth, the Board Chairman shall appoint appropriate substitutes. Under no circumstances shall the Board fail to contain a member of the Hermosa Beach Police Officers Association Board of Directors.

The Board shall review the reports and then classify the accident or damage as minor, moderate, or major and make a determination as to cause and fault. When classifying the accident with minor, moderate or major damage, the Board shall consider the most severely damaged vehicle(s).

The Chairman will ensure that a report is submitted to the Chief of Police with the Board's findings within 15 calendar days from the date of the meeting. The Chairman will review any previous accident(s) by the involved officer(s) and make recommendations to the Chief of Police regarding training, equipment or discipline

The Chief of Police shall administer progressive discipline for drivers found at fault in accordance with section 180.20 of the Departmental Rules and Regulations.

Information Technology Use

321.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

321.1.1 DEFINITIONS

Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Hermosa Beach Police Department that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department or department funding.

Hardware - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones, including cellular and satellite, pagers, modems or any other tangible computer device generally understood to comprise hardware.

Software - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

Temporary file, permanent file or file - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

321.2 POLICY

It is the policy of the Hermosa Beach Police Department that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

321.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts, or anything published, shared, transmitted, or maintained through file-sharing software or any internet site that is accessed, transmitted, received, or reviewed on any department computer system.

The Department reserves the right to access, audit, and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received, or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network, and/or any information placed into storage on any department system or device. This includes records of all keystrokes or Web-browsing history made at any department computer or over any department network. The fact that access to a database, service, or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices, or networks.

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The Department shall not require a member to disclose a personal username or password for accessing personal social media or to open a personal social website; however, the Department may request access when it is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (Labor Code § 980).

321.4 RESTRICTED USE

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors or Watch Commanders.

Members shall not use another person's access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

321.4.1 SOFTWARE

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software onto any department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Chief of Police or the authorized designee.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as part of the automated maintenance or update process of department- or City-approved or installed programs by the original manufacturer, producer or developer of the software.

Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

321.4.2 HARDWARE

Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation, or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

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321.4.3 INTERNET USE

Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include but are not limited to adult forums, pornography, gambling, chat rooms, and similar or related internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

Downloaded information shall be limited to messages, mail, and data files.

321.4.4 OFF-DUTY USE

Members shall only use technology resources provided by the Department while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email or any other "off the clock" work-related activities. This also applies to personally owned devices that are used to access department resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

321.5 PROTECTION OF AGENCY SYSTEMS AND FILES

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care, and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information, and other individual security data, protocols, and procedures are confidential information and are not to be shared. Password length, format, structure, and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the internet) to a supervisor.

321.6 INSPECTION OR REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department

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involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

321.7 ISSUING AUTHORITY

Last updated by:

Chief of Police, Greg Savelli

Effective Date:

July 15, 2010

Information Technology Use

I. USE OF COMPUTERS

The Information Technology Department technicians perform routine and scheduled maintenance of the Department's computers and network, including requests to purchase and install new software and hardware and insure that Department technology property and documentation is recorded appropriately. However, nothing in this section shall restrict the rights of the department to access and inspect any and all data derived from or stored within the computer network or any department computer.

- A. Each employee shall insure that their computer is protected through the use of passwords. Employees should adhere to the following guidelines:
 - 1. Passwords to the Department network must be changed as required by the City's IT Department.
 - 2. Passwords must be at least 7 characters long and contain at least one number and one symbol -e.g.,!,@,#,\$,%,^,&,* ,etc.
 - 3. Never write your passwords down or share it with anyone else.
 - 4. Close all applications and log off of the network or lock your computer any time you leave your computer unattended.
- B. The Information Technology Department uses an IT Support Ticketing system to track work performed on the Department's computers and record changes to the Department's network and systems. All written requests are summarized and entered into a work ticket for the technician who performs the work. Information about the requestor, the machine the work was performed on and the time related to the request and subsequent action(s) taken are recorded on the ticket. No employee or Department data, software or passwords are stored in the Ticketing system, but rather the requested action, requestor, approver, and completed change.(See attached)

II. HARDWARE AND PERIPHERAL ISSUES

Requests to add hardware or peripherals should be processed as follows:

- A. Submit a memorandum to the Support Services Division Commander which identifies the hardware and describe its legitimate use within the official business of the department.
- B. If approved, the item will be purchased by the Support Services Division Commander or his/her designee.
- C. When appropriate, the item will be appropriately tagged as department property and registered to the Hermosa Beach Police Department.
- D. The warranty, operational software, instructions, and any other paperwork will be stored with the Information Technology Department.



HERMOSA BEACH POLICE DEPARTMENT

A1.25 COMMUNITY RELATIONS

Effective 5/19/2010
Updated 12/16/2020

PURPOSE

The purpose of this policy is to provide guidelines for community relationship-building.

Additional guidance on community relations and outreach is provided in other policies, including the:

- Hate Crimes Policy.
- Limited English Proficiency Services Policy.
- Communications with Persons with Disabilities Policy.
- Chaplains Policy.
- Patrol Function Policy.
- Suspicious Activity Reporting Policy.

POLICY

It is the policy of the Hermosa Beach Police Department to promote positive relationships between members of the department and the community by treating community members with dignity and respect. Department members should engage the community in public safety strategy development and relationship-building activities, and by making relevant policy and operations information available to the community in a transparent manner.

MEMBER RESPONSIBILITIES

Officers should, as time and circumstances reasonably permit:

- (a) Make casual and consensual contacts with community members to promote positive community relationships (see the Detentions and Photographing Detainees Policy).
- (b) Become reasonably familiar with the schools, businesses and community groups in their assigned jurisdictional areas.
- (c) Work with community members and the department community relations coordinator to identify issues and solve problems related to community relations and public safety.

- (d) Conduct periodic foot patrols of their assigned areas to facilitate interaction with community members. Officers carrying out foot patrols should notify an appropriate supervisor and Dispatch of their status (i.e., on foot patrol) and location before beginning and upon completion of the foot patrol. They should also periodically inform Dispatch of their location and status during the foot patrol.

COMMUNITY RELATIONS COORDINATOR

The Chief of Police or the authorized designee should designate a member of the Department to serve as the community relations coordinator. He/she should report directly to the Chief of Police or authorized designee and is responsible for:

- (a) Obtaining department-approved training related to his/her responsibilities.
- (b) Responding to requests from department members and the community for assistance in identifying issues and solving problems related to community relations and public safety.
- (c) Organizing surveys to measure the condition of the department's relationship with the community.
- (d) Working with community groups, department members and other community resources to:
 - 1. Identify and solve public safety problems within the community.
 - 2. Organize programs and activities that help build positive relationships between department members and the community and provide community members with an improved understanding of department operations.
- (e) Working with the Operations Division Commander to develop patrol deployment plans that allow officers the time to participate in community engagement and problem- solving activities.
- (f) Recognizing department and community members for exceptional work or performance in community relations efforts.
- (g) Attending City council and other community meetings to obtain information on community relations needs.
- (h) Provide information about community crime issues and crime prevention suggestions to City officials responsible for development and/or revision of zoning policies, building codes, and conditional use permits.
- (i) Assisting with the department's response to events that may affect community relations, such as an incident where the conduct of a department member is

called into public question.

- (j) Informing the Chief of Police and others of developments and needs related to the furtherance of the department's community relations goals, as appropriate.

SURVEYS

The community relations coordinator should arrange for a survey of community members and department members to be conducted at least annually to assess the condition of the relationship between the Department and the community. Survey questions should be designed to evaluate perceptions of the following:

- (a) Overall performance of the Department
- (b) Overall competence of department members
- (c) Attitude and behavior of department member
- (d) Level of community trust in the Department
- (e) Safety, security or other concerns

Prior to survey distribution, the Chief of Police or their designee shall review and approve the survey questions. A written summary of the compiled results of the survey should be provided to the Chief of Police.

COMMUNITY AND YOUTH ACTIVITIES AND PROGRAMS

The community relations coordinator should organize or assist with programs and activities that create opportunities for department members and community members, especially youth, to interact in a positive setting. Examples of such programs and events include:

- (a) Department-sponsored athletic programs (e.g., baseball, basketball, soccer, bowling).
- (b) Police-community get-togethers (e.g., cookouts, meals, charity events).
- (c) Youth leadership and life skills mentoring.
- (d) Neighborhood Watch/National Night Out and crime prevention programs

INFORMATION SHARING

Information related to major incident notifications, significant changes in department operations, comments, feedback, positive events should be regularly refreshed, to inform and engage community members continuously.

Examples of information-sharing methods include:

- (a) Community meetings.
- (b) Social media (see the Department Use of Social Media Policy).
- (c) Department website postings.

LAW ENFORCEMENT OPERATIONS EDUCATION

The community relations coordinator should develop methods to educate community members on general law enforcement operations so they may understand the work that officers do to keep the community safe. Examples of educational methods include:

- (a) Development and distribution of informational cards/flyers.
- (b) Department website postings.
- (c) Instruction in schools.
- (d) Department ride-alongs (see the Ride-Along Policy).
- (e) Scenario/Simulation exercises with community member participation.
- (f) Citizen academies.

Instructional information should include direction on how community members should interact with the police during enforcement or investigative contacts and how community members can make a complaint to the department regarding alleged misconduct or inappropriate job performance by department members.

SAFETY AND OTHER CONSIDERATIONS

Department members responsible for community relations activities should consider the safety of the community participants and, as much as reasonably practicable, not allow them to be present in any location or situation that would jeopardize their safety.

Department members in charge of community relations events should ensure that participating community members have completed waiver forms before participation, if appropriate. A parent or guardian must complete the waiver form if the participating community member has not reached 18 years of age.

Community members are subject to a criminal history check before approval for participation in certain activities, such as citizen academies.

COMMUNITY POLICE ADVISORY BOARD

The Chief of Police should establish a committee of volunteers consisting of community members, community leaders and other community stakeholders (e.g., representatives from schools, churches, businesses, social service organizations). The makeup of the committee should reflect the demographics of the community as much as practicable.

The committee should convene regularly to:

- (a) Provide a public forum for gathering information about public safety concerns in the community.
- (b) Work with the Department to develop strategies to solve public safety problems.
- (c) Generate plans for improving the relationship between the Department and the community.
- (d) Participate in community outreach to solicit input from community members, including youth from the community.

The Training Sergeant should arrange for initial and ongoing training for committee members on topics relevant to their responsibilities.

The Chief of Police may include the committee in the evaluation and development of department policies and procedures and may ask them to review certain personnel complaints for the purpose of providing recommendations regarding supervisory, training or other issues as appropriate.

I. LEGAL CONSIDERATIONS

The Chief of Police and the community relations coordinator should work with the City Attorney as appropriate to ensure the committee complies with any legal requirements such as public notices, records maintenance and any other associated obligations or procedures.

TRANSPARENCY

The Department should periodically publish statistical data and analysis regarding the department's operations. The reports should not contain the names of officers, suspects or case numbers. The community relations coordinator should work with the community advisory committee to identify information that may increase transparency regarding department operations.

TRAINING

Subject to available resources, members should receive training related to this policy, including training on topics such as:

- (a) Effective social interaction and communication skills.
- (b) Cultural, racial and ethnic diversity and relations.
- (c) Building community partnerships.
- (d) Community policing and problem-solving principles.
- (e) Enforcement actions and their effects on community relations.
- (f) Social Media Sharing

Where practicable and appropriate, community members, especially those with relevant expertise, should be involved in the training to provide input from a community perspective.

APPROVED



Paul LeBaron
Chief of Police

Report Preparation

323.1 PURPOSE AND SCOPE

Report preparation is a major part of each officer's job. The purpose of reports is to document sufficient information to refresh the officer's memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formalized training and on-the-job training.

323.1.1 REPORT PREPARATION

Employees should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads, or arrest reports where the suspect remains in custody should not be held.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who dictate reports shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

323.2 REQUIRED REPORTING

Written reports are required in all of the following situations on the appropriate department approved form unless otherwise approved by a supervisor. Officers of this agency shall use only those report forms and formats as authorized by the Chief of Police.

[See attachment: Report](#)

323.2.1 CRIMINAL ACTIVITY

When a member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution. Activity to be documented in a written report includes:

- (a) All arrests
- (b) All felony crimes
- (c) Non-Felony incidents involving threats or stalking behavior
- (d) Situations covered by separate policy. These include:

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1. Use of Force Policy
 2. Domestic Violence Policy
 3. Child Abuse Policy
 4. Senior and Disability Victimization Policy
 5. Hate Crimes Policy
 6. Suspicious Activity Reporting Policy
- (e) All misdemeanor crimes where the victim desires a report
- (f) Citizen reports of a crime
- (g) Incidents involving arrests, citations or summons
- (h) When a person reports a criminal act or an Officer determines a criminal act has occurred
- (i) When evidence indicates a criminal act may have occurred, and there is no victim available to verify the source of the incident
- (j) When unusual or suspicious activity is reported where, in the Officer's opinion, additional investigation is recommended
- (k) When an Officer makes an arrest, regardless of the disposition of the arrest

Misdemeanor crimes where the victim does not desire a report shall be documented using the department-approved alternative reporting method (e.g., dispatch log).

323.2.2 NON-CRIMINAL ACTIVITY

The following incidents shall be documented using the appropriate approved report:

- (a) Anytime an officer points a firearm at any person
- (b) Any use of force against any person by a member of this department (see the Use of Force Policy)
- (c) Any firearm discharge (see the Firearms Policy)
- (d) Anytime a person is reported missing, regardless of jurisdiction (see the Missing Persons Policy)
- (e) Any found property or found evidence
- (f) Any traffic collisions above the minimum reporting level (see Traffic Collision Reporting Policy)
- (g) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy
- (h) All protective custody detentions
- (i) Suspicious incidents that may place the public or others at risk
- (j) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor

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- (k) Citizen complaints
- (l) To record any event where the Department may be required to address circumstances of sensitive material or issues
- (m) When so directed by a Supervisor or Division Commander
- (n) When an incident has occurred and the Officer concludes that the best interests of the Department will be served by preparing a report

323.2.3 DEATH CASES

Death investigations require specific investigation methods depending on circumstances and should be handled in accordance with the Death Investigations Policy. The handling officer should notify and apprise a supervisor of the circumstances surrounding the incident to determine how to proceed. The following cases shall be appropriately investigated and documented using the approved report:

- (a) Sudden or accidental deaths.
- (b) Suicides.
- (c) Homicide or suspected homicide.
- (d) Unattended deaths (No physician or qualified hospice care in the 20 days preceding death).
- (e) Found dead bodies or body parts.

323.2.4 INJURY OR DAMAGE BY CITY PERSONNEL

Reports shall be taken if an injury occurs that is a result of an act of a City employee. Additionally, reports shall be taken involving damage to City property or City equipment.

323.2.5 MISCELLANEOUS INJURIES

Any injury that is reported to this department shall require a report when:

- (a) The injury is a result of drug overdose
- (b) Attempted suicide
- (c) The injury is major/serious, whereas death could result
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary.

323.2.6 MANDATORY REPORTING OF JUVENILE GUNSHOT INJURIES

A report shall be taken when any incident in which a child 18 years or younger suffered an unintentional or self-inflicted gunshot wound. The Records Bureau shall notify the California Department of Public Health (CDPH) of the incident as required by CDPH (Penal Code § 23685).

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323.2.7 ALTERNATE REPORTING FOR VICTIMS

Reports that may be submitted by the public via online or other self-completed reporting processes include:

- (a) Lost property.
- (b) Misdemeanor thefts of property, other than firearms or materials that threaten public safety, when there is no suspect information, serial number or ability to trace the item.
 - 1. Misdemeanor thefts of cellular telephones may be reported even though they have a serial number.
- (c) Misdemeanor vandalism with no suspect information and no hate crime implications.
- (d) Vehicle burglaries with no suspect information or evidence.
- (e) Stolen vehicle attempts with no suspect information or evidence.
- (f) Annoying telephone calls with no suspect information.
- (g) Identity theft without an identifiable suspect.
- (h) Online or email fraud solicitations without an identifiable suspect and if the financial loss classifies the crime as a misdemeanor.
- (i) Hit-and-run vehicle collisions with no suspect or suspect vehicle.
- (j) Supplemental property lists.

Members may refer victims to online victim assistance programs (e.g., Federal Communications Commission (FCC) website for identity theft, Internet Crime Complaint Center (IC3) website for computer crimes).

323.3 GENERAL POLICY OF EXPEDITIOUS REPORTING

In general, all officers and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

323.3.1 GENERAL POLICY OF HANDWRITTEN REPORTS

Some incidents and report forms lend themselves to block print rather than typing. In general, the narrative portion of those reports where an arrest is made or when there is a long narrative should be typed or dictated.

Supervisors may require, with the foregoing general policy in mind, block printing or typing of reports of any nature for department consistency.

323.3.2 GENERAL USE OF OTHER HANDWRITTEN FORMS

County, state and federal agency forms may be block printed as appropriate. In general, the form itself may make the requirement for typing apparent.

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Report Preparation

323.4 REPORT CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should complete the Report Correction form stating the reasons for rejection. The original report and the correction form should be returned to the reporting employee for correction as soon as practical. It shall be the responsibility of the originating officer to ensure that any report returned for correction is processed in a timely manner.

323.5 REPORT CHANGES OR ALTERATIONS


Reports that have been approved by a supervisor and submitted to the Records Bureau for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the Records Bureau may be corrected or modified by the authoring officer only with the knowledge and authorization of the reviewing supervisor.

323.6 ELECTRONIC SIGNATURES

The Hermosa Beach Police Department has established an electronic signature procedure for use by all employees of the Hermosa Beach Police Department. The Operations Division Commander shall be responsible for maintaining the electronic signature system and ensuring that each employee creates a unique, confidential password for his/her electronic signature.

- Employees may only use their electronic signature for official reports or other official communications.
- Each employee shall be responsible for the security and use of his/her electronic signature and shall promptly notify a supervisor if the electronic signature has or may have been compromised or misused.

323.7 ISSUING AUTHORITY

	Effective Date	Updated Date
W. Paul LeBaron, Chief of Police	October 26, 1998	December 4, 2023

Attachments

Infraction Incident Report.pdf

HERMOSA BEACH POLICE DEPARTMENT
INFRACTION INCIDENT REPORT

DR # _____ Officer _____ ID# _____

On _____ at approximately _____ hours, I was contacted by the following citizen who reported observing the following infraction taking place in their presence:

Citizen RP Name : _____

Address: _____

Phone Number: _____

Infraction taking place (Code section and description of violations)

Date/Time of Offense _____

I contacted the alleged suspect who was pointed out to me by the RP and is identified as follows:

Suspect Name and Address: _____

CDL # _____ Other ID: _____

If suspect no longer present, description:

Vehicle driven by suspect if applicable: _____

The reporting citizen in this matter is desirous that the suspect be prosecuted for this offense and therefore requests that this information be forwarded to the City Prosecutor for his review and disposition.

Citizen Comment: _____

By signing below, I understand that a formal complaint may be filed and if so, I will be required to appear in court as a witness.

Signature

Date

**HERMOSA BEACH POLICE DEPARTMENT
DEATH REPORT**

Date and Time Reported		Probable Type (Traffic, Natural, Suicide)				DR #					
						CORONER'S DR#					
Date and Time Death Occurred		Location of Occurrence									
Date and Time Original Illness or Injury		Location of Original Illness or Injury				Original Type Report					
Victim's Name		Residence Address		City		Zip	Res. Tele.				
Date of Birth		Business Address		City		Zip	Bus. Tele.				
Victim's Occupation		Investigative Divisions or Units Notified (Divisions or Unit and Person contacted) L.A. County Coroner									
Probable Cause of Death		Reason				Date and Time Body Discovered					
Victim's Description	Sex	Race	Age	Height	Weight	Hair	Eyes	Build	Complexion	Marks, clothing, jewelry	
Person Reporting Death		Address			City		Zip	Res./Bus./Cell. Telephones			
Person Discovering Body		Address			City		Zip	Res./Bus./Cell. Telephones			
Person Identifying Body		Address			City		Zip	Res./Bus./Cell. Telephones			
Nearest Relative		Address			City		Zip	Res./Bus./Cell. Telephones			
Witnesses Name(s)		Address			City		Zip	Res./Bus./Cell. Telephones			
1.		Address			City		Zip	Res./Bus./Cell. Telephones			
2.		Address			City		Zip	Res./Bus./Cell. Telephones			
3.		Address			City		Zip	Res./Bus./Cell. Telephones			
Doctor in Attendance at Scene		Business Address			City		Zip	Business/Cell Telephone			
Victim's Regular Doctor		Business Address			City		Zip	Business/Cell Telephone			
Doctor willing to sign certificate? <input type="checkbox"/> Yes <input type="checkbox"/> No		If Yes, Doctor's Name					Coroner's Case <input type="checkbox"/> Yes <input type="checkbox"/> No		Coroner notified by		
Removed by (emerg. unit /firm)		Removed to					Address				
Mortuary		Address			City		Zip code	Business/Cell Telephone			
Disposition of Victim's Property							Relatives to be notified by				
NARRATIVE – SEE PAGE TWO											
Date/Time Reported		Officer Reporting/serial no.			Supervisor Approving/serial no.			Date/Time			

DEATH REPORT NARRATIVE

DR#
Page of

A large empty rectangular box with a black border, intended for the death report narrative.

Smoking and Tobacco Use

1009.1 PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in Hermosa Beach Police Department facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches and chewing tobacco, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

1009.2 POLICY

The Hermosa Beach Police Department recognizes that tobacco use is a health risk and can be offensive to others.

Smoking and tobacco use also presents an unprofessional image for the Department and its members. Therefore smoking and tobacco use is prohibited by members and visitors in all department facilities, buildings and vehicles, and as is further outlined in this policy (Government Code § 7597; Labor Code § 6404.5).

1009.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by members is prohibited anytime members are in public view representing the Hermosa Beach Police Department.

It shall be the responsibility of each member to ensure that no person under his/her supervision smokes or uses any tobacco product inside City facilities and vehicles.

1009.4 NOTICE

The Chief of Police or the authorized designee should ensure that proper signage is posted at each entrance to the Department facility (Labor Code § 6404.5).

1009.5 ISSUING AUTHORITY

Last updated by:	Effective Date	Updated Date
Chief of Police, Sharon Papa	June 13, 2018	August 7, 2018



HERMOSA BEACH POLICE DEPARTMENT

A1.28 PERSONAL COMMUNICATION DEVICES

Effective 8/12/2020

Updated 12/15/2020

PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless capable tablets and similar wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games and accessing sites or services on the Internet.

POLICY

The Hermosa Beach Police Department allows members to utilize department-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on-duty, or any Department issued or funded PCD used while on-duty or off-duty in any manner reasonably related to the business of the Department, will be subject to monitoring and inspection consistent with the standards set forth in this policy. Only work-related documents, emails, photographs, recordings or other public records that are created or received on a member's personally owned PCD will be subject to monitoring and inspection. Any personal communications, email, messages, photographs on a personally owned PCD, which are not work-related, will not be subject to monitoring and inspection.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, members are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the member and the member's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory personnel.

PRIVACY EXPECTATION

Members shall have no expectation of privacy with regard to any communication accessed, transmitted, received or reviewed on any PCD issued or funded by the Department and shall have no expectation of privacy in their location, while performing work-related duties, on-duty, or on-call, should the device be equipped with location detection capabilities (see the Information Technology Use Policy for additional guidance).

I. CALIFORNIA ELECTRONIC COMMUNICATIONS PRIVACY ACT (CALECPA)

No member is authorized to be the sole possessor of a department-issued PCD. Department-issued PCDs can be retrieved, reassigned, accessed or used by any member as directed by a supervisor without notice. Member use of a department-issued PCD and use of a personal PCD at work or for work-related business constitutes specific consent for access for department purposes. Prior to conducting an administrative search of a PCD, supervisors should consult legal counsel to ensure access is consistent with CalECPA (Penal Code § 1546; Penal Code § 1546.1).

DEPARTMENT-ISSUED PCD

Depending on a member's assignment and the needs of the position, the Department may, at its discretion, issue or fund a PCD. Department-issued or funded PCDs are provided as a convenience to facilitate on-duty performance only. Such devices and the associated telephone number shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

Unless a member is expressly authorized by the Chief of Police or the authorized designee for off-duty use of the PCD, the PCD can either be secured in the workplace at the completion of their shift or turned off when leaving the workplace.

PERSONALLY OWNED PCD

Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

- (a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.
- (b) The Department accepts no responsibility for loss of or damage to a personally owned PCD, unless the loss or damage is a direct result of the employee performing his/her duties. The Department is not responsible for any loss or damage that is accidental or caused by employee negligence. Claims for replacement or restitution is subject to the City's discretion.

- (c) The PCD and any associated services shall be purchased, used and maintained solely at the member's expense.
- (d) The device should not be utilized to record or disclose any business-related information, including photographs, video or the recording or transmittal of any information or material obtained or made accessible as a result of employment with the Department. All business-related information, photographs, video or other information on any PCD is considered Department property and should only be disclosed outside of the Department in accordance with the Records Maintenance and Release Policy.
- (e) Use of a personally owned PCD while at work or for work-related business may require the Department to access the PCD to inspect and copy only work-related data. Reasons to inspect and copy personally owned PCD, may include litigation, public records retention and release obligations and internal investigations.
- (f) All work-related documents, photographs, recordings or other public records created or received on a member's personally owned PCD should be transferred to the Hermosa Beach Police Department and deleted from the member's PCD as soon as reasonably practicable but no later than the end of the member's shift.

Except with prior express authorization from their supervisor, members are not obligated or required to carry, access, monitor or respond to electronic communications using a personally owned PCD while off-duty. If a member is in an authorized status that allows for appropriate compensation consistent with policy or existing memorandum of understanding or collective bargaining agreements, or if the member has prior express authorization from his/her supervisor, the member may engage in business-related communications. Should members engage in such approved off-duty communications or work, members entitled to compensation shall promptly document the time worked and communicate the information to their supervisors to ensure appropriate compensation.

USE OF PCD

The following protocols should apply to all PCDs that are carried while on-duty or used to conduct department business:

- (a) A PCD should not be carried in a manner that allows it to be visible while in uniform, unless it is in an approved carrier.
- (b) All PCDs in the workplace should be set to silent or vibrate mode.
- (c) A PCD may not be used to conduct personal business while on-duty, except for brief personal communications (e.g., informing family of extended hours). Members should endeavor to limit their use of PCDs to authorized break times, unless an emergency exists.
- (d) Members may use a PCD to communicate with other personnel in situations where

the use of radio communications is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid, or in lieu of regular radio communications.

- (e) Members are prohibited from taking pictures, audio or video recordings or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party through any means, without the express authorization of the Chief of Police or the authorized designee, may result in discipline.
- (f) Members should not access social networking sites for any purpose that is not official department business.
- (g) Using PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.
- (b) Monitoring, to the extent practicable, PCD use in the workplace and taking prompt corrective action if a member is observed or reported to be improperly using a PCD.
 - 1. An investigation into improper conduct should be promptly initiated when circumstances warrant.
 - 2. Any administrative search of a member's personally owned devices should only be done as part of an administrative investigation or other legal process and members will retain all legal and procedural rights to privacy.

OFFICIAL USE

Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, members should conduct sensitive or private communications on a land-based or other department communications network.

USE WHILE DRIVING

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions and present a negative image to the public. Officers operating emergency vehicles should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Members who are operating department vehicles that are not authorized emergency vehicles shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use. In an emergency, a wireless phone may be used to place an emergency call to the Department or other emergency services agency (Vehicle Code § 23123; Vehicle Code § 23123.5). Hands-free use should be restricted to business-related calls or calls of an urgent nature.

APPROVED

A handwritten signature in cursive script, appearing to read "Paul LeBaron".

Paul LeBaron
Chief of Police

Electronic Mail

204.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the Department's electronic mail (email) system by employees of this department. Email is a communication tool available to employees to enhance efficiency in the performance of job duties and is to be used in accordance with generally accepted business practices and current law (e.g., California Public Records Act). Messages transmitted over the email system must only be those that involve official business activities or contain information essential to employees for the accomplishment of business-related tasks and/or communication directly related to the business, administration, or practices of the Department. For additional electronic mail guidelines, see The City of Hermosa Beach Administrative Memorandum # IT-1.

204.2 EMAIL RIGHT OF PRIVACY

All email messages, including any attachments, that are transmitted over department networks are considered department records and therefore are department property. The Department reserves the right to access, audit or disclose, for any lawful reason, any message including any attachment that is transmitted over its email system or that is stored on any department system.

The email system is not a confidential system since all communications transmitted on, to or from the system are the property of the Department. Therefore, the email system is not appropriate for confidential communications. If a communication must be private, an alternative method to communicate the message should be used instead of email. Employees using the Department's email system shall have no expectation of privacy concerning communications utilizing the system.

Employees should not use personal accounts to exchange email or other information that is related to the official business of the Department.

204.3 PROHIBITED USE OF EMAIL

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive and harassing or any other inappropriate messages on the email system is prohibited and may result in discipline.

Email messages addressed to the entire department are only to be used for official business related items that are of particular interest to all users and must be approved by the Chief of Police or a Division Commander. Personal advertisements are not acceptable.

It is a violation of this policy to transmit a message under another user's name. Users are strongly encouraged to log off the network when their computer is unattended. This added security measure would minimize the misuse of an individual's email, name and/or password by others.

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Electronic Mail

204.4 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a public record under the California Public Records Act and must be managed in accordance with the established records retention schedule and in compliance with state law.

The Custodian of Records shall ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

204.5 ISSUING AUTHORITY

Last updated by:

Acting Chief of Police, Milton McKinnon

Effective Date

December 26, 2019

Anti-Retaliation

1004.1 PURPOSE AND SCOPE

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, law, ordinance, City Policy, or memorandum of understanding.

1004.2 POLICY

The Hermosa Beach Police Department has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

1004.3 RETALIATION PROHIBITED

No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.

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Anti-Retaliation

1004.3.1 RETALIATION PROHIBITED FOR REPORTING VIOLATIONS

An officer shall not be retaliated against for reporting a suspected violation of a law or regulation of another officer to a supervisor or other person in the Department who has the authority to investigate the violation (Government Code § 7286(b)).

1004.4 COMPLAINTS OF RETALIATION

Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, command staff member, Chief of Police or the City Human Resources Manager.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false, with willful or reckless disregard for the truth or falsity of the information or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

1004.5 SUPERVISOR RESPONSIBILITIES

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.
- (b) Receiving all complaints in a fair and impartial manner.
- (c) Documenting the complaint and any steps taken to resolve the problem.
- (d) Acknowledging receipt of the complaint, notifying the Chief of Police via the chain of command and explaining to the member how the complaint will be handled.
- (e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.
- (f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.
- (g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.

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Anti-Retaliation

- (h) Not interfering with or denying the right of a member to make any complaint.
- (i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

1004.6 COMMAND STAFF RESPONSIBILITIES

The Chief of Police should communicate to all supervisors the prohibition against retaliation.

Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

- (a) Communicating to all members the prohibition against retaliation.
- (b) The timely review of complaint investigations.
- (c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
- (d) The timely communication of the outcome to the complainant.

1004.7 WHISTLE-BLOWING

California law protects members who (Labor Code § 1102.5; Government Code § 53296 et seq.):

- (a) Report a violation of a state or federal statute or regulation to a government or law enforcement agency, including the member's supervisor or any other member with the authority to investigate the reported violation.
- (b) Provide information or testify before a public body if the member has reasonable cause to believe a violation of law occurred.
- (c) Refuse to participate in an activity that would result in a violation of a state or federal statute or regulation.
- (d) File a complaint with a local agency about gross mismanagement or a significant waste of funds, abuse of authority, or a substantial and specific danger to public health or safety. Members shall exhaust all available administrative remedies prior to filing a formal complaint.
- (e) Are family members of a person who has engaged in any protected acts described above.

Members are encouraged to report any legal violations through the chain of command (Labor Code § 1102.5).

Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Professional Standards Unit for investigation pursuant to the Personnel Complaints Policy.

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Anti-Retaliation

1004.7.1 DISPLAY OF WHISTLE-BLOWER LAWS

The Department shall display a notice to members regarding their rights and responsibilities under the whistle-blower laws, including the whistle-blower hotline maintained by the Office of the Attorney General (Labor Code § 1102.8).

1004.8 RECORDS RETENTION AND RELEASE

The Investigative/Administrative Services Division Commander shall ensure that documentation of reports and investigations are maintained in accordance with the established records retention schedules.

1004.9 TRAINING

The policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.

1004.10 ISSUING AUTHORITY



W. Paul LeBaron, Chief of Police

Effective Date

June 6, 2023

Reporting of Employee Convictions

1005.1 PURPOSE AND SCOPE

Convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties. Therefore, all employees shall be required to promptly notify the Department of any past and current criminal convictions.

1005.2 DOMESTIC VIOLENCE CONVICTIONS, OUTSTANDING WARRANTS AND RESTRAINING ORDERS

California and federal law prohibit individuals convicted of, or having an outstanding warrant for, certain offenses and individuals subject to certain court orders from lawfully possessing a firearm. Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; Penal Code § 29805).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

1005.3 OTHER CRIMINAL CONVICTIONS AND COURT ORDERS

Government Code § 1029 prohibits any person convicted of a felony from being a peace officer in the State of California. This prohibition applies regardless of whether the guilt was established by way of a verdict, guilty, or nolo contendere plea.

Convictions of certain violations of the Vehicle Code and other provisions of law may also place restrictions on an employee's ability to fully perform the duties of the job.

Outstanding warrants as provided in Penal Code § 29805 also place restrictions on a member's ability to possess a firearm.

Moreover, while legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by members of this department may be inherently in conflict with law enforcement duties and the public trust.

1005.4 REPORTING PROCEDURE

All members of this department and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing of any past or current criminal arrest, outstanding warrant or conviction regardless of whether or not the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired officers with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Chief of Police in the case of retired

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Reporting of Employee Convictions

officers) in writing if the member or retiree becomes the subject of a domestic violence restraining order or similar court order or becomes the subject of an outstanding warrant.

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on administrative leave, reassignment and/or termination. Any effort to remove such disqualification or restriction shall remain entirely the responsibility of the member on his/her own time and expense.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

1005.5 PROCEDURE FOR RELIEF

Pursuant to Penal Code § 29855, a peace officer may petition the court for permission to carry a firearm following a conviction under state law. Federal law, however, does not provide for any such similar judicial relief and the granting of a state court petition under Penal Code § 29855 will not relieve one of the restrictions imposed by federal law. Therefore, relief for any employee falling under the restrictions imposed by federal law may only be obtained by expungement of the conviction. Employees shall seek relief from firearm restrictions on their own time and through their own resources.

Pursuant to Family Code § 6389(h), an individual may petition the court for an exemption to any restraining order, which would thereafter permit the individual to carry a firearm or ammunition as a part of the individual's employment. Relief from any domestic violence or other restriction shall also be pursued through the employee's own resources and on the employee's own time.

Pending satisfactory proof of relief from any legal restriction imposed on an employee's duties, the employee may be placed on administrative leave, reassigned, or disciplined. The Department may, but is not required to return an employee to any assignment, reinstate any employee, or reverse any pending or imposed discipline upon presentation of satisfactory proof of relief from any legal restriction set forth in this policy.

1005.5.1 NOTIFICATION REQUIREMENTS

The Administrative Services Division Commander shall submit within 10 days of final disposition a notice to the Commission on Peace Officer Standards and Training (POST) of a conviction or Government Code § 1029 reason that disqualifies any current peace officer employed by this department or any former peace officer if this department was responsible for the investigation (11 CCR 1003).

The Administrative Services Division Commander shall submit within 10 days a notice to POST of any appointment, termination, reinstatement, name change, or status change regarding any peace officer, reserve peace officer, public safety dispatcher, and records supervisor employed by this department (11 CCR 1003).

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1005.6 ISSUING AUTHORITY



W. Paul LeBaron, Chief of Police

Effective Date

August 1, 2023

Department Use of Social Media

322.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Employee Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this department (see the Investigation and Prosecution Policy).

322.1.1 DEFINITIONS

Definitions related to this policy include:

Social media - Any of a wide array of Internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services

322.2 POLICY

The Hermosa Beach Police Department may use social media as a method of effectively informing the public about department services, issues, investigations and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all.

322.3 AUTHORIZED USERS

Only members authorized by the Chief of Police or the authorized designee may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Chief of Police may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made through the member's chain of command or an authorized social media team member.

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Department Use of Social Media

322.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the department mission and conforms to all department policies regarding the release of information may be posted.

Examples of appropriate content include:

- (a) Announcements.
- (b) Tips and information related to crime prevention.
- (c) Investigative requests for information.
- (d) Requests that ask the community to engage in projects that are relevant to the department mission.
- (e) Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.
- (f) Traffic information.
- (g) Press releases.
- (h) Notable events
- (i) Recruitment of personnel.

322.4.1 INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the Public Information Officer or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Watch Commander. Dissemination of information is subject to available resources as time permits.

322.5 PROHIBITED CONTENT

Content that is prohibited from posting includes, but is not limited to:

- (a) Content that is abusive, discriminatory, inflammatory or sexually explicit.
- (b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal or local laws.
- (c) Any information that could compromise an ongoing investigation.
- (d) Any information that could tend to compromise or damage the mission, function, reputation or professionalism of the Hermosa Beach Police Department or its members.
- (e) Any information that could compromise the safety and security of department operations, members of the Department, victims, suspects or the public.
- (f) Any content posted for personal use.
- (g) Any content that has not been properly authorized by this policy or a supervisor.

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Department Use of Social Media

Any member who becomes aware of content on this department's social media site that he/she believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

322.6 MONITORING CONTENT

The Chief of Police will appoint a supervisor to review, at least annually, the use of department social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues.

322.7 RETENTION OF RECORDS

The Administrative Services Division Commander should work with the Custodian of Records to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

322.8 TRAINING

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on department sites.

322.9 ISSUING AUTHORITY

Last updated by:

Acting Chief of Police, Milton McKinnon

Effective Date

December 23, 2019

Employee Speech, Expression and Social Networking

1029.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balancing of employee speech and expression with the needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

1029.1.1 APPLICABILITY

This policy applies to all forms of communication including but not limited to film, video, print media, public or private speech, use of all internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video, and other file-sharing sites.

1029.2 POLICY

Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Hermosa Beach Police Department will carefully balance the individual employee's rights against the Department's needs and interests when exercising a reasonable degree of control over its employees' speech and expression.

1029.3 SAFETY

Employees should consider carefully the implications of their speech or any other form of expression when using the internet. Speech and expression that may negatively affect the safety of the Hermosa Beach Police Department employees, such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any employee, an employee's family, or

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associates. Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of an officer who is working undercover.
- Disclosing the address of a fellow officer.
- Otherwise disclosing where another officer can be located off-duty.

1029.4 PROHIBITED SPEECH, EXPRESSION, AND CONDUCT

To meet the department's safety, performance, and public-trust needs, the following are prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, on a matter of public concern):

- (a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation, or professionalism of the Hermosa Beach Police Department or its employees.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Hermosa Beach Police Department and tends to compromise or damage the mission, function, reputation, or professionalism of the Hermosa Beach Police Department or its employees. Examples may include:
 1. Statements that indicate disregard for the law or the state or U.S. Constitution.
 2. Expression that demonstrates support for criminal activity.
 3. Participating in sexually explicit photographs or videos for compensation or distribution.
- (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination, or illegal behavior.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape.
- (e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Hermosa Beach Police Department.
- (f) Use or disclosure, through whatever means, of any information, photograph, video, or other recording obtained or accessible as a result of employment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee.
- (g) Posting, transmitting, or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches,

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Employee Speech, Expression and Social Networking

marked vehicles, equipment, or other material that specifically identifies the Hermosa Beach Police Department on any personal or social networking or other website or web page, without the express authorization of the Chief of Police.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

1029.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or officer associations, employees may not represent the Hermosa Beach Police Department or identify themselves in any way that could be reasonably perceived as representing the Hermosa Beach Police Department in order to do any of the following, unless specifically authorized by the Chief of Police (Government Code § 3206; Government Code § 3302):

- (a) Endorse, support, oppose or contradict any political campaign or initiative.
- (b) Endorse, support, oppose or contradict any social issue, cause or religion.
- (c) Endorse, support or oppose any product, service, company or other commercial entity.
- (d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or on any website.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g., bargaining group or officer associations), is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Hermosa Beach Police Department.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit or officer associations, on political subjects and candidates at all times while off-duty.

However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

1029.5 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to e-mails, texts, or anything published or maintained through file-sharing software or any internet site (e.g., Facebook) that is accessed, transmitted, received, or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

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Employee Speech, Expression and Social Networking

The Department shall not require an employee to disclose a personal user name or password for accessing personal social media or to open a personal social website; however, the Department may request access when it is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (Labor Code § 980).

1029.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.
- (c) Whether the speech or conduct would reflect unfavorably upon the Department.
- (d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

1029.7 TRAINING

Subject to available resources, the Department should provide training regarding employee speech and the use of social networking to all members of the Department.

1029.8 ISSUING AUTHORITY



Effective Date

W. Paul LeBaron, Chief of Police

January 31, 2024

Department Badges

1026.1 PURPOSE AND SCOPE

The Hermosa Beach Police Department badge and uniform patch as well as the likeness of these items and the name of the Hermosa Beach Police Department are property of the Department and their use shall be restricted as set forth in this policy.

1026.2 POLICY

The uniform badge shall be issued to department members as a symbol of authority and the use and display of department badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity.

1026.2.1 FLAT BADGE

In addition to the uniform badge, sworn officers, will be issued a flat badge capable of being carried in a wallet. The use of the flat badge is subject to all the same provisions of department policy as the uniform badge.

- (a) officer Hermosa Beach Police Department Chief of Police
- (b) Should the flat badge become lost, damaged, or otherwise removed from the officer's control, he/she shall make the proper notifications as outlined in the Department Owned and Personal Property Policy.
- (c) The flat badge shall be returned to the Department upon retirement or separation.
- (d) Upon honorable retirement, sworn officers will be issued a "Retired" flat badge which will be purchased by the Department.
- (e) The purchase, carrying or display of a flat badge is not authorized for non-sworn personnel.

Retiree flat badges will not be issued under the following circumstances:

- Retirement/resignation in lieu of termination
- Retirement/resignation while being prosecuted for any crime
- Retirement/resignation while under administrative investigation

The final determination to issue a "Retired" flat badge shall be made by the Chief of Police.

1026.2.2 PROFESSIONAL STAFF PERSONNEL

Badges and department identification cards issued to non-sworn personnel shall be clearly marked to reflect the position of the assigned employee (e.g. Community Service Officer, Police Service Officer).

- (a) Non-sworn personnel shall not display any department badge except as a part of his/her uniform and while on duty, or otherwise acting in an official and authorized capacity.

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- (b) Non-sworn personnel shall not display any department badge or represent him/herself, on or off duty, in such a manner which would cause a reasonable person to believe that he/she is a sworn peace officer.

1026.2.3 RETIREE UNIFORM BADGE

Upon honorable retirement employees may purchase his/her assigned duty badge for display purposes. It is intended that the duty badge be used only as private memorabilia as other uses of the badge may be unlawful or in violation of this policy.

1026.3 UNAUTHORIZED USE

Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

Department badges are issued to all sworn employees and professional staff uniformed employees for official use only. The department badge, shoulder patch or the likeness thereof, or the department name shall not be used for personal or private reasons including, but not limited to, letters, memoranda, and electronic communications such as electronic mail or web sites and web pages.

The use of the badge, uniform patch and department name for all material (printed matter, products or other items) developed for department use shall be subject to approval by the Chief of Police.

Employees shall not loan his/her department badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

1026.4 PERMITTED USE BY EMPLOYEE GROUPS

The likeness of the department badge shall not be used without the expressed authorization of the Chief of Police and shall be subject to the following:

- (a) The employee associations may use the likeness of the department badge for merchandise and official association business provided they are used in a clear representation of the association and not the Hermosa Beach Police Department. The following modifications shall be included:
 1. The text on the upper and lower ribbons is replaced with the name of the employee association.
 2. The badge number portion displays the acronym of the employee association.
- (b) The likeness of the department badge for endorsement of political candidates shall not be used without the expressed approval of the Chief of Police.

1026.5 ISSUING AUTHORITY



Effective Date

W. Paul LeBaron, Chief of Police

August 12, 2020



CHAPTER 2

SUPPORT SERVICES



HERMOSA BEACH POLICE DEPARTMENT

S2.01 LEGAL PROCESS

Effective 10/27/2009

Updated 11/01/2016

PURPOSE AND SCOPE

The purpose of this policy is to set forth regulations regarding the Hermosa Beach Police Department's performing and recording its legal process functions, including records, civil process, financial requirements and property management.

PROCEDURES

A. All warrants issued by the court are sent directly to CWS. They are then entered into the automated system with the following information:

1. Date received
2. Date of issue
3. Type of legal process
4. Nature of document
5. Source of document
6. Court docket number
7. Amount of bail
8. If endorsed for night service

(CALEA 74.1.1, 74.1.3 a)

B. The warrant systems queried are:

1. National Crime Information Center (NCIC) (Wanted Persons System WPS)
2. California Department of Justice (DOJ) (Wanted Persons System WPS)
3. Criminal warrants, traffic warrants, bench warrants and all civil warrants are entered into CWS, County Wide Warrant System.
4. California Department of Motor Vehicles (DMV)

(CALEA 74.1.3 b)

C. Records of attempt warrant service

Once the warrant is verified; teletypes are run for updated information such as addresses, date of birth, additional warrants, etc. The work sheet is then logged and routed as follows:

1. The department warrant files are logged and retained in the Records Division.

Prior to each subsequent attempt service, the warrant will be checked to confirm that it is still active. Each attempt service will be noted on the warrant work sheet with a brief explanation of the reasons for non-service. Retrieval of the warrant information is done by entry using the subject's name as it appears on the warrant and date of birth,

or by the warrant number. Local Hermosa Beach warrants are maintained in the Records. (CALEA 74.1.3c)

- D. Arrest warrants will be executed by sworn peace officers only. Warrants obtained in California are maintained in CLETS, an automated warrant system.
(CALEA 74.3.2)

When an individual is contacted, the officer will have Dispatch confirm through the system that a valid warrant is outstanding. Officers will utilize a print out of a working paper that indicates that the warrant is valid and outstanding. This paper indicates the offense, bail amount, and warrant type (bench warrant, traffic, criminal).

(CALEA 74.1.3d)

- E. Twenty Four Hour Service

The criminal arrest warrant system for the State of California and the Los Angeles County is automated and available on a twenty-four hour a day basis. In the event the computer system is non operational, each of the departments can be contacted via telephone, and the warrant information located by a hand search. The system is designed to provide enough information to determine whether a subject has a warrant and to arrest the person solely relying on the responses from the system which updates and cancels all Wanted Persons System (WPS) entries for all Los Angeles County law enforcement agencies.

(CALEA 74.1.3 e, f)

- F. Warrant Arrests

1. P.C. 815 states that at the time of issuance a warrant will indicate the name of the defendant, time and location issued and be signed by a magistrate. At the time of issuance the magistrate shall fix a reasonable bail.
2. P.C. 816 states that a warrant of arrest shall be directed generally to any peace officer, and when a warrant of arrest has been delivered to a peace officer and the person named in the warrant is in custody, the warrant may be executed by the peace officer.
3. P.C. 817 states that when a declaration of probable cause is made by a peace officer, the magistrate if satisfied that there exists probable cause that the offense has been committed and that the defendant described committed the offense, shall issue a warrant of probable cause for arrest of the defendant.
4. P.C. 817(g) states that an original warrant of probable cause for arrest or the duplicate original warrant shall be sufficient for booking a defendant into custody.
5. P.C. 817(h) states that once the defendant named in the warrant for arrest has been taken into custody, the agency that obtained the warrant shall file a certificate of service with the clerk of the issuing court. The certificate of

service shall contain all of the following: date and time of service; name of defendant arrested; location of arrest; and the location where the defendant is incarcerated.

6. P.C. 818 states that in any case in which a peace officer serves upon a any local ordinance reference operation of a motor vehicle, and where no written promise to appear has been filed and the warrant states on its face that a citation may be issued in lieu of physical arrest, the peace officer may, instead of taking the person before a magistrate, prepare a notice to appear and release the person on his promise to appear.
7. P.C. 827.1 states that a person who is specified in a warrant of arrest for a misdemeanor offense may be released upon the issuance of a citation, in lieu of physical arrest unless one of the following conditions exists:
 - a. The misdemeanor cited in the warrant involves violence;
 - b. The misdemeanor cited in the warrant involves a firearm;
 - c. The misdemeanor cited in the warrant involves resisting arrest;
 - d. The misdemeanor cited in the warrant involves giving false information to a peace officer;
 - e. The person arrested is a danger to himself or others due to intoxication.
 - f. The person requires medical examination or medical care or is otherwise unable to care for his own safety;
 - g. The person has other ineligible charges pending against him;
 - h. There is reasonable likelihood that the offense will continue or resume or that the safety of persons or property would be endangered by the release of the person.
 - i. The person refuses to sign the notice to appear;
 - j. The person cannot provide satisfactory evidence of personal identification.
 - k. The warrant of arrest indicates that the person is not eligible to be released on a citation.
8. P.C. 842 states that an arrest by a peace officer acting under a warrant is lawful even though the officer does not have the warrant in his possession at the time of the arrest, but if the person arrested requests it, the warrant shall be shown to him as soon as practicable.
9. P.C. 848 states that an officer making an arrest, in obedience to a warrant, must proceed with the person arrested as commanded by the warrant or as provided by law.

G. Arrest without warrants

1. P.C. 836 states that a peace officer may arrest a person in obedience to a warrant or without a warrant, may arrest a person whenever any of the following circumstances occur:
2. The officer has probable cause to believe that the person to be arrested has committed a public offense in the officer's presence.

3. The person arrested has committed a felony, although not in the officer's presence.
4. The officer has probable cause to believe that the person to be arrested has committed a felony, whether or not a felony, in fact, has been committed.
5. P.C. 849(a) states that when an arrest is made without a warrant by a peace officer or private person, the person arrested, if not otherwise released shall, without unnecessary delay, be taken before the nearest or most accessible magistrate, and a complaint stating the charge against the arrested person shall be laid before such magistrate.
6. P.C. 849(b) states that any peace officer may release from custody, instead of taking such person before a magistrate, any person arrested without a warrant whenever:
 - a. He or she is satisfied that there are insufficient grounds for making a criminal complaint against the person arrested.
 - b. The person arrested was arrested for intoxication only, and no further proceedings are desirable.
 - c. The person was arrested only for being under the influence of a controlled substance or drug and such person is delivered to a facility or hospital for treatment and no further proceedings are desirable.
7. P.C. 853.6 states that in any case in which a person is arrested for an offense declared to be a misdemeanor, including a violation of any city or county ordinance, and does not demand to be taken before a magistrate, that person shall, instead of being taken before a magistrate, be released according to the procedures set forth in this chapter. If the person is released, the officer or jail staff shall prepare in duplicate a written notice to appear in court, containing the name and address of the person, the offense charged, and the time when, and place where, the person shall appear in court.

H. Arrest with and without a warrant

When a Police Officer stops and detains a person, and as a result of a warrant check, determines the person has an outstanding warrant, the officer shall complete the following actions:

1. Determine that the person described in the warrant and the subject in custody is one and the same.
2. Determine if the warrant is available for service. Out of county agencies may not want to send an abstract for booking purposes due to the distance involved and the type of crime for which the warrant has been issued.
3. Upon receipt of the warrant abstract, the person should be taken into custody and taken before the nearest or most accessible magistrate.
If a magistrate is not available, the officer must take the arrestee to the Hermosa Beach Police jail for booking and posting of bail, or hold pending appearance before a magistrate.

4. If the arrestee claims to suffer from medical issues, he/she must be medically cleared. If further medical attention is required, the arrestee will be taken to County Jail.

(CALEA 74.3.1)

I. Civil Process

A department employee must comply with a civil subpoena that is received as a result of an on-duty investigation or incident. The Hermosa Beach City Clerk's Office accepts all subpoenas and appropriate fees for current employees and determines that the employee is available on the date specified. Subpoenas for persons who are no longer employed by the department are referred to the Personnel Department.

Officers may serve domestic violence and or temporary restraining orders issued by the court. All other civil processes are handled through the Clerk's Office.

(CALEA 74.2.1)

J. Execution / Attempt Service

JDIC (Justice Data Interface Coordinator) provides officers and records staff the ability to enter data via WANTS. Once the WANTS portion of JDIC is accessed the following information can be entered.

1. Attempt Type (Door knock, exonerated, Courtesy Letter, Miscellaneous, Inactive or Leads Exhausted)
2. Result (Not Home, Not At Business, Moved-No New Address, No Such Address, Moved-New Address)
3. Name of person on whom legal process was served
4. Section to add new address
5. Informant information
6. Remarks: The officer should enter the time and date of the attempted service in the remarks category. The officer's name and ID number should also be included.

(CALEA 74.1.2)

APPROVED:



Sharon Papa
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

S2.02 LEGAL AND CONSTITUTIONAL REQUIREMENTS

Effective 10/27/2009

Updated 11/12/2020

PURPOSE

The purpose of this policy is to specify legal and constitutional requirements for the arrest process, interview and interrogation, and search and seizure that are to be followed by all Department personnel to insure that the rights of all individuals are protected.

POLICY

It shall be the policy of this Department to require employees to comply with all federal, state and local requirements, which provide for the protection of individual rights. These requirements are contained in this policy and referenced in the California Peace Officers Legal Source Book.

I. Search and Seizure

A. Searches Conducted Pursuant to a Warrant

1. To obtain a search warrant, an officer must submit an affidavit swearing that they have probable cause to believe that property connected to a crime is in the place they seek to search.
2. The affidavit should contain sufficient facts to establish probable cause that:
 - a. A crime was, is being or is about to be committed.
 - b. That the property named in the search warrant application is connected to the crime.
 - c. That the property named in the search warrant application is in the place to be searched at the present time.
3. The warrant must particularly describe the items sought, the location, vehicle, or person to be searched and must list the statutory grounds for issuing the warrant.
4. An officer serving the warrant must announce his presence, identify himself as an officer, state his purpose and demand entry before forcibly entering a private dwelling.
5. A copy of the warrant must be provided to the subject of the warrant upon service.

6. The warrant must be executed and returned to the court within 10 days from issuance, along with a written inventory of all property seized, unless specified otherwise by the issuing judge. (Penal Code Section 1534)

B. Stop and Frisk Searches (Pat Down Searches)

1. The United States Supreme Court decided in Terry v. Ohio U.S. 1, (1968) that a police officer may briefly detain a person to determine proper identity and conduct an investigation based on the officer's reasonable suspicion that the person(s) may be involved in criminal activity. The persons may be searched using the "stop and frisk" principle where an officer with suspicion the person(s) are armed, can conduct a pat down of the outer clothing for weapons.
2. Pat Down Searches are authorized in the following situations:
 - a. When the officer has observed suspicious activity on the part of a suspect that gives him/her cause to believe the suspect is armed.
 - b. Only to search for weapons.
 - c. When the officer has received a warning that a suspect might be armed from an informant known to the officer.

(CALEA 1.2.4 b)

C. Vehicle Inventory

1. Vehicle inventorying is conducted for the following purposes:
 - a. To protect the defendant's property.
 - b. To safeguard the police from claims of lost property.
 - c. To protect police from potentially dangerous items located inside vehicles such as: explosives, dangerous chemicals, and/or weapons.
2. All impounded vehicles will be inventoried per policy.
3. Property located in a vehicle that does not have an evidentiary value or an obvious high dollar value needing additional security, should be left in the vehicle. Items of evidence will be processed in the Department's Evidence System and items of high dollar value will be taken for safekeeping and placed into the Department Property System.

(CALEA 1.2.4 f)

D. Strip Searches and Body Cavity Searches (Penal Code Section 4030)

1. When a person is arrested and taken into custody, that person may be subjected to patdown searches, metal detector searches, and thorough clothing searches in order to discover and retrieve concealed weapons and contraband prior to being placed in a booking cell.
2. Most bodily intrusion searches must be authorized by a warrant or court order, while others, such as ones incident to a lawful arrest, do not require a warrant.

In either case, however:

- a. There must always be probable cause to conduct the search;
 - b. The need for the search must outweigh its intrusiveness; and
 - c. Police must employ reasonable procedures in conducting the search. (Schmerber (1966) 384 U.S. 757, 768.)
3. No strip search or visual body cavity search may be conducted without prior written authorization of the supervising officer on duty using the Hermosa Beach Police Department Strip Search Authorization Form. The authorization will also be documented in the arrest report and will include the specific and articulable facts and circumstances upon which the reasonable suspicion determination was made.
(CALEA 1.2.8 a)
 4. No person arrested and held in custody on a misdemeanor or infraction offense, except those involving weapons, controlled substances or violence, shall be subjected to a strip search or a visual body cavity search prior to placement in the general jail population, unless a police officer has determined there is probable cause based on specific articulable facts to believe such person is concealing a weapon, or contraband, and a strip search will result in the discovery of the weapon or contraband.
 5. Please see Policy 901.6.1 Custodial Searches .
 6. Please see Policy 901.6.1 Custodial Searches .

E. Receipts for Evidence Collected

1. Receipts must be prepared for all evidence seized during a search.

2. Penal Code Section 1535 states that when an officer takes property, he/she must give a receipt for the property taken (specifying in detail) to the person from whom it was taken, or in whose possession it was found; or in the absence of any person, he must leave it in the place where the property was found.

II. Interviews and Interrogation

A. Definitions

1. Interview (including Field Interview) – A meeting for obtaining information by questioning a person. The goal of an interview is to develop information, build rapport and detect deception.
2. Interrogation – A focused formal examination of a person by questioning. The goal of an interrogation is a confession.
3. Custodial Interrogation – The questioning initiated by law enforcement officers after a person has been taken into custody or otherwise deprived of his freedom of action in any significant way.

B. Miranda

1. The “Miranda” decision requiring police to advise an individual of his rights only applies to a situation in which the person is in custody and is being interrogated. "Custody" exists for Miranda purposes when two requirements are met:
 - a. The suspect must in fact have been formally arrested, or had his freedom restrained to a degree associated with a formal arrest;
 - b. The suspect must personally be aware of this lack of freedom, or reasonably believe that it exists.
2. Since both factors must be present to trigger “Miranda”, a person who is in custody but not being interrogated, need not be advised of his rights.
3. A person who is being interrogated, but is not in custody need not be advised of the warnings prior to being questioned.
4. Federal law regarding Miranda, which serves to protect a suspect’s Fifth Amendment privilege against self-incrimination, is exactly the same for juveniles and adults. You have no obligation to advise a minor that he has a right to contact his parents (or other adult), or to have them present during questioning, because no such right exists (Aven S. (1991) 1 Cal.App.4th 69, 76.
 - a. A minor can validly waive his Miranda rights without his parents or other adult being present (John S. (1988) 199 Cal.App.3d 441, 445);

b. The test for the validity of a waiver (namely, an evaluation of the totality of the circumstances, such as age, experience, education, background, intelligence, ability to comprehend, etc.) is the same for minors as it is for adults; there is no "higher care" or "special care" doctrine for juveniles.

5. Under the "Emergency-Rescue" or "Public Safety" Exception you may "interrogate" a suspect who has been arrested or is otherwise in custody; i.e., ask a question likely to produce an incriminating response, and obtain an answer which is admissible in court, even though you did not first advise the person of his Miranda rights, applies when your question or questions are reasonably prompted by a concern for the safety of another person, a victim, the defendant, or the public at large, or by a concern for your own personal safety.

(CALEA 1.2.3 a, b)

C. Access to Counsel

1. When a suspect invokes his right to remain silent, or his right to have counsel present during custodial interrogation, the police must immediately cease their questioning.

2. If the suspect in anyway indicates a desire to have an attorney present during questioning, the police must honor his request.

3. Penal Code Section 825(b) states that after the arrest, any attorney licensed to practice law in California, may at the request of the prisoner, or any relative of the prisoner, visit the person so arrested.

(CALEA1.2.3 c)

APPROVED:



Paul LeBaron
Chief of Police

Subpoenas and Court Appearances

325.1 PURPOSE AND SCOPE

This policy establishes the guidelines for department members who must appear in court. It will allow the Hermosa Beach Police Department to cover any related work absences and keep the Department informed about relevant legal matters.

325.2 POLICY

Hermosa Beach Police Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

325.3 SUBPOENAS

Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so. This may be accomplished by personal service to the officer or by delivery of two copies of the subpoena to the officer's supervisor or other authorized department agent (Government Code § 68097.1; Penal Code § 1328(c)).

Subpoenas are recorded and assigned through email generated by Los Angeles County Superior Court. The court liaison will keep record of all emailed subpoenas, including e-Subpoenas, Misdemeanors Subpoenas, and Traffic Subpoenas.

The Court Liaison officer is the person responsible for the receipt and processing of all subpoenas requesting the appearance of department employees.

The party that issues a civil subpoena to an officer to testify as a witness must tender the statutory fee of \$326 with the subpoena for each day that an appearance is required before service is accepted of the subpoena (Government Code § 68097.2).

An immediate supervisor or authorized individual may refuse to accept service for a criminal subpoena if (Penal Code § 1328(d)(e)):

- (a) He/she knows that he/she will be unable to deliver a copy of the subpoena to the named officer within sufficient time for the named officer to comply with the subpoena.
- (b) It is less than five working days prior to the date listed for an appearance and he/she is not reasonably certain that service can be completed.

If, after initially accepting service of a criminal subpoena, a supervisor or other authorized individual determines that he/she is unable to deliver a copy of the subpoena to the named officer within sufficient time for the named officer to comply with the subpoena, the supervisor or the subpoena clerk shall notify the server or the attorney named on the subpoena of such not less than 48 hours prior to the date listed for the appearance (Penal Code § 1328(f)).

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Subpoenas and Court Appearances

325.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any member who is subpoenaed to testify, agrees to testify or provides information on behalf of or at the request of any party other than the City Attorney or the prosecutor shall notify his/her immediate supervisor without delay regarding:

- (a) Any civil case where the City or one of its members, as a result of his/her official capacity, is a party.
- (b) Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.
- (c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.
- (d) Any civil action stemming from the member's on-duty activity or because of his/her association with the Hermosa Beach Police Department.
- (e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Hermosa Beach Police Department.

The supervisor will then notify the Chief of Police and the appropriate prosecuting attorney as may be indicated by the case. The Chief of Police should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

325.3.2 CIVIL SUBPOENA

The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties, as directed by the current memorandum of understanding or collective bargaining agreement.

The Department should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member.

325.3.3 OFF-DUTY RELATED SUBPOENAS

Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

325.4 FAILURE TO APPEAR

Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

325.5 STANDBY

To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Department.

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Subpoenas and Court Appearances

If a member on standby changes his/her location during the day, the member shall notify the designated department member of how he/she can be reached. Members are required to remain on standby until released by the court, the Court Liaison officer, or the party that issued the subpoena.

325.6 COURTROOM PROTOCOL

When appearing in court, members shall:

- (a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.
- (b) Dress in the department uniform or business attire.
- (c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.


325.6.1 TESTIMONY

Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

325.7 OVERTIME APPEARANCES

When a member appears in court on his/her off-duty time, he/she will be compensated in accordance with the current memorandum of understanding or collective bargaining agreement.

325.8 ISSUING AUTHORITY

	Effective Date	Updated Date
W. Paul LeBaron, Chief of Police	October 27, 2009	December 4, 2023



HERMOSA BEACH POLICE DEPARTMENT

S2.04 CRIMINAL INVESTIGATIONS

Effective 10/27/2009

Updated 11/05/2020

PURPOSE AND SCOPE

To outline duties and responsibilities of officers assigned to the Hermosa Beach Police Department Investigations Unit, also known as the Detective Bureau, and to establish a system of case screening and assignment. This Policy also establishes procedures for the use of investigative techniques to include, but not limited to, surveillance and polygraphs. It shall be the policy of this department to conduct thorough investigative follow-up on all crimes against person and major property crimes, in an attempt to successfully identify and prosecute violators.

PROCEDURE

I. Investigations Unit Organization

- A. The Investigations Unit consists of four Investigators and one Investigative Sergeant.
- B. The Investigative Sergeant shall report directly to the Support Services Lieutenant.
- C. Investigators are scheduled based on department needs. Generally, two Investigators are assigned Tuesday through Friday. Special circumstances may require a change and the change must be approved by the Support Services Lieutenant.
- D. An additional two investigators may be assigned to regional task forces such as the SIU (Special Investigations Unit) and one LA IMPACT (Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force). Both units are specialized multi-jurisdictional task forces responsible for investigating narcotics, vice and major felonies. The Chief of Police, or his/her designee, shall periodically evaluate the necessity to continue participation with these agencies.
(CALEA 42.2.5)

II. Investigator Duties

- A. The primary function of the Investigations Unit is the prompt, efficient, and effective investigation of all crimes that occur in the City of Hermosa Beach, identification and apprehension of individuals committing those crimes and the preparation of cases for prosecution.
- B. Duties normally assigned to individuals assigned to the Investigations Unit include:

1. Working with Neighborhood Watch and V.I.P. (Volunteer In Policing) programs in identifying, developing, marketing and presenting programs that address the public's need and any other crime prevention programs that need to be developed.
2. Developing ongoing analysis of crimes and crime suppression tactics to reduce criminal opportunities.
3. Updating and briefing Patrol on all requirements and changes instituted by the District Attorney's Office and the City Prosecutor's Office, conduct periodic training on new laws, court decisions, investigative and interview procedures, evidence gathering techniques and other appropriate investigative or crime prevention information.
4. Maintaining close liaison with patrol and updating and briefing patrol personnel on criminal activity and the status of follow up investigations where appropriate.
(CALEA 42.2.4)
5. Investigating all criminal cases as assigned and submitting follow-ups documenting all actions taken.
6. Reviewing preliminary investigation reports for thoroughness and accuracy. If any arrest is made, preparing the cases for prosecution and filing all cases with the District Attorney / City Prosecutor (within timeline limitations).
7. Conducting internal affairs investigations as directed by the Chief of Police.
8. Providing liaison with and assistance to other law enforcement agencies or elements of the criminal justice system.
9. Providing victim/witness assistance information and support.
10. Create and implement pro-active investigative stings and surveillance to reduce crime and apprehend suspects.

III. Investigator's Response

- A. The patrol supervisor on duty may request an Investigator's response to a crime scene at his\her discretion.
- B. The procedure for notifying an Investigator will be:
 1. The patrol supervisor will request that the dispatcher contact the Investigative Sergeant and advise him/her of the incident.

2. The Investigative Sergeant will determine if one or more Investigators should respond to the scene.
3. All four Investigators and the Investigative Sergeant are provided with Department cell phones.
4. Each Investigator must assume the duties of the on call investigator. This Investigator is subject to call 24 hours a day. The on call status is rotated every seven days. The on duty schedule shall be completed by the Investigative Sergeant and posted in the Watch Commander's Office and Records Bureau. (CALEA 42.1.1)
5. If the on duty Investigator cannot be contacted within a reasonable time period, the Investigative Sergeant should be advised of the delay. If neither the Investigative Sergeant nor the on duty Investigator can be located, the on duty Watch Commander shall be notified. The Watch Commander should then notify the Support Services Lieutenant and call another Investigator.
6. If one of the Investigators cannot be located when needed, the Support Services Lieutenant will be notified and one of the members of patrol with past investigative experience may be utilized.

C. Incidents where an Investigator should be notified and requested to respond include:

1. Any use of a firearm or other dangerous weapon.
2. Incidents involving serious injuries or death;
3. Incidents involving extensive evidence or where an immediate follow-up is needed or the Patrol Officers do not have the resources to conduct the follow-up;
4. Armed robberies;
5. In custody felony arrests that requires immediate investigative follow up.
6. Explosions;
7. Arson with extensive damage or evidence to be collected (HBFD arson team will assist);
8. All sexual assaults and child molestation cases.
9. Critical Missing Persons.

D. Investigators should be notified about the following types of cases, for consultation and a determination whether response is necessary:

1. Domestic violence;
2. Stalking;
3. Felony computer crimes;
4. Missing Persons.

- E. The Watch Commander will determine whether Investigators are to be contacted. The seriousness of the offense will be the deciding factor. In all major cases, Investigators will be notified to respond.
- F. If an Investigator is requested to respond to the scene of an incident, the scene will remain secured by the Patrol Officer(s) until the Investigator arrives, unless otherwise directed by a supervisor or the responding Investigator.
- G. Prior to the investigator's arrival, the first officer on the scene will secure the scene and limit entrance to necessary personnel only. The officer or designee responsible for the scene shall assume control of the scene and protect evidence through the use of natural barriers or crime scene tape, and:
 - 1. Conduct a preliminary scene survey.
 - 2. Document those who enter and exit the scene.
 - 3. Photograph the scene and any evidence.
 - 4. Isolate and protect all physical evidence to include but not limited to; fingerprints, shoe and tire impressions, tool marks, hairs, fibers, and trace or biological evidence, all of which will be collected once Investigators have arrived on the scene.
 - 5. Identify and isolate all complainants, witnesses, victims and suspects. All involved parties shall be interviewed, as soon as practicable, to establish their involvement. Officers will audiotape the interviews in compliance with the Hermosa Beach Police Department Digital Audio/Video Recording Policy O3.09.
 - 6. The Investigator may interview all parties involved or designate patrol officers to assist with the interviews.
(CALEA 42.2.1 a, b, c, d)
- H. When an Investigator arrives on the scene, they will assume the responsibility for the crime scene and investigation unless relieved by a higher authority.

IV. Case Screening and Assignment

- A. The Investigative Sergeant will review all criminal reports to determine which cases are to be assigned for follow-up by Investigative personnel.
 - 1. The following solvability factors will be used to aid in determining which cases are likely to be cleared with a reasonable investigative effort.
 - a. Was there a witness?
 - b. Can a suspect be named?
 - c. Can a suspect be located?
 - d. Can a suspect be described?
 - e. Can a suspect be identified?
 - f. Can a suspect vehicle be identified?

- g. Is the stolen property traceable?
 - h. Is there a significant M.O.?
 - i. Is significant physical evidence present?
 - j. Is there reason to believe that the crime may be solved with reasonable investigative effort?
2. Specialized cases will be assigned to Investigators based on individual skill and expertise in a particular area.
 - a. This will apply to such crimes as stalking, computer crimes, hate crimes, etc.
 - b. In most instances, high profile cases will be assigned to the Investigative Sergeant.
 - c. In major cases, the Investigative Sergeant may act as the lead investigator, but all Investigators may be assigned to the case, and given different areas of responsibility.
 3. The supervisor of the Investigations unit will track assignment and status of all cases utilizing RMS (Report Management System). This record will include:
 - a. Case Number
 - b. Type of Offense
 - c. Date of Incident
 - d. Name of Investigator
 - e. Date Assigned to Investigator
 - f. Disposition Classification
 - g. Date of Disposition
 4. The supervisor of the Investigations Unit will periodically review the cases assigned to Investigators. During this review, the supervisor will be updated on the progress on the case and will offer advice or additional resources, if necessary, and will determine if an investigation should continue based on the solvability factors and criteria used in assigning cases. The supervisor will also make determines on whether a case should be suspended or closed based on the following criteria:
 - a. If all workable leads have been exhausted
 - b. If the victim is no longer desirous of prosecution
 - c. If the case has been cleared by arrest, or referral
(CALEA 42.1.2)

V. Maintenance of Investigative Case Files

- A. Case files will be maintained on all cases in which investigative activity is ongoing, to provide an immediate information resource to investigators. Case files will contain the following information:

1. Copy of the preliminary investigative reports. (Originals will be retained in Records or ARS, Automated Report Writing System.)
2. Records of statements.
3. Chronological Record of activity on the case.
4. Results of examinations of physical evidence.
5. Copies of photographs and information on suspects.
6. Digital photographs shall remain on the Department computer server (R: drive).

B. Case Status Designations

1. If a case is to be cleared, the Investigator will use one of the following codes found in RMS (Report Management System):

A	Case Active
P	Case Pending
C	Case Closed

2. The case will be then issued one of the following RMS disposition codes:

AA	Adult Arrest
AJ	Juvenile Arrest
B1	849b1 PC
B2	849b2 PC
CC	Counseled and Released
CF	Case Filed
CI	Closed Civil
CJ	Closed Judicial (Court/Prosecutor)
CO	Closed Other
CR	DA Reject
DP	Detained Petition
RO	Case Re-opened
SU	Suspended (Closed)
UA	Unassigned (Closed)
UF	Unfounded (Closed)
WI	Warrant Issued

C. Case Disposition Authority

1. The Sergeant or Investigator will have the authority to assign case status disposition to any cases that are assigned to him/her.
2. The supervisor of the Investigations Unit will have the ultimate authority to review and change that initial disposition based on the nature and status of the case.

D. Investigator Responsibilities

1. Each Investigator is responsible for the maintenance of their assigned cases and documentation of activity on those cases.
2. All supplemental reports must be forwarded to the Records Bureau, via ARS, for inclusion with the original report and to ensure the publication of dispositions through the Department's records management system.
3. When a case becomes closed, all records and reports will be consolidated in RMS and or placed into files located in the Records Bureau.
4. Investigators must insure the confidentiality of all of their case files and maintain them in a secure location with restricted access. Case files will be accessible only to those with a legitimate right and need to know what is contained in them.
5. Investigation files shall be purged in accordance with the requirements set forth in the City of Hermosa Beach Records Retention Schedule No. 3, or as required by state or federal law.
(CALEA 42.1.3 a, b, c, d, e)

VI. Procedures to Be Used in Criminal Investigations

A. Information development - Involves the collection and recording of facts surrounding the offense.

1. Involves facts about persons, things, actions, times, places and methods and means of operation.
2. May be obtained through:
 - a. Review of preliminary reports
 - b. Background Investigations (records checks)
 - c. Review of applicable statutes
 - d. Contact with informants
 - e. Examination of evidence
 - f. Interviews with witnesses, victims, and suspects.

B. Interviews and interrogation – Interviews of victims and witnesses and interrogation of suspects, are conducted to obtain information relevant to the offense and subsequent prosecution.

1. Formal interviews and interrogations are to be recorded using audio and/or video to memorialize the suspect, victim or witness interview. The investigator may use either cassette or digital devices to record the interviews. The following steps must be taken to maintain the integrity of the recorded interview:

- a. Original cassette recordings must be placed into evidence.
 - b. Digital recordings using the handheld recording devices must be downloaded to a shared drive on the Departments network server.
 2. The detective interview room is equipped with a motion activated camera that records both audio and video digitally. These recordings are automatically stored on a designated computer located in the detective bureau.
 3. The following guidelines will assist in the interview and interrogation process:
 - a. Review all reports, statements and supporting documents prior to the interview.
 - b. Review all of the elements of the offense.
 - c. Plan the time, place, content and order of the interviews.
- C. Collection, preservation, and use of physical evidence – The collection and preservation of evidence is done with the intent of identifying and prosecuting the perpetrator.
 1. The following guidelines should be followed when handling a crime scene:
 - a. Approach the scene carefully.
 - b. Secure and protect the scene.
 - c. Conduct a preliminary scene survey for potential evidence locations.
 - d. Take detailed notes and document those in your reports.
 - e. Photograph scenes prior to removing any evidence, or processing for fingerprints.
 - f. Note locations where each item of evidence was located.
 - g. Package each item of evidence.
 - h. Maintain chain of custody on all items of evidence.
 2. The Hermosa Beach Evidence Technician may be utilized to process major crime scenes; however, the Los Angeles County Sheriff's Evidence Technician will be called out on all homicide cases.
- D. Execution of background investigations
 1. Background investigations can establish relevant information about a suspect for use during the investigation of an offense.
 2. Officers who complete background investigations must follow and comply with CLETS/NCIC User Agreements to protect the confidentiality of Computerized Criminal Record Data. Any information obtained is restricted to a criminal investigation.

3. There are several sources that can be utilized for obtaining information when conducting background investigations. These include:
 - a. Hometown, neighboring law enforcement agencies.
 - b. DOJ
 - c. CLETS/NCIC, CORI, FBI and other federal agencies.
 - d. Relatives, friends, acquaintances, and neighbors.
 - e. Educational institutions.
 - f. Business associates.
 - g. Present and past employers and fellow employees.
 - h. Division of Motor Vehicles.
- E. Surveillance – The observation of a person, who is suspected of committing an offense or a place, which is likely to be the location of a criminal offense. Surveillance can either be accomplished in person or through the use of covert surveillance camera equipment.
1. Personal surveillance can be performed in a vehicle or on foot.
 - a. Involved supervisors and officers will discuss and decide on the best method of surveillance.
 - b. Communications procedures will be discussed and coordinated with involved personnel and communications personnel.
 - c. Notifications to watch personnel will be made and to any outside agency that may be affected or involved.
 - d. The Watch Commander may authorize the use of unmarked vehicles for use in surveillance activities by patrol personnel.
 2. Surveillance through the use of covert camera equipment will be in accordance with applicable Federal and State laws.
 - a. The supervisor of Investigations must authorize the use of covert camera equipment.
 - b. Covert camera equipment will not be utilized where a reasonable expectation of privacy exists without obtaining a court order.
- VII. This agency will not use Voice Stress Analyzer/truth verification for investigative purposes, but may elect to use a qualified polygraph examiner to assist in their investigation, when applicable.
(CALEA 42.2.6)
- VIII. Use of Informants –When applicable, informants should be handled by the SIU (Special Investigations Unit) or LA IMPACT (Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force). The informant’s information should be obtained and forwarded to the applicable unit. These specialty units may already be focused on the informant or the criminal activity regarding the informant.
- IX. Prior to utilizing informants, Investigators shall contact LA CLEAR to determine whether other law enforcement agencies are working with the same informant(s) or target location(s).

X. Should the Investigations Unit choose to utilize the services of an informant, the following procedures will apply:

A. Definitions

1. Informant – Any person who, under the direction of a specific officer and with or without expectation of compensation, furnishes or performs a lawful service for the department in its investigations and operations.
2. Defendant Informant – An informant who is subject to arrest and prosecution for a State or Federal offense, or a defendant in a pending case who expects compensation for his assistance in either the form of judicial or prosecutorial consideration of another form.
3. Restricted Use Informant – Any person who meets any of the following criteria shall be considered a restrictive use informant, subject to use as authorized below:
 - a. Person less than 18 years of age – May only be utilized after obtaining the written consent of the juvenile’s parent or guardian.
 - b. Person on probation or parole (Federal or State) – Only with the consent of the agency supervising the person.
4. Sources of Information – The title Informant as well as informant requirements do not apply to sources of information. A source of information is a person or organization, not under the direction of a specific officer who provides information without becoming a party to the investigation itself, such as a concerned citizen who witnesses an event of interest.
 - a. Should a person who would otherwise be considered a source of information seek financial compensation, or become a continuing active part of the investigative process, his status will be shifted to that of an informant.
 - b. Generally a person or organization fitting within this definition can be identified by name in investigative reports.

B. Informant Criteria--There are three criteria that must be met to establish a person as a department informant.

1. The person must be in a position to measurably assist the department in a present or future investigation.
2. To the extent prudent judgment can be made, the person will not compromise the department’s interests and activities.

3. The person will accept the measure of discretion necessary to effectively utilize his/her services.

C. Requirements for Informant Use

1. The following requirements shall apply to the development of defendant informants:
 - a. The approval of the appropriate prosecutor (that is Federal, State or local) will be obtained prior to seeking the cooperation of a defendant.
 - b. A defendant may be advised that his cooperation will be brought to the attention of the appropriate prosecutor. No further representations or assurances may be given without approval. The prosecuting attorney shall have the sole authority to decide whether or not to prosecute a case against a defendant/informant.
 - c. The appropriate prosecutor shall be advised of the nature and scope of the defendant's cooperation throughout the period of his use. The procedures and frequency of this reporting shall be set by the prosecutor.

D. Procedures for Informant Use

1. Each informant must be registered.
 - a. Because of the difficulties involved with the use of an informant by an officer, the prospective informant is likely to be managed more effectively by an investigator who is not required to provide concurrent patrol duties.
 - b. Officers are not precluded from using informants in compliance with this written directive.
2. If an officer or investigator encounters an individual who they believe will make a potential informant, the officer will discuss the merits and liabilities relevant to that person with their supervisor and Investigative Sergeant as soon as practicable.
 - a. The officer or investigator will provide background and criminal history on the prospective informant as well as potential information to be provided.
 - b. This information will then be forwarded to the Investigative Sergeant to determine the feasibility of utilizing the informant.
3. An informant (or source of information) shall be advised at the onset that:
 - a. He/she shall not violate criminal law in furtherance of gathering of information or providing services to the police department and that any evidence of such a violation will be reported to the appropriate law enforcement agency.

- b. He/she has no official status, implied or otherwise, as an agent or employee of the police department.
 - c. The information he/she provides may be used in a criminal proceeding and that although the department will use all lawful means to protect the informant's confidentiality, this cannot be guaranteed.
4. The case officer must control the direction of the operation and the informant. Informants should not be present at briefings.
5. Officer/informant contacts will be of a strictly professional nature. Extrinsic social or business contacts are expressly prohibited.
6. Contacts with an informant will be such that his knowledge of the department's facilities, operations, activities, and personnel is kept to the minimum necessary to his successful utilization.
7. At least two officers should be capable of contacting an informant. Whenever practical, two officers will be present at all contacts with the informant.
8. All significant contacts with the informant, and all information obtained at these contacts will be documented in writing.
9. Where an informant is to participate in an undercover purchase in which he may come in contact with official funds, controlled drugs, or anything else of potential evidentiary value, he will be thoroughly searched both before and after the undercover encounter, and where possible, kept under continuous observation.

E. Informant Confidentiality

1. Case law allows the identity of a confidential informant to remain secret when previous reliability as an informant can be shown.
2. The investigator/officer will safeguard the informant's identity.
 - a. The true identity of the informant will be made known only to individuals who have a clear need to know.
 - b. Absolute and unrealistic promises regarding anonymity will not be made.
 - c. Investigators/officers will structure investigations as much as possible to prevent the informant from becoming a material witness to a crime and therefore requiring his identity to be disclosed.
 - d. The investigator/officer will advise the informant that

circumstances may require him to testify in court.

3. The Investigative Sergeant will assign each informant a unique and confidential identification number. The identification number will be used in law enforcement official documents to refer to the informant in order to protect his identity.
 - a. The first two numbers denote the year in which the informant began working.
 - b. The next number denotes the numerical order of each new informant beginning with 1.
4. Informant confidentiality will be thoroughly discussed with the prosecutor prior to trial or other proceedings and any alternatives will be given full consideration.

F. Informant File

1. The Informant File will be maintained by the Investigative Sergeant. The file will be kept in a secured location with controlled access. Access to the file will be limited to the Chief of Police, Support Services Lieutenant and the investigators.
2. An Informant information packet will be completed on all informants utilized by the Department. This packet will contain:
 - a. Biographical and background information
 - b. Criminal history record
 - c. The type and validity of information obtained
 - d. The informant's involvement in the investigation
 - e. The identification code number of the informant
 - f. Photograph of informant

G. Criteria for Paying Informants

1. This department has no confidential informant fund.
(CALEA 42.2.7 a, b, c, d, e, f, g)

XI. Procedures for Utilizing the Interview Room for Interviews/Interrogations

- A. Weapons control – Investigators (non-uniformed) and uniformed officers will have their duty weapon in their possession when interviewing or interrogating a person in the Interview Room. Officers must be cognizant at all times of the proximity of the subject being interviewed to their service weapon.
- B. Security concerns – Prior to the person being interviewed entering the Interview Room all items that could easily be utilized as a weapon will be removed or

secured. Officers must remain cognizant that this is an office environment and some items will be present that could potentially be utilized as a weapon.

- C. Personnel Allowed in Interview Room – At no time will there be more than two officers interviewing a person. The only exception would be if an interpreter is needed.

Unless circumstances dictate otherwise, only one person to be interviewed will be present in the office at a time. Depending on the circumstances, an attorney, parent, or other approved person may be present for the person being interviewed.

- D. Equipment – An operational recording device capable of both audio and video recording will be maintained and utilized to record interviews and interrogations that are conducted in the Interview Room. The equipment is designed to record the entire Interview Room.
- E. The interview room is equipped with recording equipment that provides closed circuit live video and audio feed to any computer in the station. This enables fellow detectives/officers/records and jail personnel to monitor an interview and be ready to provide assistance should the need arise. There is also a panic button in the interview room, which will set off an alarm that can be heard anywhere in the station alerting to the need for assistance.

It is up to the detective/officer handling the interview to determine the flight risk and potential danger posed by the suspect. Personnel utilizing the interview room shall notify the jailer and watch commander that he/she is bringing the suspect downstairs for an interview, and notify them when he/she is finished.

If more prudent, interviews may also be conducted in the jail at the discretion of the detective/officer handling the investigation.

- F. Comfort Breaks – The person being interviewed will be free to use the restroom as needed. The individual will be escorted by a same sex officer, when practicable, to the restroom closest to the interview room. The officer will wait outside of the single-use restroom and then escort the individual back to the interview room. Comfort breaks and requests for water will be honored at the time of the request.
- G. Custody / Arrest – If it is determined during the course of the investigator's interview that the detainee is to be arrested, the investigator should place the person under arrest and escort him / her to the jail to be booked according. (CALEA 42.2.10 a, b, c, d, e, f)

XII. Handling of Vice, Drugs, and Organized Crime/Intelligence Information

Intelligence gathering is a fundamental and essential element in the all-encompassing duties of any law enforcement agency. When acquired, information is used to prevent

crime, pursue and apprehend offenders, and obtain evidence necessary for conviction. It is the policy of this Department to gather information directed toward specific individuals or organizations where there is reasonable suspicion that said individuals or organizations may be planning or engaging in criminal activity, to gather it with due respect for the right of those involved, and to disseminate it only to authorized individuals as defined.
(CALEA 42.1.6 a)

A. Complaint Receipt

1. Intelligence information may be received from several sources such as, anonymous tips, private citizens' observations or knowledge, officer's observation, media sources, electronic information, etc.

While criminal intelligence may be assigned to specific personnel within the agency, all members of the Hermosa Beach Police Department are responsible for reporting information that may help identify criminal conspirators and perpetrators. Specific training is not required for department personnel to perform this function, however, personnel assigned as the Terrorist Liaison Officer shall receive training in how to gather and distribute information relevant to Homeland Security. Training in intelligence gathering techniques may also be provided to personnel assigned to narcotics enforcement.
(CALEA 42.1.6 b, c)

2. Upon receipt of information of a criminal nature occurring within the jurisdiction of the Hermosa Beach Police Department concerning organized crime, gang, vice or narcotics activity, Department employees will submit a memorandum detailing the information received and forward the memorandum to the Investigation Unit.
3. Information received from other law enforcement agencies will be documented and forwarded in the same manner.
4. Any information that is received regarding an actual offense that occurs in this jurisdiction will be documented on a crime/incident report form, and will be assigned to Investigations for follow-up.
5. Upon receipt of this type of information, the Investigative Sergeant will assess the veracity of the information and ensure the information received is limited to criminal conduct and relates to an activity that presents a threat or potential threat to the community.
(CALEA 42.1.6 e, g)

B. Handling and Dissemination of Information

1. Any information received that relates to activities in other jurisdictions will be forwarded to that jurisdiction for assessment and follow-up, and a copy of information that was forwarded will be maintained on file.

2. The Investigative Sergeant will maintain a file on all intelligence information received in relation to vice, gang, organized crime and narcotics complaints.
 - a. This file will include memorandums forwarded from department personnel, as well as documented information received from other agencies.
 - b. Also included in the file will be information from any source that has been validated and relates to organized crime activities, gang activities, vice activities, narcotics activities or other subversive activities occurring within the Department's jurisdiction.
 - c. The privacy and constitutional rights of any group or individual that is the subject of a criminal intelligence file shall be protected. Intelligence information is considered confidential and shall be disseminated to authorized agencies/personnel only.
(CALEA 42.1.6 f)
 - d. The on-going investigation will be maintained by the Investigative Sergeant or assigned investigator rather than in Records to ensure that the investigation does not become compromised. Access to this file will be restricted to the Investigators and Command Staff only and will be secured in a locked file cabinet.
(CALEA 42.1.6 d)
3. The Investigative Sergeant, or the detective assigned to SIU, will personally advise the Chief of Police of any information that is received on vice, drug, organized crime and gang activities, and will personally provide updates on any on-going investigations.

C. Purging Information

1. Intelligence information will be purged from the file and destroyed by shredding when it is no longer considered criminal intelligence, (i.e., it is no longer valid, an arrest has been made, or it is determined to be false).
(CALEA 42.1.6 h)
2. A review of these procedures and processes will be conducted annually by the Support Services Lieutenant.
(CALEA 42.1.6 i)

XV. Witness/Victim Assistance

- A. During the investigation process, the Investigator assigned to the case will maintain contact with the victim/witness. The following assistance will be provided to victim/witness during the follow-up:

1. Re-contacting the victim/witness periodically to determine if his/her needs are being met, or the impact on the victim, in the opinion of the Investigator, is unusually severe and has triggered additional need for supportive services.
2. Explaining the procedures involved in prosecution of their case and the victim/witness' role in those procedures, if it is not an endangerment to the successful prosecution of the case.
3. Scheduling photo line-ups, interviews, and other required appearances at the convenience of victims/witness; and at the discretion of the Investigator, providing transportation if necessary.
4. Returning promptly a victim's property, which was taken as evidence, where permitted by law or rules of evidence, if feasible.
5. Providing the victim with information on the *Crime Victims' Bill of Rights Act of 2008* (Marsy's Card and Resources pamphlet).

XVI. Follow-Up Investigations

1. Maintaining contact with principals in any investigation is valuable for building public confidence in the department as well as indicating that the investigating officer is genuinely concerned about the welfare of the victim and other citizens associated with the case. Reviewing and conducting follow up investigations may be necessary.
2. Reviewing and analyzing all previous reports prepared in the preliminary phase, departmental records involving similar cases, and results from laboratory examinations, if applicable.
3. Conducting additional interviews of witnesses, complainants/victims and interrogations of possible suspects.
4. Seeking additional information from other officers, informants, etc.
5. Revisiting the crime scene and planning, organizing, and conducting searches, and collecting additional physical evidence. Maintaining chain of custody on evidence and submitting it for laboratory examination.
6. Attempting to identify and apprehend the suspect, through the use of photo line-ups, DMV records, etc.
7. Determining the suspect's M.O. and attempting to link the suspect to other unsolved crimes.
8. Checking the suspects' criminal histories.

9. Preparing cases for court presentation.
10. Performing additional follow-up at the request of the prosecuting attorney.
(CALEA 42.2.2 a-h)

XVII. Check Investigations

The Hermosa Beach Police Department will refer all N.S.F./Account Closed check victims to the District Attorney's Office. Hermosa Beach desk personnel will have all necessary report forms and information to facilitate reporting the NSF checks directly to the District Attorney's Bad Check Enforcement Program.

The program offers the public the full countywide resources of the District Attorney's office. In the event a victim receives a "Non-Sufficient Funds" or "Account Closed" check, the victim should follow the instructions on the Los Angeles, County District Attorney "Bad Check Report" and forward the original check and form to the District Attorney's office.

The following conditions are necessary:

1. The check must have been received in Los Angeles County.
2. NSF checks must be submitted to the bank twice.
3. The check must be greater than 25 dollars.
4. The check must be submitted to the District Attorney within 90 days of the date of the check.

Only NSF and account closed check crimes will be referred to the District Attorney's Bad Check Enforcement Program. Hermosa Beach Police Department will continue to handle all forgeries, fictitious checks, frauds, etc., occurring within our jurisdiction.

APPROVED:



Paul LeBaron
Chief of Police

Identity Theft

331.1 PURPOSE AND SCOPE

Identity theft is a growing trend that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

331.2 REPORTING

- (a) In an effort to maintain uniformity in reporting, officers presented with the crime of identity theft (Penal Code § 530.6) shall initiate a report for victims residing within the jurisdiction of this department when the crime occurred. For incidents of identity theft occurring outside this jurisdiction, officers should observe the following:
 1. For any victim not residing within this jurisdiction, the officer may either take a courtesy report to be forwarded to the victim's residence agency or the victim should be encouraged to promptly report the identity theft to the law enforcement agency where he or she resides.
- (b) While the crime of identity theft should be reported to the law enforcement agency where the victim resides, officers of this department should investigate and report crimes occurring within this jurisdiction which have resulted from the original identity theft (e.g., the identity theft occurred elsewhere, but the credit card fraud occurred and is reported in this jurisdiction).
- (c) Officers should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim's name when the victim has never made such an application).
- (d) Officers should also cross-reference all known reports made by the victim (e.g., U.S. Secret Service, credit reporting bureaus, U.S. Postal Service and DMV) with all known report numbers.
- (e) The reporting officer should inform victims of identity theft that the California Identity Theft Registry is available to help those who are wrongly linked to crimes. The registry can be checked by law enforcement and other authorized persons to investigate whether a criminal history or want was created in the victim's name (Penal Code § 530.7). Information regarding the California Identity Theft Registry can be obtained by calling toll free (888) 880-0240.
- (f) Following supervisory review and department processing, the initial report should be forwarded to the appropriate detective for follow up investigation, coordination with other agencies and prosecution as circumstances dictate.

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Identity Theft

331.3 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police June, 3, 2009

August 5, 2019



HERMOSA BEACH POLICE DEPARTMENT

S2.05 VICE, DRUGS AND ORGANIZED CRIME

Effective 10/27/2009
Updated

PURPOSE AND SCOPE

To establish guidelines for investigating cases involving vice, narcotics and organized crime and for handling criminal intelligence activities. It is the policy of this department to effectively identify, analyze, disseminate and utilize criminal intelligence information related to criminal activity and to make every effort to suppress and control organized crime, vice and narcotics activities. Minor narcotics cases are to be issued to in house investigators.

POLICY

This Department does not have the resources to conduct an extended, in-depth organized crime, vice or narcotics investigation. Two investigators are assigned to regional task forces. One Investigator assigned to SIU (Special Investigations Unit) the other to LA IMPACT (Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force). Both units are specialized multi-jurisdictional task forces responsible for investigating narcotics, vice and major felonies. The Chief of Police, or his/her designee, shall periodically evaluate the necessity to continue participation with these agencies. If it is determined that an investigation is beyond the capabilities of our limited resources, the investigation will be directed to the SIU or LA IMPACT.

PROCEDURE

- I. Handling of Vice, Drugs, and Organized Crime/Intelligence Information
 - A. Complaint Receipt
 1. Intelligence information may be received from several sources such as, anonymous tips, private citizens' observations or knowledge, officer's observation, media sources, electronic information, etc.
 2. Upon receipt of information of a criminal nature occurring within the jurisdiction of this Department concerning organized crime, gang, vice or narcotics activity, Department employees will complete a memorandum detailing the information received and forward it to the appropriate investigative unit.
 3. Information received from other law enforcement agencies will be documented and forwarded in the same manner.

4. Any information that is received regarding an actual offense that occurs in this jurisdiction will be documented on a crime/incident report form, and will be assigned to an investigator for follow-up.
5. Upon receipt of this type of information, the Investigative Sergeant will assess the veracity of the information and ensure the information received is limited to criminal conduct and relates to an activity that presents a threat or potential threat to the community.
(CALEA 43.1.1 a, c)

B. Handling and Dissemination of Information

1. Any information received that relates to activities in other jurisdictions will be forwarded to that jurisdiction for assessment and follow-up, and a copy of information that was forwarded will be maintained on file.
2. The Investigative Sergeant will maintain a secure file on all intelligence information received in relation to vice, gang, organized crime and narcotics complaints.
 - a. This file will include memorandums forwarded from department personnel, as well as documented information received from other agencies.
 - b. Also included in the file will be information from any source that has been validated and relates to organized crime activities, gang activities, vice activities, narcotics activities or other subversive activities occurring within the Department's jurisdiction.
 - c. All active investigations will be assigned a DR number, but the file on the on-going investigation will be maintained by the Investigative Sergeant rather than in Records to ensure that the investigation does not become compromised. Access to this file will be restricted to the Investigators and Command Staff.
(CALEA 43.1.1 b; 43.1.2)
3. The Investigative Sergeant and or the SIU and or the LA IMPACT investigator will personally advise the Chief of Police of any information that is received on vice, drug, organized crime and gang activities, and will personally provide updates on any on-going investigations.
(CALEA 43.1.1 d)

C. Purging Information

1. Intelligence information will be purged from the file when it is no longer considered criminal intelligence, i.e., it is no longer valid, an arrest has been made, or it is determined to be false.

II. This Department will on occasion conduct covert surveillance operations when the operation does not require extensive manpower.

A. Surveillance Procedures

1. All surveillance operations will be conducted in such a manner so that no infringement occurs upon the statutory and constitutional rights of the individual being observed.
2. Surveillance, for the purpose of this directive, is defined as the continuous or periodic watching of persons, vehicles, places, or objects. The routine observation of individuals or groups acting in a suspicious manner, the photographing and visual monitoring of events for safety, historical, or training purposes does not constitute surveillance, as defined by this manual.
3. The objectives of surveillance are:
 - a. To determine whether a violation of law exists or will exist.
 - b. To obtain evidence of a crime.
 - c. To protect undercover officers or corroborate their testimony
 - d. To determine the reliability of informants.
 - e. To determine identities of involved persons.
 - f. To determine “methods of operation”.
 - g. To obtain probable cause for obtaining search warrants.
 - h. To prevent the commission of a crime or to apprehend a suspect in the commission of a crime.
4. Criteria for establishing surveillances
 - a. Surveillance data will only be used for legitimate law enforcement purposes.
 - b. Photographic surveillance may be conducted on any individual, location, organization, or event that meets the criteria for surveillances are:
 - 1) A legitimate and reasonable cause exists to believe that an individual or organization is engaged in or has demonstrated the propensity to engage in illegal activity.
 - 2) A legitimate and reasonable cause exists to believe that an event may provoke community disorder.
 - 3) To ensure that the exercise of constitutional rights are protected.
 - 4) Operational Procedures

- 5) The Investigations Unit supervisor will be responsible for the execution of the surveillance and the coordination of the efforts of each surveillance officer.
- 6) Prior to initiating surveillances, particularly long-term ones, the supervisor of the operation shall ensure that the officers involved are knowledgeable of the scope and extent of the offenses and type of victims associated with the target of the surveillance.
- 7) All information should be gathered concerning the premises, suspects and vehicles involved. This information will be evaluated and distributed to the participating personnel.
- 8) A physical reconnaissance should be made to study the area where the surveillance will take place to identify vantage points that are suitable for the officers.
- 9) Similarly, traffic conditions should be observed and the officers should become familiar with the names and locations of streets in the area.
- 10) The supervisor will be responsible for selecting the hours or period of surveillance. The number of personnel available and the circumstances of the suspected violations will govern their decision.
- 11) When a number of officers are involved in the operation, a plan specifying procedures for observation, arrest and following the subject should be made by the surveillance supervisor. Additionally, the supervisor shall make plans for providing suitable relief for the officers involved in the operation.
- 12) The supervisor will be responsible for selecting the type of surveillance equipment necessary for the operation. This will depend upon the nature and extent of the surveillance and the equipment available. When the equipment is selected, each piece will be examined or tested to ensure it is in satisfactory operating condition.
- 13) All surveillance officers will have ready access to radio communications. It will be the responsibility of the surveillance supervisor to select one primary radio frequency to be used for the operation and to inform the involved personnel of the selected frequency and any changes.
- 14) Vehicles used during surveillance operations should be inconspicuous. Surveillance vehicles should fit the setting in which they are to be used as best as possible.

B. Undercover Operations

1. When there is a need for an undercover investigation, the investigator will gather sufficient background and intelligence information to identify the suspect or suspects and analyze their involvement in the criminal activity.
2. The investigations sergeant will review the case and deny the request or obtain approval from the Support Services Division Commander to initiate the operation.
3. The investigator will resolve any legal questions surrounding the use of a covert operative with the District Attorney's office prior to implementing such a program.
4. The investigations sergeant is responsible for selecting the operative, subject to supervisory approval, and will insure that the operative is adequately trained and briefed prior to the placement. He/she will formulate a plan to place the operative, give instructions on making contact with the target, insure that the operative is properly equipped, and will provide overall responsibility for the undercover operation.
5. All specialized equipment will be tested prior to the undercover operation begins. The investigator will insure that all officers using such specialized equipment are properly instructed in its use and care.
6. Prior to actually engaging in an undercover operation, investigations will conduct a survey of the target area to determine surveillance location, potential escape routes, etc. This intelligence information will be provided to all persons involved in the operation.
7. The investigator will establish a means of routine and emergency communication with the operative. Depending on the nature of the covert operation, he/she will attempt to provide back-up security for the operative at all times.
8. The timing of any arrests and termination of the covert action will primarily be the responsibility of investigations, but the operative may terminate the operation if it appears unsafe to continue.
9. Once the operation terminates, investigations will debrief the operative and the investigations sergeant will debrief the operations lieutenant of the outcome of the operation. He/she will complete any required paperwork. Officers will follow established department policy and

procedure regarding the use of force, arrest and booking of detainees and in completing required reports.

C. Decoy Operations

1. This Department will conduct surveillance, undercover, decoy, or raid operations. Officers of this Department may also be assigned to work with outside agencies, such as Alcohol Beverage Control (ABC), in undercover, decoy, or intelligence operations.
 - a. Officers assigned in this status will be under the supervision of the supervisor of the unit where they are assigned.
 - b. These officers will maintain contact with this Department as arranged at the time of the assignment, to provide updates on their status.

(CALEA 43.1.5)

D. Use of surveillance and Undercover Equipment

1. This Department has limited specialized equipment for surveillance and undercover operations. Confidential funds to support the operations of the vice, drug, and organized crime control functions are available through the SIU and LA Impact task forces.
(CALEA 43.1.3)
2. If the Department requires equipment for surveillance or intelligence operations, the Support Services Division Commander will be notified and a request will be made to utilize equipment from neighboring police agencies.
3. Any equipment utilized will be immediately returned after the completion of the operation.
(CALEA 43.1.4)

III. Operational Plans

1. If the Department does become involved in an in-depth organized crime, vice, or narcotics investigation, a written operational plan will be completed by the assigned supervisor. The plan will include:
 2. All written police reports and intelligence information;
 3. Suspect(s) list including name, description, vehicle description, place of residence, known associates, criminal history and recent photographs;
 4. A list of officers involved in the operation listing their assignment, type of equipment being used by the officer, the weapons each officer is carrying, and vehicle assignment;

5. A detailed accounting of the planned action.
6. Prior to execution of any surveillance, undercover, decoy or raid operations the supervisor in charge of the detail will plan for all the following that are applicable, and brief all persons involved:
 7. Analyzing the crime(s), victims, suspect and others involved;
 8. Determining legal ramifications;
 9. Familiarizing officers with the objectives of the operation, the target area and surrounding area;
 10. Determining operational procedures for observation, arrests, surveillance and high risk situations;
 11. Supplying officers with needed equipment;
 12. Establishing routes of approach and alternate routes;
 13. Establishing routine and emergency communications;
 14. Providing relief, backup security and perimeter protection;
 15. Providing for false identification documents, disguises and necessary credentials;
 16. Maintaining confidentiality and cover;
 17. Establishing authorization for the detail and use of force measures;
 18. Designating a single person as supervisor and coordinator;
 19. Providing close supervision;
 20. Making contact with suspects;
 21. Searching and seizing evidence and contraband;
 22. Requesting medical assistance and establishing routes to medical facilities;
 23. Coordinating and obtaining assistance from outside agencies, if needed;
 24. Selecting equipment and vehicles and assigning personnel based on expertise.

APPROVED:



Greg Savelli
Chief of Police

Crime Analysis

800.1 PURPOSE AND SCOPE

Crime analysis should provide currently useful information to aid operational personnel in meeting their tactical crime control and prevention objectives by identifying and analyzing methods of operation of individual criminals, providing crime pattern recognition, and providing analysis of data from field interrogations and arrests. Crime analysis can be useful to the Department's long range planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities.

800.2 DATA SOURCES

Crime analysis data is extracted from many sources including, but not limited to:

- Crime reports
- Field Interview cards
- Parole and Probation records
- Computer Aided Dispatch data
- Statewide Integrated Traffic Reporting System (SWITRS)
- Local Police Department Crime Analysis Units
- Joint Regional Intelligence Center (JRIC)
- High Intensity Drug Trafficking Areas (HIDTA) (LA CLEAR)

800.3 CRIME ANALYSIS FACTORS

The following minimum criteria should be used in collecting data for Crime Analysis:

- Frequency by type of crime
- Geographic factors
- Temporal factors (date, time, location, climate)
- Victim and target descriptors
- Suspect descriptors
- Suspect vehicle descriptors
- Modus operandi factors
- Physical evidence information

800.4 CRIME ANALYSIS DISSEMINATION

When immediately available, the Chief of Police or their designee shall be briefed on recognized crime patterns and trends to determine dissemination protocol.

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Crime Analysis

For a crime analysis system to function effectively, information should be disseminated to the appropriate units or persons on a timely basis. Information that is relevant to the operational and tactical plans of specific line units should be sent directly to them. Information relevant to the development of the Department's strategic plans should be provided to the appropriate staff units. When information pertains to tactical and strategic plans, it should be provided to all affected units.


Crime analysis information and reports will be disseminated to the following:

- Operations Division Commander
- Investigative and Administrative Services Division Commander
- Detective/Investigations Sergeant, and Special Enforcement Units
- Watch Commanders

800.5 CRIME ANALYSIS DISSEMINATION OUTSIDE THE DEPARTMENT

When authorized by the Chief of Police appropriate crime information may be disseminated to enhance public information and generate public support. The Hermosa Beach Neighborhood Watch Program will be provided information deemed appropriate and necessary by the Chief of Police or their designee. Distribution may also include other components of the Criminal Justice System. Information concerning operational needs and procedures shall be carefully controlled within departmental guidelines relating to security and confidentiality.

800.6 ISSUING AUTHORITY

	Effective Date	Updated Date
W. Paul LeBaron, Chief of Police	October 27, 2009	September 24, 2020



HERMOSA BEACH POLICE DEPARTMENT

S2.07 VICTIM/WITNESS ASSISTANCE

Effective 10/27/2009

Updated 6/11/2021

PURPOSE

The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

POLICY

The Hermosa Beach Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The members of the Hermosa Beach Police Department will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

CRIME VICTIM LIAISON

The Chief of Police shall appoint a member of the Department to serve as the crime victim liaison (2 CCR 649.36). The crime victim liaison will be the point of contact for individuals requiring further assistance or information from the Hermosa Beach Police Department regarding benefits from crime victim resources. This person shall also be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses

I. CRIME VICTIM LIAISON DUTIES

The crime victim liaison is specifically tasked with the following:

- (a) Developing and implementing written procedures for notifying and providing forms for filing with the California Victim Compensation Board (CalVCB) to crime victims, their dependents, or family. Access to information or an application for victim compensation shall not be denied based on the victim's or derivative victim's designation as a gang member, associate, or affiliate, or on the person's documentation or immigration status (Government Code § 13962; 2 CCR 649.35; 2 CCR 649.36).
- (b) Responding to inquiries concerning the procedures for filing a claim with CalVCB (2 CCR 649.36).
- (c) Providing copies of crime reports requested by CalVCB or victim witness assistance centers. Disclosure of reports must comply with the Records Maintenance and Release Policy.

- (d) Annually providing CalVCB with his/her contact information (Government Code § 13962).
 - (e) Developing in consultation with sexual assault experts a sexual assault victim card explaining the rights of victims under California law (Penal Code § 680.2).
 - (f) The crime victim liaison will complete an analysis of victim/witness assistance needs and services at least every three years.
 - (g) Ensuring that sufficient copies of the rights of sexual assault victim card are provided to each provider of medical evidentiary examinations or physical examinations arising out of sexual assault in the Hermosa Beach Police Department jurisdiction (Penal Code § 680.2).
1. Ensuring that sufficient copies of the rights of sexual assault victim card are provided to each provider of medical evidentiary examinations or physical examinations arising out of sexual assault in the Hermosa Beach Police Department jurisdiction (Penal Code § 680.2).

CRIME VICTIMS

Officers should provide all victims with the applicable victim information handouts, including direction to obtain a copy of the police report.

Officers should never guarantee a victim's safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources.

I. VICTIMS OF HUMAN TRAFFICKING

Officers investigating or receiving a report involving a victim of human trafficking shall inform the victim, or the victim's parent or guardian if the victim is a minor, that upon the request of the victim the names and images of the victim and his/her immediate family members may be withheld from becoming a matter of public record until the conclusion of the investigation or prosecution (Penal Code § 293)

VICTIM INFORMATION

A designated PSO Supervisor shall ensure that victim information handouts are available and current. These should include as appropriate:

- a. Shelters and other community resources for victims of domestic violence.
- b. Community resources for victims of sexual assault.

- c. Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage, and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109; Penal Code § 13823.95(a)).
- d. An explanation that victims of sexual assault who seek a standardized medical evidentiary examination shall not be required to participate or agree to participate in the criminal justice system, either prior to the examination or at any other time (Penal Code § 13823.95(b)).
- e. An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.
- f. A clear explanation of relevant court orders and how they can be obtained.
- g. Information regarding available compensation for qualifying victims of crime (Government Code § 13962).
- h. VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and to register for automatic notification when a person is released from jail.
- i. Notice regarding U visa and T visa application processes.
- j. Resources available for victims of identity theft.
- k. A place for the officer's name, badge number, and any applicable case or incident number.
- l. The "Victims of Domestic Violence" card containing the names, phone numbers, or local county hotlines of local shelters for battered women and rape victim counseling centers within the county and their 24-hour counseling service telephone numbers (Penal Code § 264.2).
- m. The rights of sexual assault victims card with the required information as provided in Penal Code § 680.2.
- n. Any additional information required by state law (Penal Code § 13701; Penal Code § 679.02; Penal Code § 679.04; Penal Code § 679.05; Penal Code § 679.026).

WITNESS

Officers should never guarantee a witness' safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

APPROVED BY:

A handwritten signature in cursive script, appearing to read 'Paul LeBaron', written in black ink.

Paul LeBaron
Chief of Police

Victim and Witness Assistance

I. POLICY

The Police Department will provide appropriate assistance to any victim/witness who has been threatened or has credible reasons for fearing intimidation or victimization. All services will be coordinated with the reporting jurisdiction/agency.

“Appropriate assistance” is determined by the resources available to the Agency and if possible is commensurate with the danger and degree of risk faced by the victim/witness. This may include an escort to their vehicle, home or to a “safe house,” security and safety assessment of work site and home, employer notification, or based on risk and endangerment, assistance with enrollment in a Witness Protection Program.

II. PROVIDING ASSISTANCE AND REFERRAL

The assigned Police Officer is responsible for providing the victim/witness with a Marsy Card referencing the police case number and, where appropriate, providing assistance such as basic information on victim assistance programs, medical treatment, counseling, victim advocacy, and information regarding the subsequent steps in the processing of the case.

1. Police Officers demeanor must reassure and ensure calmness to victims and witnesses of crime in the processing of a case.
2. The Police Officer assigned the case will serve as the primary contact for the victim/witness to report additional information regarding their case unless otherwise assigned by the Watch Commander.
3. The victim/witness will be instructed to call the Police Department to contact the appropriate unit/section for additional victim/witness services during the investigation process or to request information regarding needed support services or referrals.
4. If additional services are needed or requested, the victim will be provided with information regarding the Attorney General’s Victims Services Unit for support services (i.e., medical and funeral services, lost wages, transportation, victim/witness advocacy).

III. VICTIM INFORMATION

Per CA Penal Code 293, the Officer will explain the confidentiality policies relevant to the criminal act and the Department’s policy on confidentiality and will be given the option to fill out a Request for Confidentiality of Information. The victim/witness will also be provided with information on the criminal justice system process.

I. Arrest of Suspects

1. Officers who arrest a subject during a follow-up investigation shall work with the Investigations Unit to assure victims are notified of the arrest. The victim will be notified of the court dates, time and location.

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2. The victim/witness of the arrest will be advised of the arrestee's charges and custody status. In certain cases, such as domestic violence, and if known, the investigator assigned to the case should attempt to notify the victim if the arrestee is likely to be released. The investigator should notify the victim of the likely release date and time.

Crime and Disaster Scene Integrity

403.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in handling a major crime or disaster.

403.2 POLICY

It is the policy of the Hermosa Beach Police Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

403.3 SCENE RESPONSIBILITY

The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the officer shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

403.4 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

- (a) Broadcast emergency information, including requests for additional assistance and resources.
- (b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
- (c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
- (d) Provide first aid to injured parties if it can be done safely.
- (e) Evacuate the location safely as required or appropriate.
- (f) Secure the inner perimeter.
- (g) Photograph the scene and any evidence
- (h) Sketch and diagram the scene for any serious Part I crimes when a sketch may benefit the investigation.
- (i) Protect items of apparent evidentiary value.
- (j) Package, label, and collect items of evidence.
- (k) Secure an outer perimeter.
- (l) Identify potential witnesses.

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- (m) Start a chronological log noting critical times and personnel allowed access.

403.5 SEARCHES

Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.


403.5.1 CONSENT

When possible, officers should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

403.6 EXECUTION OF HEALTH ORDERS

Any sworn member of this department is authorized to enforce all orders of the local health officer that have been issued for the purpose of preventing the spread of any contagious, infectious or communicable disease (Health and Safety Code § 120155).

403.7 ISSUING AUTHORITY

	Effective Date	Updated Date
		
W. Paul LeBaron, Chief of Police	October 27, 2009	May 1, 2024



HERMOSA BEACH POLICE DEPARTMENT

S2.09 PROPERTY AND EVIDENCE CONTROL

**Effective 10/27/2009
Updated**

PURPOSE AND SCOPE

To establish guidelines for collecting, receiving, safeguarding, preserving, and disposing of property and evidence by the Hermosa Beach Police Department.

The policy of this Department is to ensure that all seized property and evidence, which comes under its control, is handled in an appropriate manner. The transfer of custody of all property and evidence will be officially documented to record the chain of custody, and records will reflect the status of all property and evidence held by the Department. This Department will handle property and evidence in a manner to guarantee successful prosecution, will facilitate the timely return of property/evidence to its rightful owner, and will dispose of property and evidence that is no longer of evidentiary value in accordance with statutory guidelines.

CHAIN OF CUSTODY

The chain of custody is the written record of all individuals who have maintained an unbroken control/custody of property/evidence. The chain of custody begins when an item of property/evidence is collected and is maintained until the final disposition is made. The chain of custody assures continual accountability. Each individual in the chain of custody is responsible for property/evidence under his/her control. All personnel are required to book any acquired property/evidence as soon as possible, and prior to the end of their shift. At no time, shall any employee store property/evidence in their personal desks, lockers, vehicles, homes, or other places that are not secure or authorized, or would interrupt the chain of custody. Personal use of any property/evidence is strictly prohibited.

Upon receipt of any property/evidence, the employee shall complete a Hermosa Beach Police Department Property Report, detailing the circumstances by which the property/evidence came in to the agency's possession and describing each item of property/evidence obtained. A record of all property/evidence is entered electronically, in the Department's Records Management System (RMS TIBURON).

PACKAGING OF PROPERTY/EVIDENCE

All property or evidence of any kind, collected by department personnel must be packaged using the material provided. There are three (3) sizes of envelopes for use, as well as paper bags. All items will be packaged in the smallest acceptable container.

The booking officer will provide complete and accurate information on all spaces of the property/evidence envelope. Property/evidence envelopes/bags should be secured with RED Evidence Tape (evidence only) and the initials and serial number of the booking employee

shall be written across the tape, overlapping the tape and envelope or bag. Large items not able to fit in an envelope or bag shall be tagged with a Property/Evidence Tag, secured with tape, wire or string. All information on the tag must be completed by the booking officer.

All property/evidence that is collected shall be packaged in a manner to avoid contamination and to ensure the integrity of the property/evidence.

The booking officer will provide a complete description of each item contained with the package, including the type quantity, serial number, or other identifying information for each item and list them on the Property Report.

In the case of numerous small items contained within a box or bag such as a tool box full of tools, only one property/evidence tag needs to be used. A description of the contents must accompany the container. This provision does not relieve the officer from the necessity of inventorying and marking items for chain of property/evidence identification.

Items going to the Los Angeles County Sheriff's – Scientific Services Bureau (Crime Lab) for analysis must be placed in a property/evidence envelope and sealed with RED Evidence Tape, and the booking officer's initials written overlapping the seal and the envelope. The booking officer must complete all information on the property/evidence envelope.

Blood and urine alcohol/toxicology samples must be packaged according to the Los Angeles County Sheriff's – Scientific Services Bureau (Crime Lab) guidelines provided with the jars/vials and placed in a property/evidence locker.

All perishables (food, candy, liquids) with no evidentiary value, shall be digitally photographed and then disposed of by the collecting officer. All alcohol, except that which is associated with an ABC violation or felony, shall be digitally photographed and destroyed. The digital photographs should then be downloaded into the appropriate Department computer file ("R" drive).

Controlled substances shall be digitally photographed and weighed prior to being placed in an property/evidence locker. Different types of narcotics must be packaged separately from each other. Money and other paraphernalia shall not be packaged within the same envelope or container as the controlled substance. Container inspection is to be performed by the Property/Evidence Custodian on all packaged controlled substances; each time the substance is received or released from the property/evidence section.

All employees will wear protective gloves when handling all suspected drugs. All procedures for the handling of these substances shall conform to OSHA standards.

All money logged in to property/evidence will be counted and placed in a property/evidence envelope and sealed with RED Evidence tape. Two people shall observe the counting of the money. The initials of the investigating officer and witness shall be written overlapping the RED Evidence tape and envelope.

All firearms in the custody of the department shall be handled with care so as not to damage the stock, metal surfaces, or the operating mechanisms. Under no circumstances will loaded

firearms be stored in the property/evidence room. Record the serial number, make, model and caliber of the weapon on the Property/Evidence tag and Property Report. The serial number of the firearm must be recorded on the property/evidence tag or envelope. When the serial number has been removed, the notation "Serial Number Has Been Removed" shall be written on the property/evidence tag.

All items of property/evidence coming in to the custody of the Department shall be inspected for an identifying mark or serial number. All serial numbers shall be run through the CLETS system by the booking officer. All serialized property/evidence shall be entered in the appropriate CLETS system by Records Bureau personnel.

A Release of Property Form shall be filled out by the Property/Evidence Custodian for any removal of property/evidence from the property/evidence room for release, further investigation, court or other official purpose. The form shall contain the signatures and date of the releasing employee and the person obtaining the property/evidence. Property/evidence released to the Crime Lab shall have a Los Angeles County Sheriff's Crime Lab Receipt completed and attached to the item.

For found property, a reasonable attempt by the receiving officer should be made to locate the owner, prior to the item being booked into property/evidence. If no owner can be found, the Property/Evidence Custodian shall make every effort to notify the owner, by telephone or mail, as expeditiously as possible.

A Hermosa Beach Police Department Property Report Form will be thoroughly completed and submitted to the on-duty Watch Commander ("white" copy). The "yellow" copy of the Hermosa Beach Police Department Property Report Form will be placed in the Property/Evidence Control "in-basket".

The property and/or evidence will be properly logged into the Property/Evidence Control Log Book and will be properly secured in the temporary property/evidence storage lockers located in the briefing room, adjacent to the property/evidence storage room.

There are four sizes of temporary storage lockers. The lockers are numbered and shall be noted on the Property Report. Care should be taken to utilize the appropriate size locker for the size of property/evidence. There is one locker available to drop small items through the open slot. This locker should be used for small items that are not fragile. Property/evidence containing glass, such as blood vials and crack pipes and other breakable items must not be placed in this locker.

These lockers are to remain unlocked when empty and locked when property/evidence is placed inside. The Officer booking any property/evidence shall make sure the locker is locked by checking the security of the latch.

Property/evidence items too large to fit into the property/evidence storage lockers will be booked at the direction of the on-duty Watch Commander.

Bicycles will be placed in the bicycle storage locker – NO other location. The bike storage facility is located in the parking enforcement garage. The garage is to remain locked when not in use.

Each item will be individually tagged.

All flammable material will be placed in the approved container provided for this purpose.

All “Hazardous Material” items will be placed in the approved container provided for this purpose and will be clearly labeled as “Hazardous Material”.

STORAGE AND SECURITY

All items of property/evidence that comes in to the possession of the Hermosa Beach Police Department must be properly booked in to property/evidence as soon as possible, before the end of the employee’s shift. The items must be secured in the designated temporary storage lockers.

Only the Property/Evidence Custodian and the designated “back-up” Custodian shall have access to unlock the temporary storage lockers and to access the property/evidence room.

Narcotics, weapons, money and any jewelry of substantial value shall be placed in the secured “cage” area of the property/evidence room. All other items shall be placed in their designated storage box inside the property/evidence room.

Hermosa Beach Fire Department Arson Investigators handle their own arson evidence, and have their own secure storage facility in the Fire Department garage.

Sexual Assault Evidence (SAE) kits shall be booked into property/evidence and placed in the temporary refrigerator located near the temporary storage lockers. A notation shall be written, indicating the date and time of storage. The SAE kit will be removed from the temporary storage and placed into the secure evidence freezer, pending analysis by the Los Angeles County Sheriff’s Department Crime Lab. Items that are not of an evidentiary nature shall never be placed in any evidence storage facility.

(CALEA 84.1.1, 84.1.2, 84.1.3)

SECURITY OF SEIZED CONTROLLED SUBSTANCES FOR TRAINING

The Hermosa Beach Police Department will utilize and properly secure all seized or forfeited controlled substances used for investigative or training purposes in accordance with Policy O3.46-Police Canine Teams.

(CALEA 84.1.4)

PROPERTY REPORT

The Property Report is used for any found property/evidence that comes in to the custody of the Hermosa Beach Police Department. The purpose of the Property Report is to provide the citizen with a receipt and listing of property/evidence held; to inform the citizen of their legal rights and/or responsibilities to obtain the return of property/evidence; to meet legal

requirements of notice prior to disposal of property/evidence and to maintain the chain of custody/evidence.

The employee who recovers the property or finds the evidence shall be responsible for the logging-in of the property/evidence, and completing the Property Report. The Property Report must be completely filled out, including the date the property/evidence was received, the case number (DR #), a description of the property/evidence, including any identifiable serial numbers or marks, the reason the property/evidence is being held, who the property/evidence was received from, the reporting officer's name and the location of the temporary storage locker.

The Property Report is made of 3-part NCR. The Original (white) copy will be retained by the Department's Records Bureau. The middle (yellow) copy will be placed in the bin on top of the property/evidence lockers. The last (pink) copy will be given to the citizen or inmate.

The Property/Evidence Custodian receives the Property Report from the bin and obtains the property/evidence from the temporary storage locker. The property/evidence is removed from the temporary locker and placed in the property/evidence room in the appropriate location. The property/evidence room location is noted on the Property Report by the Property/Evidence Custodian and the report is filed.

When the property/evidence is released, a notation is made on the Property Report and the original property release documentation is attached.

(CALEA 84.1.5)

PROPERTY RELEASE FORM

Property/evidence may be returned to its owner in instances where the rightful ownership of the property/evidence can readily be determined and case prosecution will not be jeopardized.

Digital photographs of the property/evidence will be taken prior to the release of the property/evidence to the owner. A digital photograph of the owner/person that the property/evidence release to, will also be taken. Each digital photograph will have the case number (DR #) listed and visible within the digital photograph.

- The digital photographs will be downloaded to the "R" drive using the case number (DR #) as the file identifier.
- Property/evidence held for Safekeeping will be booked in the property/evidence system if the owner is not available to retrieve the property/evidence prior to the end of the watch in which the property/evidence was found.

This form is used to release property/evidence to citizens, to officers for court, and to Detectives for investigations/court.

Officers should request property/evidence for court, 48-hours in advance of the date needed. The original copy of the form is to be returned to the Property/Evidence Custodian.

Officers will sign a Property Release Form acknowledging receipt of the evidence. Officers transporting property/evidence to court will be responsible for safeguarding the property/evidence until the court has formally received it.

In the event the property/evidence is retained by the court, the Clerk of the Court must sign and stamp the Property Release Form, and the form shall be returned to the Property/Evidence Custodian.

If the officer is returning evidence from court, the officer will ensure the Property/Evidence Custodian has signed for the return of the evidence.

(CALEA 84.1.5)

EVIDENCE TO CRIME LAB

All Evidence submitted to the Los Angeles County Sheriff's – Scientific Services Bureau (Crime Lab) for examination by the Hermosa Beach Police Department will be handled by the Evidence Custodian or designee.

The Property/Evidence Custodian will be responsible for maintaining the chain of custody of evidence and safeguarding the delivery to and/or pick-up from the Crime Lab.

Evidence released to the Crime Lab will include the completion of the Crime Lab Receipt Form, listing the person releasing the property/evidence and the receiving technician with the Crime Lab, obtaining appropriate signatures as required.

The Property/Evidence Custodian will insure the evidence is properly packaged and labeled.

If the Property/Evidence Custodian is retrieving evidence from the Crime Lab, appropriate documentation will indicate that the Property/Evidence Custodian has signed for the return of the evidence and that all evidence is accounted for.

(CALEA 84.1.5)

INSPECTIONS – REPORTS – INVENTORY – AUDITS

In order to maintain a high degree of evidentiary integrity over agency controlled property and evidence, the following documented inspections, report, inventory, and audits shall be completed:

- An inspection to determine adherence to procedures used for the control of property/evidence is conducted semi-annually by the person responsible for the property and evidence control function or his/her designee. The purpose of this inspection is to ensure the cleanliness and orderliness of the property/evidence room, and to ensure:
 1. the integrity of the property/evidence is being maintained
 2. directives are being followed
 3. property/evidence is being protected from damage or deterioration
 4. proper accountability procedures are being maintained

5. property/evidence with no further evidentiary value is being disposed of promptly

- An inventory of property/evidence occurs whenever the Property/Evidence Custodian is assigned to and/or is transferred from the position and is conducted jointly by the newly designated Property/Evidence Custodian and a designee of the Chief of Police to ensure that records are correct and properly annotated. The purpose of the inventory is to ensure the continuity of custody and not to require the accounting of every single item of property/evidence. The inventory should be sufficient to ensure the integrity of the system and the accountability of the property/evidence. During the inventory, all high-risk items such as money, precious metals, jewelry, firearms, and drugs, and a sufficient number of property/evidence records relative to the number of property and evidence items under the agency's care should be reviewed carefully with respect to proper documentation and accountability. The person assuming custody of the property/evidence should ensure that all records are current and properly annotated. All discrepancies should be recorded prior to the assumption of property/evidence accountability by the newly appointed Property/Evidence Custodian.
- An annual audit of property and evidence held by the agency is conducted by a supervisor not routinely or directly connected with control of property and evidence. The annual audit should be a significant representative sampling of property/evidence including high-risk items. The person named to conduct the inventory should be appointed by the Chief of Police or Captain. Under no circumstances should that inspector be appointed by supervisory or command officers having the property/evidence function under their control.
- Unannounced inspections of property/evidence storage areas are conducted, as directed by the Chief of Police or Captain, at least once a year.

(CALEA 84.1.6)

DISPOSITION OF PROPERTY/EVIDENCE

It is the intent of the department to release all property/evidence, including property/evidence of evidentiary value, the ownership of which is not in dispute; at the earliest possible time and within six (6) months after all legal requirements have been satisfied.

The Evidence Custodian will ensure that final disposition is accomplished as soon as possible and that all California statutes and requirements are followed regarding the disposal of property and evidence. Such property/evidence can be disposed of in four (4) possible ways:

- Returned to the legal owner with documentation.
- Sold in accordance with legal requirements.
- Converted to use by this Department of official use with documentation.
- Destroyed in accordance with legal requirements.

Any time an item is destroyed there should be a witness to the destruction. An inventory of all property/evidence destroyed will be prepared by the Evidence Custodian and maintained with other property/evidence records.

Under no circumstances will property or evidence be converted to personal use by any member of this Department.
(CALEA 84.1.7)

PHOTOGRAPHIC RELEASE OF PROPERTY/EVIDENCE

The following procedures will apply to the photographic release of property/evidence:

- A photograph is taken of the property/evidence, or when possible, the property/evidence and the owner together.
- Additional photographs are taken of any unique marks, distinguishing characteristics, or serial numbers of the property/evidence.
- All photographs shall have the case number displayed on or in it, and downloaded on the department computer.
- A Property Release Form will be filled out, including the signature of the person receiving the property/evidence.
- If possible, a photo copy or digital photo copy of the identification of the person receiving the property/evidence will be made. If this process is not practical, the identification will be noted by the releasing officer.
- The original copy of the Property Release Form and photo copy identification will be given to the Property/Evidence Custodian. If taken, the digital photo copy will be downloaded to the "R" drive on the Department computer.

Where a victim is unknown or cannot respond to the scene or station for the property/evidence within a reasonable time, the property/evidence will be stored in accordance with state and local regulations.

All serialized items subject to release must be cleared by the California Department of Justice Automated Property Systems (California Penal Code Section 11108).

EXCEPTION TO PHOTOGRAPHIC RELEASE OF PROPERTY/EVIDENCE

The procedures for the photographic release of property/evidence will apply to all property/evidence, except property/evidence that is being held as evidence in connection with an investigation or prosecution, as follows:

- Explosive, hazardous or illegal substances
- Narcotics
- Property/evidence confiscated by search warrant
- Firearms or weapons used in the commission of a crime
- Any property/evidence that is illegal to possess under Federal, State, or other local laws
- Items held for investigation of a capital offense
- Any food, beverage, prescription or non-prescription medicines, medications and other similar items susceptible to contamination which have been out of the possession and control of the owner for ANY period of time
- Items which may be in need of C.S.I.
- Items, the ownership of which is in question
- Any item the Prosecutor deems necessary for the successful prosecution of the case

GUIDELINES FOR TIMELY DISPOSITION OF PROPERTY/EVIDENCE

Excess Prisoner Property:

- 60-days after release
- 30-days after a notice has been sent to last known address

Found Property:

- All found property must be held for 90-days.
- If value is over \$250.00, it must be advertised in paper of general circulation (California Civil Code Sections 2080.1 & 2080.3)

Stolen or Embezzled Property:

- 90-days upon conviction or dismissal of case with notice to owner
- 180-days upon conviction or dismissal of case without notice to owner (California Penal Code Section 1411)

Time Limits for Prosecution of Offenses

Crimes Punishable by:

- Death - At any time (P.C. 799)
- 8 years plus in state prison - 6 years (P.C. 800)
- Up to 8 years in state prison - 3 years (P.C. 801)
- Fraud or theft by public official - 4 years (P.C. 801.5)
- No State Prison - 1 year (P.C. 802)

PROPERTY/EVIDENCE ACQUIRED THROUGH THE CIVIL PROCESS

All property/evidence seized for asset forfeiture proceedings will be handled by the Los Angeles County District Attorney's Office, Asset Forfeiture Unit. The Detective Bureau Sergeant shall complete all paperwork and notifications necessary, according to state and federal laws.

(CALEA 84.1.8)

APPROVED:



Greg Savelli
Chief of Police

Hazardous Material Response

406.1 PURPOSE AND SCOPE

Exposure to hazardous materials presents potential harm to department members and the public. This policy outlines the responsibilities of members who respond to these events and the factors that should be considered while on-scene, including the reporting of exposures and supervisor responsibilities. To comply with 8 CCR § 5194, the following is to be the policy of this department.

406.1.1 DEFINITIONS

Definitions related to this policy include:

Hazardous material – A substance which, by its nature, containment, or reactivity, has the capability of inflicting harm during exposure; characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer and thereby posing a threat to health when improperly managed.

406.2 HAZARDOUS MATERIAL RESPONSE

Members may encounter situations involving suspected hazardous materials, such as at the scene of a traffic accident, chemical spill, or fire. When members come into contact with a suspected hazardous material, certain steps should be taken to protect themselves and citizens.

The following steps should be considered at any scene involving suspected hazardous materials:

- (a) Attempt to identify the type of hazardous substance. (Identification can be determined by placard, driver's manifest, or statements from the person transporting).
- (b) Notify the fire department.
- (c) Provide first-aid for injured parties if it can be done safely and without contamination.
- (d) Begin evacuation of the immediate area and surrounding areas, depending on the substance. Voluntary evacuation should be considered; however, depending on the substance, mandatory evacuation may be necessary.
- (e) Notify the local health authority. Such notification is mandatory when a spilled or released item is a pesticide (Health and Safety Code § 105215).
- (f) Notify the Department of Toxic Substances Control. This is mandatory when an officer comes in contact with, or is aware of, the presence of a suspected hazardous substance at a site where an illegal controlled substance is or was manufactured (Health and Safety Code § 79355).

406.3 REPORTING EXPOSURE

Department members who believe that they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the member in an employee memorandum that shall be forwarded via chain of command to the Watch Commander as soon as practicable. Should the affected member be unable to document the

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exposure for any reason, it shall be the responsibility of the notified supervisor to complete the report.

Injury or illness caused or believed to be caused from exposure to hazardous materials shall be reported the same as any other on-duty injury or illness in addition to a crime report or incident report as applicable.

406.3.1 SUPERVISOR RESPONSIBILITY

When a supervisor has been informed that a member has been exposed to a hazardous material, the supervisor shall ensure that immediate medical treatment is obtained and appropriate action is taken to lessen the exposure.

To ensure the safety of members, safety equipment is available through supervisory personnel. Safety items not maintained by the Department will be obtained through the fire department.

406.4 ISSUING AUTHORITY



W. Paul LeBaron, Chief of Police

Effective Date

May 7, 2024

Recruitment and Selection

1000.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Hermosa Beach Police Department and that are promulgated and maintained by the Personnel Department.

1000.1.1 RECRUITMENT AND SELECTION

The following terms establish the criteria for determining the proper application category for all prospective police officer candidates applying to this Department.

Entry-level: These are applicants who have no prior police experience and who have not obtained P.O.S.T. certification for the completion of the police basic academy.

Academy Recruit: These are applicants that are currently attending a P.O.S.T certified basic police academy. Recruits are expected to successfully complete all requirements of and graduate from the police basic academy.

Pre-service: These are applicants who possess current P.O.S.T. certification for the completion of the police basic academy, but are not currently employed as police officers with a P.O.S.T. certified agency or who, if currently employed as police officers, have not yet successfully completed a P.O.S.T. certified Field Training Program.

Lateral: These are applicants who possess current P.O.S.T. certification for the completion of the police basic academy, are currently employed as police officers with a P.O.S.T. certified agency, and who have successfully completed a P.O.S.T. certified Field Training Program.

1000.2 POLICY

In accordance with applicable federal, state, and local law, the Hermosa Beach Police Department provides equal opportunities for applicants and employees regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The Department does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

1000.3 RECRUITMENT

The ultimate responsibility for the recruitment of "Entry-level" officers rests with the City's Personnel Department; however, this Department will actively participate in the recruitment

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process. The Administrative Sergeant will be the primary liaison with the City's Personnel Department for all recruitment issues.

This Department has the ultimate responsibility for the recruitment of "Academy recruit", "Pre-service" and "Lateral" police officer candidates.

The Administrative Services Division Commander should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates. Recruitment steps will be directed towards the goal of approximating within the sworn ranks the demographic work force of the local community.

The strategy should include:

- (a) Identification of racially and culturally diverse target markets.
- (b) Use of marketing strategies to target diverse applicant pools.
- (c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.
- (d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities, and the military.
- (e) Consideration of shared or collaborative regional testing processes.

The Administrative Services Division Commander shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools or screen applicants in a discriminatory manner.

The Department should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of his/her status in the recruiting process.

Any members of the Department, who participate in recruitment activities, shall receive training from the Administrative Sergeant on this policy, Equal Employment Opportunity Commission rules, as well as federal and state compliance guidelines.

1000.4 SELECTION PROCESS

The Department shall actively strive to identify a diverse group of candidates who have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department shall employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- (a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
 - 1. The personnel records of any applicant with prior peace officer experience in this state shall be requested from the appropriate law enforcement agency and reviewed prior to extending an offer of employment (Penal Code § 832.12).
 - 2. This includes review of prior law enforcement employment information maintained by POST (Penal Code § 13510.9).

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- (b) Driving record
- (c) Personal and professional reference checks
- (d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents consistent with Labor Code § 1019.1. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.
- (e) Information obtained from public internet sites
 1. This review should include the identification of any activity that promotes or supports unlawful violence or unlawful bias against persons based on protected characteristics (e.g., race, ethnicity, national origin, religion, gender, gender identity, sexual orientation, disability).
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- (g) Local, state, and federal criminal history record checks
- (h) Lie detector test (when legally permissible) (Labor Code § 432.2)
- (i) Medical and psychological examination (may only be given after a conditional offer of employment)
 1. The Medical Suitability Declaration (POST form 2-363) provided by the evaluating physician shall be maintained in the candidate's background investigation file (11 CCR 1954).
 2. The Psychological Suitability Declaration (POST form 2-364) provided by the evaluator shall be maintained in the candidate's background investigation file (11 CCR 1955).
- (j) Review board or selection committee assessment
- (k) Relevant national and state decertification records, if available
- (l) Any relevant information in the National Law Enforcement Accountability Database

1000.4.1 VETERAN'S PREFERENCE

Qualifying veterans of the United States Armed Forces who receive a passing score on an entrance examination shall be credited with three percentage points added to their final score achieved in the examination process. The term "veteran" shall have the same meaning as in Section 18973 of the California Government Code. Proof of service eligibility shall be provided to and determined by the personnel officer. (Hermosa Beach Civil Service Code 2.76.110.)

1000.5 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Hermosa Beach Police Department (11 CCR 1953).

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The narrative report and any other relevant background information shall be shared with the psychological evaluator. Information shall also be shared with others involved in the hiring process if it is relevant to their respective evaluations (11 CCR 1953).

1000.5.1 BACKGROUND INVESTIGATION UPDATE

A background investigation update may, at the discretion of the Chief of Police, be conducted in lieu of a complete new background investigation on a peace officer candidate who is reappointed within 180 days of voluntary separation from the Hermosa Beach Police Department, or who is an interim police chief meeting the requirements contained in 11 CCR 1953(f).

1000.5.2 INVESTIGATOR TRAINING

Background investigators shall complete POST-certified background investigation training prior to conducting investigations (11 CCR 1953; 11 CCR 1959).

1000.5.3 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA and the California Investigative Consumer Reporting Agencies Act (15 USC § 1681d; Civil Code § 1786.16).

1000.5.4 STATE NOTICES

If information disclosed in a candidate's criminal offender record information (CORI) is the basis for an adverse employment decision, a copy of the CORI shall be provided to the applicant (Penal Code § 11105).

1000.5.5 REVIEW OF SOCIAL MEDIA SITES

All peace officer candidates shall be subject to a social media search for statements, postings, and/or endorsements made by the candidate that are relevant to suitability for peace officer employment, including bias-relevant information consistent with the requirements of 11 CCR 1955(d)(3) and any public expression of hate made in an online forum, as defined in Penal Code § 13680(g) (11 CCR 1953(e)(12)).

Due to the potential for accessing unsubstantiated, private, or protected information, the Administrative Services Division Commander shall not require candidates to provide passwords, account information, or access to password-protected social media accounts (Labor Code § 980).

The Administrative Services Division Commander should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches, and/or review information from social media sites to ensure that:

- (a) The legal rights of candidates are protected.
- (b) Material and information to be considered are verified, accurate, and validated.
- (c) The Department fully complies with applicable privacy protections and local, state, and federal law.

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Regardless of whether a third party is used, the Administrative Services Division Commander should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

1000.5.6 DOCUMENTING AND REPORTING

The background investigator shall summarize the results of the background investigation in a narrative report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall include sections that summarize relevant Background Investigation Dimensions and include any findings of behaviors, traits, and/or attributes relevant to bias per the Bias Assessment Framework as described in the POST Background Investigation Manual. The report shall identify the data sources reviewed for the findings, regardless of weight given. The report shall include narrative information in the format described in 11 CCR 1953(g)(1). The report shall also include whether the candidate has engaged or is engaging in membership in a hate group, participation in hate group activity, or advocacy or public expressions of hate, pursuant to Penal Code § 13680 et seq. (11 CCR 1953).

The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation including relevant documentation of bias-related findings and documentation obtained through the social media search shall be included in the candidate's background investigation file (11 CCR 1953).

The background investigator shall document proof of verification of qualification for peace officer appointment on the Verification of Qualification for Peace Officer Appointment form and forward to the Administrative Services Division Commander for final review and submission to POST (11 CCR 1953).

The background investigation file shall be made available during POST compliance inspections (11 CCR 1953).

1000.5.7 RECORDS RETENTION

The background report and all supporting documentation shall be maintained according to the established records retention schedule and at a minimum as follows (Government Code § 12946; 11 CCR 1953):

- (a) Reports and documentation for candidates hired by the Department shall be retained for the entire term of employment and a for a minimum of four years after separation from the Department.
- (b) Reports and documentation for candidates not hired by the Department for a minimum of four years.

1000.5.8 CONFIDENTIAL POST RECORDS

Records released to the Department from POST that were previously withheld from the candidate by POST shall be kept confidential as provided in Penal Code § 13510.9.

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1000.6 DISQUALIFICATION GUIDELINES

As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

1000.6.1 ILLEGAL USE OR POSSESSION OF DRUGS

The following examples of illegal drug use or possession could be considered automatic disqualifiers of Police Officer applicants.

- (a) Within seven (7) years prior to application for employment, any adult use or possession of any drug classified as a hallucinogenic.
- (b) Within three (3) years prior to application for employment, any other illegal adult use or possession of a drug not mentioned above.
- (c) Any illegal adult use or possession of a drug while employed in any law enforcement capacity, military police, or as a student enrolled in a college-accredited courses related to the criminal justice field.
- (d) Any illegal adult manufacture or cultivation of a drug or illegal substance.
- (e) Failure to divulge to the police department during the background investigation any information about personal illegal use or possession of drugs.
- (f) Any drug test of the applicant, during the course of the hiring process, where illegal drugs are detected.

The following examples of illegal drug use or possession will be considered in relationship to the overall background of that individual and may result in disqualification:

- (a) Any illegal use or possession of a drug as a juvenile.
- (b) Any illegal adult use or possession of a drug that does not meet the criteria of the automatic disqualifiers specified above.
- (c) Any illegal or unauthorized use of prescription medications, including steroids.

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1000.7 EMPLOYMENT STANDARDS

All candidates shall meet the minimum standards required by state law (Government Code § 1029; Government Code § 1031; Penal Code § 13510.1; 11 CCR 1950 et seq.). Candidates will be evaluated based on merit, ability, competence, and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community. The California Commission on Peace Officer Standards and Training (POST) developed a Job Dimensions list, which is used as a professional standard in background investigations.

Validated, job-related, and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge, and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Personnel Department should maintain validated standards for all positions.

1000.7.1 STANDARDS FOR OFFICERS

Candidates shall meet the minimum standards established by POST or required by state law (Government Code § 1029; Government Code § 1031; 11 CCR 1950 et seq.):

- (a) Free of any felony convictions
- (b) Be legally authorized to work in the United States under federal law
- (c) At least 21 years of age except as provided by Government Code § 1031.4
- (d) Fingerprinted for local, state, and national fingerprint check
- (e) Good moral character as determined by a thorough background investigation (11 CCR 1953)
- (f) High school graduate, passed the GED or other high school equivalency test, or obtained a two-year, four-year, or advanced degree from an accredited or approved institution
- (g) Free from any physical, emotional, or mental condition, including bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation which might adversely affect the exercise of police powers (11 CCR 1954; 11 CCR 1955)
- (h) Free of hate group memberships, participation in hate group activities, or advocacy of public expressions of hate within the previous seven years, and since 18 years of age, as determined by a background investigation (Penal Code § 13681)
- (i) Candidates must also satisfy the POST selection requirements, including (11 CCR 1950 et seq.):
 - 1. Reading and writing ability assessment (11 CCR 1951)
 - 2. Oral interview to determine suitability for law enforcement service (11 CCR 1952)
- (j) POST certification that has not been revoked, denied, or voluntarily surrendered pursuant to Penal Code § 13510.8(f)

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- (k) Not identified in the National Decertification Index of the International Association of Directors of Law Enforcement Standards and Training or similar federal government database that reflects revoked certification for misconduct or reflects misconduct that would result in a revoked certification in California.

In addition to the above minimum POST required standards, candidates may be subjected to additional standards established by the Department (Penal Code § 13510(d)).

Candidates shall meet the minimum standards established below:


- (a) Possession of a valid Class C California Driver License

1000.8 PROBATIONARY PERIODS

The Administrative Services Division Commander should coordinate with the Hermosa Beach Personnel Department to identify positions subject to probationary periods and procedures for:

- (a) Appraising performance during probation.
- (b) Assessing the level of performance required to complete probation.
- (c) Extending probation.
- (d) Documenting successful or unsuccessful completion of probation.

1000.9 ISSUING AUTHORITY

	Effective Date	Updated Date
 W. Paul LeBaron, Chief of Police	October 27, 2009	February 6, 2024

Training

203.1 PURPOSE AND SCOPE

It is the policy of this department to administer a training program that will provide for the professional growth and continued development of its personnel. By doing so, the Department will ensure its personnel possess the knowledge and skills necessary to provide a professional level of service that meets the needs of the community.

203.2 PHILOSOPHY

The Department seeks to provide ongoing training and encourages all personnel to participate in advanced training and formal education on a continual basis. Training is provided within the confines of funding, requirements of a given assignment, staffing levels, and legal mandates. Whenever possible, the Department will use courses certified by the California Commission on Peace Officer Standards and Training (POST), or Board of State and Community Corrections (BSCC) Standards and Training for Corrections (STC).

203.3 POLICY

The Department shall administer a training program that will meet the standards of federal, state, local, POST, and STC training requirements. It is a priority of this department to provide continuing education and training for the professional growth and development of its members.

203.4 OBJECTIVES

The objectives of the Training Program are to:

- (a) Enhance the level of law enforcement service to the public.
- (b) Increase the technical expertise and overall effectiveness of our personnel.
- (c) Provide for continued professional development of department personnel.
- (d) Ensure compliance with POST rules and regulations concerning law enforcement training.

203.5 TRAINING MANAGER

The Chief of Police shall designate a Training Manager who is responsible for developing, reviewing, updating, and maintaining the department training plan so that required training is completed. The Training Manager should review the training plan annually.

The Administrative Sergeant will be assigned the responsibility as the Department's Training Manager. The duties include:

- (a) Ensuring required training programs are attended, and that all training is documented in Department training files.
- (b) Reviewing and approving all lesson plans for Department training.

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- (c) Coordinating training needs with the Division Commanders/Managers to ensure Department staffing needs are met.
- (d) Identifying areas requiring update or in-service training for Department personnel.

203.5.1 TRAINING RESTRICTION

The Training Manager is responsible for establishing a process to identify officers who are restricted from training other officers for the time period specified by law because of a sustained use of force complaint (Government Code § 7286(b)).

203.6 TRAINING PLAN

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

(Agency-specific training areas)

203.6.1 DEPARTMENT-ADMINISTERED TRAINING

All Department training programs will have lesson plans approved by the relevant Division Commander/Manager. All lesson plans submitted for approval will include the following:

- (a) A statement or outline identifying the purpose of the training, establishing performance objectives and relating the relevance of the training to critical job tasks.
- (b) The content of the training and specifications of the appropriate instructional techniques (lecture, group discussion, "hands-on" training, etc.)
- (c) Identification of any tests to be utilized, or methods for evaluating participants.
- (d) A listing of the time allotted for each topic and the instructor(s) assigned to teach them.

All department instructors who teach POST-certified courses must have obtained POST certification as an instructor for that particular course. POST-approved courses of instruction will be taught pursuant to POST guidelines.

The Training Manager will maintain records for all Department-administered training courses. These records will include:

- (a) Course title and content (lesson plan)
- (b) Roster of attendees (including those from outside agencies, if applicable)
- (c) Total hours of training
- (d) Individual performance or test results, if applicable.

203.6.2 REMEDIAL TRAINING

Remedial training will be provided to any employee who has been identified by their supervisor to be deficient in any area of required competence. Remedial training can be provided through additional training by a department supervisor, Field Training Officer (FTO), or required attendance at a POST in-service training course.

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At the time the need is identified, the employee's supervisor will establish a timetable for the completion of any remedial training. All remedial training recommendations must be approved by the relevant Division Commander/Manager. The need for, and type of, remedial training must be documented.

Probationary employees must satisfactorily complete remedial training as a condition of continued employment.

203.6.3 ANNUAL RETRAINING

All sworn personnel will complete an annual retraining program, which will include legal updates, review of core policies, and any revisions to the Department's Policy and Procedures Manual and General Orders.

203.6.4 ADVANCED AND IN-SERVICE TRAINING

POST Procedure 1005(d)(1) requires that each sworn officer, other than a Level III Reserve Peace Officer, receive at least 24-hours of POST-certified Continuing Professional Training (CPT) every two years, which includes 18 hours of Perishable Skills.

203.6.5 TRAINING UPON PROMOTION

POST procedure 1005(b)(1) requires newly-promoted sworn supervisors to attend a POST-certified supervisory course either 12 months prior to promotion or within 12 months of the promotion date. The Supervisory Course includes training in supervisory and management roles and responsibilities, oral communications, personnel evaluations, media relations, training and counseling, and internal communications.

POST procedure 1005(c) requires newly-promoted middle management positions (Lieutenant/Captain) to attend a POST-certified management course either 12 months prior to promotion or within 12 month of the promotion date. The Management Course includes training in management roles and responsibilities, personnel management skills, leadership styles and decision-making, organization and sergeant development, and legal responsibilities.

203.6.6 NON-SWORN (CIVILIAN) PERSONNEL TRAINING

All civilian personnel will receive training upon hire or transfer/promotion to a new assignment that requires specialized training. Necessary training require due to promotion must be completed within twelve months from the date of promotion.

203.6.7 ACCREDITATION FAMILIARIZATION AND TRAINING

All newly hired Department personnel will receive familiarization training in the accreditation process within thirty days after beginning employment or within thirty days of completing the Basic Academy.

During the self-assessment phase associated with achieving initial accreditation and re-accreditation, all Department personnel will receive information regarding the accreditation process. All Department personnel will receive training just prior to the on-site assessment outlining the process and procedures for the assessment.

Training

Within one year of being appointed to the position, the accreditation manager will receive specialized accreditation manager training that includes the essential components of the accreditation process, the standards manual, file maintenance, and the panel review process. The accreditation manager will attend at a minimum one CALEA conference during each assessment period.

203.7 TRAINING NEEDS ASSESSMENT

The Professional Standards Unit will conduct an annual training-needs assessment of the Department. The needs assessment will be reviewed by staff. Upon approval by the staff, the needs assessment will form the basis for the training plan for the fiscal year.

203.8 TRAINING COMMITTEE

The Investigative and Administrative Services Division Commander shall establish a Training Committee, which will serve to assist with identifying training needs for the Department.

The Training Committee shall be comprised of at least three members, with the senior ranking member of the committee acting as the chairperson. Members should be selected based on their abilities at post-incident evaluation and at assessing related training needs. The Investigative and Administrative Services Division Commander may remove or replace members of the committee at his/her discretion.

The Training Committee should be comprised of the following individuals:

- (a) Investigative and Administrative Services Division Commander
- (b) Operations Division Commander
- (c) Field Training Coordinator (Sergeant)
- (d) Training Manager (Sergeant)
- (e) Relevant Subject Matter Experts (Use of Force Instructor, Firearms Instructor, etc.)

The Training Committee should review certain incidents to determine whether training would likely improve future outcomes or reduce or prevent the recurrence of the undesirable issues related to the incident. Specific incidents the Training Committee should review include, but are not limited to:

- (a) Any incident involving the death or serious injury of an employee.
- (b) Incidents involving a high risk of death, serious injury or civil liability.
- (c) Incidents identified by a supervisor as appropriate to review to identify possible training needs.

The Training Committee should convene on a regular basis as determined by the Investigative and Administrative Services Division Commander to review the identified incidents. The committee shall determine by consensus whether a training need exists and then submit written recommendations of its findings to the Chief of Police. The recommendation should not identify specific facts of any incidents, such as identities of employees involved or the date, time and location of the incident, but should focus on the type of training being recommended.

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The Chief of Police will consider the recommendations of the committee and determine what training should be addressed, taking into consideration the mission of the Department and available resources.

203.9 TRAINING PROCEDURES

- (a) All employees assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences from mandatory training should be limited to the following:
 - 1. Court appearances
 - 2. Approved vacation
 - 3. Sick leave
 - 4. Physical limitations preventing the employee's participation.
 - 5. Emergency situations
- (b) When an employee is unable to attend mandatory training, that employee shall:
 - 1. Notify his/her supervisor as soon as possible but no later than one hour prior to the start of training.
 - 2. Document his/her absence in a memorandum to his/her supervisor.
 - 3. Make arrangements through his/her supervisor and the Training Sergeant to attend the required training on an alternate date.

203.9.1 REQUESTING NEW TRAINING

Employees shall be entitled to request training courses that are directly related to their job assignment. Request for training courses will be routed through the individual's appropriate chain of command. If approved, the training will be scheduled at a time that is convenient to the Department.

Employees may elect to attend voluntary training when off-duty or on leave. Employees electing to attend such a voluntary training will not be compensated by the Department.

203.9.2 DOCUMENTATION OF TRAINING

Documentation of completed training shall be submitted to the Training Manager for update of the employee's training records. Acceptable documentation may include a certificate of completion, letter of certified training, or a memorandum from the course presenter. The Training Manager will update all employees' training records following the completion of training. Additionally, those employees successfully completing POST-certified training will also have their records updated by POST.

203.10 DAILY TRAINING BULLETINS

The Lexipol Daily Training Bulletins (DTBs) is a web-accessed system that provides training on the Hermosa Beach Police Department Policy Manual and other important topics. Generally, one

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training bulletin is available for each day of the month. However, the number of DTBs may be adjusted by the Training Manager.

Personnel assigned to participate in DTBs should only use the password and login name assigned to them by the Training Manager. Personnel should not share their password with others and should frequently change their password to protect the security of the system. After each session, employees should log off the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Department.

Employees who are assigned to participate in the DTB program should complete each DTB at the beginning of their shift or as otherwise directed by their supervisor. Employees should not allow uncompleted DTBs to build up over time. Personnel may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any Internet active computer, employees shall only take DTBs as part of their on-duty assignment unless directed otherwise by a supervisor.

Supervisors will be responsible for monitoring the progress of personnel under their command to ensure compliance with this policy.

203.11 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police October 27, 2009

September 18, 2023

Personnel Complaints

1010.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Hermosa Beach Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

1010.2 POLICY

The Hermosa Beach Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules and the requirements of any collective bargaining agreements.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

1010.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or of federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

1010.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the supervisor of rank greater than the accused member is satisfied that appropriate action has been taken.. A request for clarification or explanation of a particular procedure is not a complaint. Requests for clarification or explanation should be handled by the on-duty Watch Commander, on-duty Police Supervisor, on-duty Community Services Supervisor, or higher ranking Officer, or Manager. The informal resolution may be completed by telephone or email.

Formal - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the Professional Standards Unit, depending on the seriousness and complexity of the investigation.

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Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Professional Standards Unit, and with concurrence of the Investigative/Administrative Services Division Commander, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

1010.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

- (a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.
- (b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- (d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- (e) Tort claims and lawsuits may generate a personnel complaint.

1010.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1010.4.1 COMPLAINT FORMS

Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the department website. Forms may also be available at other City facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

1010.4.2 ACCEPTANCE

All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs, or physical evidence may be obtained as necessary.

A complainant shall be provided with a copy of the complaining party's statement at the time it is filed with the Department (Penal Code § 832.7).

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1010.4.3 AVAILABILITY OF WRITTEN PROCEDURES

A copy of the Personnel Complaint Procedure shall be maintained electronically and shall be provided to members of the public upon request. Additionally the Department will compile annual statistical summaries, based upon records of Internal Affairs Investigations. The Department shall make available to the public a written description of the investigation procedures for complaints (Penal Code § 832.5).

1010.4.4 HATE COMPLAINTS AGAINST PEACE OFFICERS

Internal complaints or complaints from the public shall be accepted and investigated in accordance with this policy where it is alleged that an officer has in the previous seven years, and since 18 years of age, engaged in membership in a hate group, participated in a hate group activity, or advocated any public expression of hate (Penal Code § 13682).

1010.5 DOCUMENTATION

Supervisors shall ensure that all formal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries should also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint.

1010.6 ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows.

1010.6.1 RECEIVING SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief of Police or the authorized designee may direct that another supervisor, licensed private investigator, outside law enforcement agency, or attorney investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.
 1. The original complaint form will be directed to the Investigative/Administrative Services Division Commander, who will take appropriate action and/or determine who will have responsibility for the investigation.
 2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the member's Division Commander or the Captain, who will initiate appropriate action.

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- (b) Responding to all complainants in a courteous and professional manner.
- (c) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Investigative/Administrative Services Division Commander and the Chief of Police are notified via the chain of command as soon as practicable.
- (d) Promptly contacting the Personnel Department and the Division Commander/Manager for direction regarding their roles in addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination.
- (e) Forwarding personnel complaints to the Investigative/Administrative Services Division Commander, who will determine whether to contact the complainant or assign the complaint for investigation.
- (f) Receiving a complaint as follows:
 - 1. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.
 - 2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.
- (g) Ensuring that the procedural rights of the accused member are followed (Government Code § 3303 et seq.)
Reserve Police Officers (California Penal Code, Section 832.6), while on-duty and during the course and scope of duties, will be imparted the same procedural rights as that of full-time Police Officer. In the event of any off-duty incident which reflects on the reputation of the Department, the Chief of Police shall have complete discretion on a case-by-case basis regarding the procedural rights for Reserve Police Officers.
- (h) Civilian and Professional Department members shall be afforded all rights and privileges under their respective Memorandum of Understanding (MOU).

1010.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES - FORMAL COMPLAINT

The individual assigned to perform an Internal Affairs Investigation has the authority to report directly to the Chief of Police on the findings of the investigation and will provide updates throughout the investigation as necessary or requested.

Whether conducted by a supervisor or a member of the Professional Standards Unit, the following applies to members covered by the Public Safety Officers Procedural Bill of Rights Act (POBR) (Government Code § 3303):

- (a) The Department Member(s) and Witness Department Member(s) shall comply with any lawful written or verbal order given as it relates to the Internal Affairs Investigation. The Department Member(s) and Witness Department Member(s) will be given a copy of any written order. The Department Member(s) and Witness Department Member(s) presented with written orders will sign and acknowledgment that they have received the order and will comply with the contents of the order. This will include notification of the investigation and notification of interview dates and times.
- (b) Interviews of an accused member shall be conducted during reasonable hours and preferably when the member is on-duty. If the member is off-duty, he/she shall be compensated.

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- (c) Unless waived by the member, interviews of an accused member shall be at the Hermosa Beach Police Department or other reasonable and appropriate place.
- (d) No more than two interviewers should ask questions of an accused member.
- (e) Prior to any interview, a member shall be informed in writing of the nature of the investigation, the name, rank and command of the officer in charge of the investigation, the interviewing officers and all other persons to be present during the interview.
- (f) All interviews shall be for a reasonable period and the member's personal needs should be accommodated.
- (g) No member should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers.
- (h) Any member refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.
 - 1. A member should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given a *Lybarger* advisement. Administrative investigators should consider the impact that compelling a statement from the member may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).
 - 2. No information or evidence administratively coerced from a member may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.
- (i) The interviewer shall record all interviews of members and witnesses. The member may also record the interview. If the member has been previously interviewed, a copy of that recorded interview shall be provided to the member prior to any subsequent interview.
- (j) All members subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual's statement, involved members shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
- (k) All members shall provide complete and truthful responses to questions posed during interviews.
- (l) No member may be requested or compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation (Government Code § 3307).

No investigation shall be undertaken against any officer solely because the officer has been placed on a prosecutor's *Brady* list or the name of the officer may otherwise be subject to disclosure pursuant to *Brady v. Maryland*. However, an investigation may be based on the underlying acts

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or omissions for which the officer has been placed on a *Brady* list or may otherwise be subject to disclosure pursuant to *Brady v. Maryland* (Government Code § 3305.5).

1010.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and essentially follow this format:

Complaint Initiation - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

Complainant Interview - All complainants will be interviewed when practical. Every effort should be made to conduct complainant interviews in person. If the complainant does not cooperate with the investigator for the purpose of being interviewed, this will be noted in the investigative report.

Witness(es) Interview - All witnesses will be interviewed when practical. Every effort should be made to conduct witness interviews in person. If the witness does not cooperate with the investigator for the purpose of being interviewed, this will be noted in the investigative report.

Officer(s) Interview - Each officer should be interviewed separately in compliance with Government Code § 3300.

Investigation – The below items should be thoroughly reviewed prior to any interviews of the complainant(s), witness(es), or Department member(s).

- Audio
- Video
- Photographs
- Reports
- Other (Examples of other sub-categories: radio transmissions, medical reports/ records, criminal history, phone records, examination of the scene)

Investigation Summary – The investigation summary should include a synopsis of the complaint, all interviews, and evidence reviewed.

Attachments - A separate list of attachments (e.g., recordings, photos, documents) should be attached to the report.

1010.6.4 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded (Penal Code § 832.8).

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

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Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - A final determination by an investigating agency, commission, board, hearing officer, or arbitrator, as applicable, following an investigation and opportunity for an administrative appeal pursuant to Government Code § 3304 and Government Code § 3304.5 that the actions of an officer were found to violate law or department policy (Penal Code § 832.8).

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1010.6.5 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation (Government Code § 3304).

The Internal Affairs Investigation may be tolled at the discretion of the Chief of Police in accordance with any provision of 3304 of the Government Code as it relates to the tolling of investigations. The complainant will be notified in writing of the tolling in accordance with applicable law.

In the event that an investigation cannot be completed within one year of discovery, the assigned investigator or supervisor shall ensure that an extension or delay is warranted within the exceptions set forth in Government Code § 3304(d) or Government Code § 3508.1.

1010.6.6 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS

The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

1010.7 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

Lockers and storage spaces may only be administratively searched in the member's presence, with the member's consent, with a valid search warrant or where the member has been given reasonable notice that the search will take place (Government Code § 3309).

1010.7.1 DISCLOSURE OF FINANCIAL INFORMATION

An employee may be compelled to disclose personal financial information under the following circumstances (Government Code § 3308):

- (a) Pursuant to a state law or proper legal process
- (b) Information exists that tends to indicate a conflict of interest with official duties

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- (c) If the employee is assigned to or being considered for a special assignment with a potential for bribes or other improper inducements

1010.8 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

- (a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.
- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

1010.9 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be advised of his/her constitutional rights (Government Code § 3303(h)). The member should not be administratively ordered to provide any information in the criminal investigation.

Nothing in this section shall preclude the Chief of Police from ordering a Department Member, who is not accused of criminal conduct, to cooperate with other agencies involved in criminal investigations. If the Department Member fails to comply with such an order, the Department may officially charge the Department Member with insubordination.

With the approval of the Chief of Police, the Hermosa Beach Police Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

Nothing in this section prevents any Department member from retaining legal counsel.

1010.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, the assigned investigator will provide the investigative file to the appropriate Division Commander/Manager. Upon receipt of any completed personnel investigation, the Division Commander/Manager shall review the entire investigative file and any

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other relevant materials. The Division Commander/Manager may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

Once the Division Commander/Manager is satisfied that no further investigation or action is required, the assigned investigator will schedule a meeting with the Chief of Police, Command Staff and Human Resources representative to present the investigation. The presentation will include the allegations separately, including applicable policy sections, with a summary of the evidence relevant to each allegation. If there are two (2) or more Members involved in a citizen's complaint, the presentation shall specify the allegations, applicable policy sections, and evidence for each Member. The group will discuss each allegation and make recommendations regarding the disposition of any allegations. For any sustained findings, the group will discuss each allegation and make recommendations regarding discipline. The analysis should include recommendations regarding further actions (training, policy modifications, etc.).

The Chief of Police may accept or modify any classification or recommendation for disciplinary action.

1010.10.1 INVESTIGATIVE/ADMINISTRATIVE SERVICES DIVISION MANAGER RESPONSIBILITIES

The Investigative/Administrative Division Commander will prepare a report, listing the allegations separately, including applicable policy sections, with a summary of the evidence relevant to each allegation. A finding should be provided for each allegation. If there are two (2) or more members involved in a citizen's complaint, individual reports shall be prepared by the Investigative/Administrative Division Commander for each member regarding his/her involvement and the finding(s). If there are sustained findings, the report should include a recommendation for the amount of discipline, if any, to be imposed for the subject officer(s).

1010.10.2 CHIEF OF POLICE RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendation and/or may return the file to the Division Commander for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Chief of Police shall provide the member with a pre-disciplinary procedural due process hearing (*Skelly*) by providing written notice of the charges, proposed action and reasons for the proposed action. Written notice shall be provided within one year from the date of discovery of the misconduct (Government Code § 3304(d)). The Chief of Police shall also provide the member with:

- (a) Access to all of the materials considered by the Chief of Police in recommending the proposed discipline.
- (b) An opportunity to respond orally or in writing to the Chief of Police within fifteen days of receiving the notice.

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1. Upon a showing of good cause by the member, the Chief of Police may grant a reasonable extension of time for the member to respond.
2. If the member elects to respond orally, the presentation may be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response or if the member has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a written decision, the discipline shall become effective.

1010.10.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

The Chief of Police or the authorized designee shall ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint (Penal Code § 832.7(f)).

1010.10.4 NOTICE REQUIREMENTS

The disposition of any civilian's complaint shall be released to the complaining party within 30 days of the final disposition. This release shall not include what discipline, if any, was imposed (Penal Code § 832.7(f)).

1010.11 PRE-DISCIPLINE EMPLOYEE RESPONSE

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

- (a) The response is not intended to be an adversarial or formal hearing.
- (b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
- (c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.
- (d) In the event that the Chief of Police elects to cause further investigation to be conducted, the employee shall be provided with the results prior to the imposition of any discipline.
- (e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.

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1010.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline (Penal Code § 13510.8).

1010.13 POST-DISCIPLINE APPEAL RIGHTS

Non-probationary employees have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal using the procedures established by any collective bargaining agreement, Memorandum of Understanding and/or personnel rules.

In the event of punitive action against an employee covered by the POBR, the appeal process shall be in compliance with Government Code § 3304 and Government Code § 3304.5.

During any administrative appeal, evidence that an officer has been placed on a *Brady* list or is otherwise subject to *Brady* restrictions may not be introduced unless the underlying allegations of misconduct have been independently established. Thereafter, such *Brady* evidence shall be limited to determining the appropriateness of the penalty (Government Code § 3305.5).

1010.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

At-will and probationary employees and those members other than non-probationary employees may be released from employment for non-disciplinary reasons (e.g., failure to meet standards) without adherence to the procedures set forth in this policy or any right to appeal. However, any probationary officer subjected to an investigation into allegations of misconduct shall be entitled to those procedural rights, as applicable, set forth in the POBR (Government Code § 3303; Government Code § 3304).

At-will, probationary employees and those other than non-probationary employees subjected to discipline or termination as a result of allegations of misconduct shall not be deemed to have acquired a property interest in their position, but shall be given the opportunity to appear before the Chief of Police or authorized designee for a non-evidentiary hearing for the sole purpose of attempting to clear their name or liberty interest. There shall be no further opportunity for appeal beyond the liberty interest hearing and the decision of the Chief of Police shall be final.

1010.15 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

1010.16 REQUIRED REPORTING TO POST

The Chief of Police or the authorized designee shall notify POST on the appropriate POST form within 10 days of certain officer personnel events, including but not limited to (Penal Code § 13510.9):

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- (a) Termination or separation from employment or appointment. Separation from employment or appointment includes any involuntary termination, resignation, or retirement.
 - 1. A POST affidavit-of-separation form shall be executed and maintained by the Department and submitted to POST as required by Penal Code § 13510.9 and 11 CCR 1003.
- (b) Events that could affect an officer's POST certification, such as:
 - 1. Complaints, charges, or allegations of misconduct
 - 2. Findings of civilian review boards
 - 3. Final dispositions of any investigations
 - 4. Civil judgments or court findings based on conduct, or settlement of a civil claim against an officer or the Hermosa Beach Police Department based on allegations of conduct by an officer

The Chief of Police or the authorized designee shall be responsible for providing POST access to or duplication of investigation documentation (e.g., physical or documentary evidence, witness statements, analysis, conclusions) for up to two years after reporting of the disposition of an investigation (Penal Code § 13510.9).

1010.17 ISSUING AUTHORITY



Effective Date

W. Paul LeBaron, Chief of Police

March 29, 2023



HERMOSA BEACH POLICE DEPARTMENT

S2.17 SPECIALIZED ASSIGNMENTS AND COLLATERAL DUTIES

**Effective 10/27/2009
Updated 4/13/2010**

PURPOSE

To establish what qualifies as a specialized assignment and collateral duties for sworn personnel and define how those duties are assigned

POLICY

It shall be the policy of this Department to select individuals for specialized assignments and collateral duties based on their skills, knowledge and abilities.

PROCEDURE

I. Specialized Assignments

- A. Those assignments that involve full time participation with specific enforcement responsibilities.
 - 1. Detective (including Detective Sergeant)
 - 2. Administrative Sergeant
 - 3. Motor Officer
 - 4. Community Lead
 - 5. Special Investigations Unit
 - 6. LA IMPACT
 - 7. K-9 Handler
- B. Specialized Assignments are of a temporary duration and shall be for a period of four (4) years without extension. Exception: the Community Lead assignment(s) shall be filled as part of the shift rotation.
- C. Officers considered for a Specialized Assignment must be off probation and should not have been subject to discipline in the previous twelve (12) months. Selection for a Specialized Assignment will be based on the officer's demonstrated desire and ability to perform the functions of that specialty. For example, candidates for investigative positions should meet or exceed expectations regarding investigative skills, evidence gathering, and report writing in his/her annual evaluation. Candidates for Motor Officer should meet or exceed expectations regarding traffic enforcement (writing citations, DUI enforcement, etc). Training and experience may also be considered.

- D. Openings for Specialized Assignments will be announced by the appropriate Division Commander via posted memo and email. Any qualified officer seeking a Specialty Assignment shall submit an interest memo to the appropriate Division Commander through his/her immediate supervisor. The interest memo shall include a description of the officer's training, experience, and any specific achievements that are applicable to the position. The Chief of Police will review the interest memos and each candidate's most recent evaluation. Based on this review the Chief may assign officers to the open positions. Per MOU Article 27 the right to assign and re-assign shall be vested solely with the Chief of Police.

II. Collateral Duties

- A. Police Sergeants and Police Officers may be assigned collateral duties in addition to their primary assignment.
- B. Collateral duties shall be based on the needs of the department as determined by the Chief of Police.
- C. Open Assignments – those that involve participation or supervision on an on-going and part time basis.
 - 1. Range Staff
 - 2. Terrorist Liaison Officer
 - 3. Use of Force Instructor
 - 4. Mutual Aid, Area G, and TLO Supervisor
 - 5. IT Liaison and Use of Force Supervisor
 - 6. VIP, Chaplain, and Crisis Response Team Supervisor
 - 7. FTO Supervisor
 - 8. Range supervisor
 - 9. SBRCA Liaison
 - 10. PIO
- D. Restricted Assignments – those assignments that involve fulfilling a specific task during a patrol shift(s). These assignments shall be compensated with “special duty pay” as per the MOU Article 28.
 - 1. FTO
 - 2. Acting Watch Commander

III. Review of Collateral Duty Assignments

- A. Annually the Chief will review each collateral duty assignment for the purpose of determining whether it should be continued. This review will include:
 - 1. A listing of all collateral duty assignments;
 - 2. A statement of the purpose of each collateral duty; and,

3. An evaluation of the reasons for initially implementing the collateral duty assignment.

(CALEA 16.2.1)

B. Any openings for collateral duties in the Department will be filled in the following manner:

1. For the assignment of FTO or Acting Watch Commander, any individuals who meet the minimum criteria for the position and have an interest in the position will submit a memorandum to their immediate supervisor. The memorandum will be forwarded through the Division Commander to the Chief of Police for a decision.
2. The selection of who will be assigned as an FTO or Acting Watch Commander will be based on an analysis of the skills, knowledge and abilities of the interested candidates. This could include training, specialized skills and length of experience.
3. The Chief will select individuals for all other collateral duties based on their qualifications, the needs of the Department and recommendations from the Lieutenants and Sergeants in the Department. Individuals who have an interest in a particular collateral duty should notify their immediate supervisor so they will be considered for the next opening.

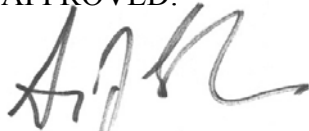
(CALEA 16.2.2, 33.4.3)

IV. Rotation of Collateral Duties

- A. Rotation of collateral duties allows for a greater number of officers to receive specialized training and allows for an expanded pool of employees prepared to assume the responsibilities of a number of positions.
- B. Because of the training required, most assignments will be for a period of time sufficient to allow for the best use of the expertise gained from time in the position. However, assignment of some collateral duties will be rotated based on the individual's current primary assignment. For example, if the FTO Supervisor transfers to the detective bureau then the responsibility for the FTO program shall be transferred to a patrol sergeant. Individuals may voluntarily rotate out of collateral duties with the approval of the Chief of Police.

(CALEA 16.2.3)

APPROVED:



Greg Savelli
Chief of Police

Temporary Modified-Duty Assignments

1027.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, City rules, current memorandums of understanding or collective bargaining agreements. For example, nothing in this policy affects the obligation of the Department to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

1027.2 POLICY

Subject to operational considerations, the Hermosa Beach Police Department may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Department with a productive employee during the temporary period.

1027.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or the California Fair Employment and Housing Act (Government Code § 12940 et seq.) shall be treated equally, without regard to any preference for a work-related injury.

No position in the Hermosa Beach Police Department shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Department. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a modified-duty assignment.

The Chief of Police or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating a Department vehicle, engaging in outside employment, or being otherwise limited in employing their authority as a peace or Department member.

Temporary modified-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period.

1027.4 PROCEDURE

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

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Employees seeking a temporary modified-duty assignment should submit a written request to their Division Commanders or the authorized designees. The request should, as applicable, include a certification from the treating medical professional containing:

- (a) An assessment of the nature and probable duration of the illness or injury.
- (b) The prognosis for recovery.
- (c) The nature and scope of limitations and/or work restrictions.
- (d) A statement regarding any required workplace accommodations, mobility aids or medical devices.
- (e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The Division Commander will make a recommendation through the chain of command to the Chief of Police regarding temporary modified-duty assignments that may be available based on the needs of the Department and the limitations of the employee. The Division Commander shall complete a Temporary Modified/Light Duty Agreement for the employee and submit it to the Personnel Department for approval. The Chief of Police or the authorized designee shall confer with the Personnel Department or the City Attorney as appropriate.

1027.5 ACCOUNTABILITY

Written notification of assignments, work schedules and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate department operations and the employee's medical appointments, as mutually agreed upon with the Division Commander.

1027.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary modified duty shall include, but not be limited to:

- (a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.
- (b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.
- (c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.
- (d) Submitting a written status report to the Division Commander that contains a status update and anticipated date of return to full-duty when a temporary modified-duty assignment extends beyond 60 days.

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1027.5.2 SUPERVISOR RESPONSIBILITIES

The employee's immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors shall include, but not be limited to:

- (a) Periodically apprising the Division Commander of the status and performance of employees assigned to temporary modified duty.
- (b) Notifying the Division Commander and ensuring that the required documentation facilitating a return to full duty is received from the employee.
- (c) Ensuring that employees returning to full duty have completed any required training and certification.

1027.6 MEDICAL EXAMINATIONS

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Department may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Fitness for Duty Policy.

1027.7 PREGNANCY

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth, or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment. Nothing in this policy limits a pregnant employee's right to a temporary modified-duty assignment if required under Government Code § 12945.

1027.7.1 NOTIFICATION

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the City's personnel rules and regulations regarding family and medical care leave.

1027.8 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a temporary modified-duty assignment shall have their probation extended by a period of time equal to their assignment to temporary modified duty.

1027.9 MAINTENANCE OF CERTIFICATION AND TRAINING

Employees assigned to temporary modified duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided that the certification, training or qualifications are not in conflict with any medical limitations or restrictions. Employees

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HBPD Policy Manual

Temporary Modified-Duty Assignments

who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training or qualifications.

1027.10 ISSUING AUTHORITY



W. Paul LeBaron, Chief of Police

Effective Date

January 29, 2024



HERMOSA BEACH POLICE DEPARTMENT

S2.18 LINE-OF-DUTY DEATH AND LINE-OF-DUTY SERIOUS/CRITICAL INJURY

**Effective 10/27/2009
Updated**

PURPOSE AND SCOPE

To provide detailed instructions to be followed in the event of a Department Member's Line-of-Duty death or Serious/Critical injury, including the provision of emotional support and assistance for the deceased/injured Department Member's survivors.

POLICY

It is the Policy of the Hermosa Beach Police Department to provide liaison assistance to the immediate survivors of a Department Member who dies in the Line-of-Duty.

In the case of Serious/Critical injury, relevant directives shall be adhered to as outlined in this Policy. This would include the provision of tangible and intangible emotional support during this traumatic period of adjustment, as well as a clarification and comprehensive study of survivor benefits.

Funeral arrangements for the deceased Department Member will be provided if requested by the survivors. The final decision for all arrangements rests with the survivors and NOT the Department.

The Chief of Police may implement parts of this Policy for the death of a civilian Department Member, or cases of off-duty and/or natural death of a Department Member, including Department retirees.

DEFINITIONS

Line-of-Duty Death: Any action, felonious or accidental, which claims the life of a Hermosa Beach Police Officer or Department Member, who is performing work-related functions, either on or off-duty. Under some circumstances, cases involving the natural death of an officer while on-duty may qualify for certain benefits.

Line-of-Duty Serious/Critical Injury: Bodily injury that involves a substantial risk of death, unconsciousness, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, serious loss of blood, amputation of a leg, arm, hand or foot, burns to most of the body, or any serious condition that requires hospitalization.

Department Member: Both sworn (Police Officers) and non-sworn civilian employees (Police Services Officers – PSOs) of the Department (includes temporary and part-time positions);

and, Reserve Police Officers, Community Services Officers (CSOs), and Community Services Administrative Personnel.

Survivor: Immediate family members of the deceased or serious/critical injured Department Member include spouse, children, parents, siblings, fiancée/fiancé, and/or significant others identified by the family or known to the Department.

Notification Officer: The Chief of Police may elect to act as Notification Officer; otherwise this duty rests with the deceased or serious/critical injured Department Member's Division Commander. The Division Commander may delegate authority to another Department Member to perform this duty; however, the responsibility for insuring that proper personal notification is completed rests with the Division Commander.

Hospital Liaison Officer: A Police Sergeant appointed by the Chief of Police or appropriate Division Commander. This Officer ensures the expedient accomplishment of tasks for the Serious/Critical injured Department Member, survivors, and all hospital operations.

Department Liaison Officer: A Police Sergeant appointed by the Chief of Police or appropriate Division Commander. This Officer ensures the expedient accomplishment of tasks in support of the funeral and survivors.

Public Information Officer (PIO): Under the direction of the Chief of Police, the PIO will handle all press relations matters.

Family Liaison Officer: A Police Sergeant or Police officer appointed by the Chief of Police, this Officer should have good knowledge of the survivor's family relationships in order to effectively serve as a facilitator between the survivors and department during the funeral.

Department Chaplain: A member of the Hermosa Beach Police Department Chaplain Program appointed by the Chief of Police to meet the personal and spiritual needs of Department personnel and Hermosa Beach citizens on an as-needed or requested basis. Chaplain(s) may be called upon by the Chief of Police to serve as a survivor's support advocate(s) if deemed appropriate or requested by the family. The entire Hermosa Beach Police Department Chaplain program may be activated at the discretion of the Chief of Police.

Benefits Coordinator: A Police Sergeant or Police Officer appointed by the Chief of Police, coordinating with the City benefits staff as required. It is the responsibility of the Benefits Coordinator to maintain a current list of federal, state, and private organizations which provide benefits and assistance.

ASSIGNMENTS/RESPONSIBILITIES

The on-duty Watch Commander shall adhere to the Hermosa Beach Police Department Notification Policy in the event of a Line-of-Duty Death or Line-of-Duty Serious/Critical Injury.

Furthermore, it shall be the responsibility of the Chief of Police and appropriate Division Commander to facilitate all assignments and coordination of tasks involved in any Line-of-Duty Death or Serious/Critical Injury. These assignments shall be made accordingly considering the timeliness and sensitive nature of the tasks at hand.

Assignments are outlined in the DEFINITIONS section of this Policy.

PROCEDURES

NOTIFICATION OFFICER

It shall be the responsibility of the respective Notification Officer to properly inform the deceased or serious/critical injured Department Member's survivors. The Notification Officer will also notify the Department Chaplain(s), and, if appropriate, request the Department Chaplain(s) accompany the notification team. The Department Chaplain(s) may be ordered to the Department to be available for immediate bereavement or support counseling for Department Member's or other City employees who express a need for such counseling.

In the event of a Line-of-Duty Death or Serious/Critical Injury, the monitoring of police frequencies will be extensive by the media. Communications regarding any notifications should be restricted to land-line telephones whenever possible. Cellular phone are acceptable, however vulnerable to eavesdropping technology.

If the media has somehow obtained the Department Member's name, they should be contacted by the Chief of Police immediately, and requested/advised to withhold the information, pending proper notification of the survivors.

The Notification Officer will adhere to the following guidelines:

- If there is an opportunity for the survivors to get to the hospital prior to the demise of the Department Member, DO NOT WAIT for the appropriate delegation to gather – get the survivors to the hospital as expeditiously and safely as possible.
- The name of the deceased or serious/critical injured Department Member must NEVER be released to the media before the immediate survivors living in the area are notified.
- If an immediate survivor has a known medical problem, medical personnel should be dispatched to coincide with the arrival of the Notification Officer at the residence.

- Notification MUST ALWAYS occur in person and never alone. If possible, the Chief of Police, Police Chaplain, close friend, family priest, minister or pre-designated person, or other Police survivor should accompany the Notification Officer; however, notification should not be delayed if such delegation cannot gather in a timely manner.
- Notification should NEVER be made on the doorstep. Ask to be admitted into the home. Survivors should gather in the home and be seated. Inform them slowly and clearly of the information you have on the incident, making sure you use the Department Member's name during the notification.
- If the Department Member has already died, relay that information using words like "died" and "dead", rather than "gone away" and "passed away". Never give the survivors a false sense of hope.
- The Notification Officer may be acutely affected by the death or serious/critical injury. The Notification Officer should understand that showing emotions is natural and perfectly acceptable.
- Reactions of the survivors may include hysteria, anger, fainting, physical violence, etc. – and must be dealt with using the utmost sensitivity.
- If the survivors wish to go to the hospital, they should be transported by police vehicle. It is highly recommended that the survivors NOT drive themselves to the hospital. Should there be significant resistance and the survivors insist on driving, a Department Member should accompany them in the family car (and drive, if allowed).
- If young children are in the home, the Notification Officer may delegate a Department member to facilitate child-care needs. This may depend on the wishes of the survivors. In any case, the survivors' needs supersede that of the Department. The children may accompany the survivors or be placed in another relative's home. Any such transportation needs shall be arranged by the Notification contingency.
- If notification of immediate survivors must be made beyond the four (4) contiguous counties in the Southern California area (Ventura County, Kern County, San Bernardino County, and Orange County) notification protocol will be at the sole discretion of the Chief of Police. The Chief of Police may order a personal death or serious/critical injury notification visit by the local law enforcement agency in that area. Arrangements should be made to facilitate simultaneous telephone contacts between the Notification Officer (and aides) and the survivors.
- The Notification Officer will submit a written list of all notifications made to the Chief of Police.
- The Notification Officer will assign a uniformed Police Officer to the home of survivors. The survivors will be informed that this is done out of respect for the Department Member and family. A uniformed Police Officer will be stationed at the

home 24-hours a day until the Department Liaison Officer determines that one is no longer needed. The survivors may refuse this service.

- The Chief of Police will notify City officials as soon as possible.

ASSISTANCE FOR AFFECTED DEPARTMENT MEMBERS

Department Members at the scene or arrived at the scene of the incident after a Department Member was severely/critically injured or killed should be relieved as soon as possible.

Any Department Members who may have been emotionally affected by the serious/critical injury or death of another Department Member will attend a Critical Incident Stress Debriefing held by a trained mental health professional as soon as practical.

ASSISTING THE SURVIVORS AT THE HOSPITAL

HOSPITAL LIAISON OFFICER

The Hospital Liaison Officer is responsible for coordinating the activities of survivors, Department Members, the press, and others. These responsibilities include:

- Arrange with hospital personnel to provide appropriate waiting areas for survivors, the Chief of Police and any Command Staff, the Notification Officer, the Department Liaison Officer, and only those requested by the immediate survivors.
- Arrange a separate area for fellow Department Members and friends to assemble.
- Establish a press staging area.
- Ensure that medical personnel relay pertinent information regarding the Department Member's condition to the survivors on a timely basis and before such information is released to others.
- Notify the appropriate hospital personnel that all medical bills relating to the severe/critical injured or deceased Department Member be directed to the City of Hermosa Beach. Survivors should NOT receive any such bills or correspondence at their places of residence. This effort may require the Department Liaison Officer to re-contact the hospital billing department during regular office operating hours to ensure that proper billing takes place.
- Arrange transportation for survivors back to their places of residence.

If possible, the survivors should be immediately provided the opportunity to visit the serious/critical injured Department Member prior to death. The Hospital Liaison Officer or designee should prepare the survivors for what they will see in the emergency room or other facility, and should accompany them unless requested not to do so. Medical personnel should

advise the family of visitation policies, and in the event of death, explain why an autopsy is necessary.

The Hospital Liaison Officer or designee shall remain at the hospital when the survivors are present.

DO NOT BE OVERLY PROTECTIVE OF THE SURVIVORS. This includes sharing specific information on how the Department Member met his/her death or serious/critical injury, as well as allowing the survivors time with the serious/critical injured Department Member or remains afterwards.

DO NOT make suggestions that a survivor be sedated unless such medication is requested.

Under these circumstances, the expression of raw emotion by anyone, including Department Members, is perfectly understandable.

The Chief of Police or designee should be present the entire time the family is at the hospital in order to arrange whatever assistance the family may need at the time.

A uniformed Police Officer(s) shall be stationed at the emergency room or hospital room door until relieved.

SUPPORT FOR THE SURVIVORS DURING THE FUNERAL

FAMILY LIAISON OFFICER

The Chief of Police will meet with the Department Member's survivors at their home to determine their wishes regarding Departmental participation in the preparation of funeral services. All possible assistance shall be rendered.

With the survivors' approval, the Chief of Police will designate a Family Liaison Officer, and a Benefits Coordinator; along with the roles each will play in their time of distress and mourning. The designations shall be announced in writing Department-wide, and all referrals are made according to areas of responsibility.

Communications may require additional employees or overtime to field incoming phone calls. A record should be made of all incoming calls, and callers should be directed to the appropriate liaison according to responsibility.

The Family Liaison Officer is not a decision maker; a role of "facilitator" between the survivors and the Department is a more appropriate title. The Department will modify the Family Liaison Officer's schedule to accommodate this temporary assignment, and provide a Department cellular phone. Responsibilities of the Family Liaison Officer:

- Ensure that the needs of the survivors come before the wishes of the Department.

- Assist the survivors with funeral arrangements and make them aware of what the Department can offer if they decide to have a Police funeral. If they choose a Police funeral, brief the survivors on Police funeral procedures and police protocol.
- Apprise the survivors of information concerning the death and continuing investigation. Departments traditionally "hold their cards close to their chest" with this type of information, particularly in sensitive homicide cases. The Funeral Liaison Officer should coordinate with investigating officers and prosecutors to ensure that the family receives the maximum information allowable during the first few days. Being "kept in the dark" is a common complaint of survivors.
- Provide as much assistance as possible, including overseeing travel and lodging arrangements for out-of-town survivors, arranging food for the survivors, meeting child-care and other transportation needs, etc.
- Be constantly available to the survivors.
- Reporting to the Department Liaison Officer.
- Determine which public safety, church, fraternal and labor organizations will provide in terms of financial assistance for out-of-town survivors' travel, food, and funeral attendees following the burial, etc.
- Notify Concerns of Police Survivors (C.O.P.S.), Southern California Regional Office:

Mary Huffman	Cell: (951) 870-9997
maryststop@aol.com	Home: (951) 734-8538

The Family Liaison Officer will arrange for:

- Honor Guard
- Rifle Salute
- Bugler
- Flag-folding Ceremony
- Missing-man helicopter formation
- Bagpipe salute

An excellent resource is the Los Angeles Police Department's (LAPD) Family Support Group:

977 North Broadway	Main: (213) 485-0703
Suite 409	Fax : (213) 485-6625
Los Angeles, Ca 90012	info@lapdfsg.org

This support unit can be extremely helpful in many aspects of early planning. Most of these services are provided free of charge.

DEPARTMENT LIAISON OFFICER

The Department Liaison Officer directs the funeral activities of the Department and visiting Police Departments according to the wishes of the survivors.

The Department Liaison Officer is responsible for:

- Oversight of arrangements for travel and lodging for out-of-town survivors.
- Expedient provision for all necessary Department resources.
- Obtain an American Flag. If the survivors request presentation by the Chief of Police – notify the Chief of Police.
- If the survivors desire burial in uniform, select/appoint an officer to obtain a uniform with all accoutrements (excluding weapon) and deliver to the funeral facility.
- Assign Police Officers and/or other Department Members for usher duty at the church.
- Arrange for the delivery of the Department Member's personal belongings to the survivors.

With the assistance of the Family Liaison Officer, meet with the following persons to coordinate funeral activities and establish an itinerary.

- Survivors
- Chief of Police and Division Commanders
- Funeral Director
- Family priest or minister
- Cemetery Director
- Honor Guard
- Attending dignitaries (if any)
- Ensure that surviving parents are afforded recognition and that proper placement is arranged for them during the funeral procession.
- Assign an Officer to remain at the survivors' home during the viewing and funeral, if requested.

Maintain a roster of all Departments sending personnel to the funeral, including:

- Name and address of agency
- Name of Police Chief
- Number of Officers and vehicles responding
- Assist in making necessary accommodations (food, lodging, etc.)

Assign a Sergeant and Traffic Officer to act as coordinators for traffic-related activities involved with the funeral. The responsibilities of the traffic coordinators include:

- Coordinating parking at the services
- Coordinating the route for the procession including traffic control needed for the route
- Coordinating parking at graveside services
- Coordinating the assignment of patrol vehicles and other department vehicles used during the service. This includes the cleaning of the vehicles

The assigned Sergeant and Traffic Officer shall utilize the Hermosa Beach Police Department Funeral Protocol outlined in the Ceremonies and Logistics Planning section of this policy.

Arrange for routine residence checks of the survivors' residence for six (6) to eight (8) weeks following the funeral. Depending on the location, other agencies may need to get involved in this effort. This is necessary since large amounts of money may be acquired by the survivors and they may be spending a lot of time away from home dealing with legal matters.

Make arrangements for a Department representative (usually the Benefits Coordinator) to keep in contact with the survivors on a regular basis. This gesture will assure them that they and the deceased Department Member have not been forgotten or abandoned.

PUBLIC INFORMATION OFFICER (PIO)

Issue a teletype message and email to include the following (as applicable):

- Name of deceased or serious/critical injured Department Member
- Date and time of death or serious/critical injury
- Circumstances surrounding death or serious/critical injury
- Funeral arrangements – state if private or Police funeral
- Uniform to be worn
- Expressions of sympathy in lieu of flowers
- Contact person (including phone number) for visiting departments to indicate their desire to attend or obtain further information

The PIO may be delegated by the Chief of Police or a Command Staff Officer to assist other Liaison Officers as deemed necessary.

LONG-TERM SUPPORT FOR THE SURVIVORS

BENEFITS COORDINATOR

The Chief of Police designates a Police Sergeant to act as Benefits Coordinator. The Benefits Coordinator will gather information on all benefits/funeral payments available to the survivors. The Benefits Coordinator has the Department's full support to fulfill this responsibility to the survivors and is completely responsible for filing the appropriate

benefit(s) paperwork and following through with the survivors to ensure that the benefits are being received.

The Benefits Coordinator is responsible for:

- Filing worker's compensation claims and related paperwork.
- Contacting the appropriate PERS coordinator and City payroll personnel without delay to ensure that the beneficiaries receive death and retirement benefits as well as any remaining paychecks and payment for remaining annual compensatory time on account.
- Gathering information on all benefits/funeral payments available to the survivors.
- Setting-up any special trust funds or educational funds.
- Contact other Police assistance organizations to ensure that any and all entitlements are paid to the beneficiaries. These agencies may also offer legal and financial counseling.
- Making a clear distinction between benefits (which are financial payments made to the family to ensure financial stability following the death of an officer) and funeral payments (which are funds specifically earmarked for funeral expenses).
- Preparing a printout or other documentation of the benefits/funeral payments due the family, listing named beneficiaries, contacts at various benefits offices, and when they can expect to receive the benefit.
- Meeting with the survivors within a few days following the funeral to discuss the various benefits. The prepared printout and other documentation should be provided to survivors at that time.
 1. If there are surviving children from a former marriage, the guardian of those children should also receive a printout of what benefits the children will be receiving.
 2. Attention should be addressed regarding revocation of health benefits. The majority of health care providers allow a 30-day grace period before being canceled from the coverage or imposing monthly payments upon survivors.

- Meeting with the survivors in about four (4) to six (6) months to ensure that they are receiving their benefits.

CONTINUED SUPPORT – SURVIVORS

Members of the Department must remain sensitive to the needs of survivors long after the Department Member's death or serious/critical injury. The grieving process has no timetable and survivors may develop a complicated grief process.

Survivors should continue to feel a part of the "Police Family." They should be remembered and invited to HBPD activities and ceremonial remembrances of their deceased/seriously injured loved one.

The Family Liaison Officer or subsequent appointee by the Chief of Police acts as the long-term liaison with the survivors to ensure that close contact is maintained.

Members of the Department should be encouraged to keep in touch with the survivors. Close friends, co-workers, and Department officials should arrange with survivors visits from time-to-time, as long as the survivors express the desire for such contacts.

The Chief of Police should observe the Department Member's death or serious injury date with a note or card to the survivors or seriously injured Department Member along with flowers to the gravesite or residence.

Holidays may be especially difficult for the survivors. Increased contact with the survivors and additional support is important during these times. The Family Liaison Officer should see to these needs.

If criminal violations surround the death or serious injury of the Department Member, the Family Liaison Officer will:

- Keep constant contact with survivors to keep them abreast of criminal proceedings. The family should **NEVER** learn of developments in the case from the media prior to learning of them from the Department.
- Introduce the survivors to the Victim's Assistance Coordinators at the Los Angeles County District Attorney's Office.
- Arrange for Investigators to meet with survivors at the earliest convenience prior to and after trial proceedings to answer any and all questions.
- Accompany the survivors to any criminal proceedings – if they so desire. Introducing them to prosecutors, and answering any questions they may have concerning the criminal trial.
- Cooperation with outside peer support groups.
- Ensure that the survivors do not feel totally isolated by the Department.

The Chief of Police, Family Liaison Officer, or Officer designated by the Chief of Police, works with community groups and government leaders toward the establishment of any appropriate memorial, plaques, or memorabilia.
(CALEA 22.2.4)

HERMOSA BEACH POLICE DEPARTMENT FUNERAL PROTOCOL CEREMONIES AND LOGISTICS PLANNING

When planning a funeral for a deceased member of the Hermosa Beach Police Department, where a uniformed ceremony is desired or appropriate, it can be anticipated that large numbers of personnel will attend. Certain logistical and operational concerns should be addressed. The following are guidelines and should not be considered to be all inclusive but are designed to provide insight and assistance.

After determining the funeral location, parking and traffic control must be established.

The Chief of Police should be briefed regarding family concerns and wishes. Information concerning other officials or dignitaries attending should also be discussed. Additionally a "VIP" room shall be set aside at the memorial site for command staff and dignitaries.

Seating for the City's VIPs attending the service should be prearranged and reserved. This would most appropriately be near the front section of the church or funeral home.

Following the services, an appropriate location (VIP room) should be designated for the ranking officers and family to await the procession of the coffin to the funeral hearse.

The procession (cortege) should normally consist of a motorcycle escort, the hearse, family limousines, Chief of Police's vehicle, police vehicles, followed by the rest of the procession. A marked police unit shall be the last vehicle in the procession.

If the cemetery is some distance from the funeral home or church, consideration of the size and speed of the procession is important. Delays and inconveniences to private citizens should be minimized wherever possible. This is a legitimate operational concern and can be accomplished through explicit instructions to the escort vehicles or by placing an officer in the funeral hearse.

An appropriate location for the Chief of Police to stand during the graveside ceremony should be designated and made known to the command staff.

In the event that a firing team is being used, the family members should be reminded of the volley of shots so as not to startle them.

Prior to the services, ascertain who is to receive the American and State flags on behalf of the family at the conclusion of the graveside ceremony.

DUTIES/ ASSIGNMENTS

A designated Sergeant shall coordinate the motorcade route and all parking arrangements. The Sergeant shall prepare maps showing the motorcade route, areas of potential problems and parking plans of the church/chapel and graveside. Additionally a security plan will be necessary for the chapel and graveside.

The Family Liaison Officer will work in conjunction with the funeral director and make arrangements for selecting and training ushers (traditionally officers from outside agencies).

The Honor Guard Sergeant shall be responsible for:

1. Planning the formations at the church/chapel and graveside
2. Arranging for the Bugler
3. Giving orders to the detachment during the ceremony.
4. Responding to the church/chapel and the graveside and preparing a diagram laying out the positions of the formations and seating arrangements.

DRESS UNIFORM

The dress uniform shall be worn at all funerals. All personnel attending shall conform to the standards specified by Department announcement or directive. Department notices made prior to the funeral shall direct personnel if certain uniform restrictions are requested.

The dress uniform shall consist of class A type long sleeve uniform with necktie and black banded badge. Headgear will be worn only by those in the Honor Guard or specifically directed to do so.

PALLBEARER TEAM

In a non-military service, it shall be the family's preference whether the pallbearers and honorary pallbearers are selected from family, friends or co-workers. In any instance, Department personnel acting as pallbearers shall be in uniform or in appropriate civilian clothing unless the family insists otherwise.

The Lead Pallbearer is selected by the family and will be responsible for the selection of a six-member team. Family preferences, if any, shall be given first consideration in the appointment of the team members.

- A. The pallbearers will not wear headgear during the services at the church/chapel.
- B. Upon the arrival of the hearse, the pallbearers will accept the casket and follow the Honor Guard into the church/chapel, placing the casket on the stand and then take their seats.

- C. After the services, the pallbearers do not pass in review of the casket, but will remain in the church/chapel until everyone exits. They will again take the casket and follow the Honor Guard back to the hearse.
- D. The pallbearers will ride together in a limousine and in the first police unit behind the Honor Guards vehicle.
- E. Upon arrival at the graveside, the pallbearers will again accept the casket from the Hearse and follow the Honor Guard to the graveside and place the casket on the stand. The pallbearers will then face the casket and remain at attention throughout the ceremonies, following the commands of the Honor Guard through taps.
- F. After the flag folding ceremony, the Honor Guard Sergeant will present the flag to the highest ranking officer of the department (normally the Chief of police). The Chief of Police will present the American flag to the predetermined family member.
- G. The pallbearers will then remove their gloves and place them on the casket, (only for an officer who has been killed in the line of duty). The pallbearers will then march to a predetermined position until dismissal.

HONOR GUARD

The Honor Guard will consist of a complement of officers and a sergeant leader. The sergeant will be responsible for selection and training of the team.

- A. At the church, the Honor guard will form a corridor into the church/chapel with an equal number of members on each side.
- B. The team will precede the casket into the church/chapel.
- C. Upon entering the church/chapel, the honor guard will stand on each side of the casket's resting place, at parade rest. When those present pass in review, the Honor Guard will stand at attention.
- D. The Honor Guard will precede the casket when leaving the church/chapel. Once outside, the Honor Guard will again form a corridor through which the pallbearers will pass with the casket.
- E. The Honor guard will ride in the unit immediately behind the vehicle containing the casket.
- F. Upon arrival at the graveside, the Honor Guard will be covered and will precede the casket to the graveside.

- G. The Honor Guard will assume a position in the first row of the uniformed officers and will follow the commands of the Honor Guard Sergeant until dismissed.
- H. Honor Guard uniform shall consist of White Gear belt, cord and gloves.
- I. A Firing Team can be provided by the Los Angeles Police Department upon request.

FUNERAL CEREMONY

The military aspect of the funeral will usually begin at one of the following places: church/chapel, cemetery gates or graveside. It may begin at any designated place and is initiated when the Honor Guard receives the casket.

All officers present will be in formation in their designated locations at least 15minutes prior to the arrival of the hearse. An equal number of officers shall be formed in equal-numbered ranks according to the Honor Guard Sergeant's plan.

RECEIVING THE CASKET

The Honor Guard will be lined up in the first row of officers in an equal number on each side closest to the church/chapel. The pallbearers will be lined up in the first row of officers, an equal number on each side and close to the proposed parking area for the hearse.

Upon the arrival of the hearse and family vehicles, the Honor Guard Sergeant will call the detachment of officers to attention.

The pallbearers will receive the casket from the hearse and the Honor Guard Sergeant will order the detachment to present arms. All officers will render the hand salute and hold this position until the casket and the family passes into the church/chapel at which time the Honor Guard Sergeant will order the detachment to "Order Arms".

PROCESSION ORDER

Procession into the church or chapel shall be:

- A. Minister/Chaplain
- B. Honor Guard
- C. Pallbearers with casket
- D. Family
- E. Firing Team
- F. All other officers and civilians

All uniformed personnel will remain standing at attention until they are instructed to be seated by the minister/chaplain. After the services have been concluded, all uniformed personnel will pass in review, saluting the casket as they exit the church/chapel.

Uniformed personnel will again form in the front of the church/chapel in the same manner as when the casket arrived.

Procession out of the church or chapel shall be:

- A. Firing Team
- B. All officers
- C. Minister/Chaplain
- D. Honor Guard
- E. Pallbearers
- F. Family
- G. All others in attendance

As the minister/chaplain exits the church, the Honor Guard Sergeant will call the Detachment to "attention." As the casket comes into view the Honor Guard Sergeant will order the detachment to "Present Arms." All officers will render a hand salute until the casket is placed in the hearse, at which time the "Order Arms" command will be given.

CEMETERY SERVICE

All officers, upon arrival at the cemetery, will assume their positions in the formation near the gravesite. The Honor Guard Sergeant prior to the service will determine the position of the formation.

The Honor Guard sergeant will call the detachment to "attention" as Pallbearers remove the casket from the hearse.

The procession to the gravesite will be:

- A. Minister/Chaplain
- B. Honor Guard
- C. Pallbearers
- D. Family

As the procession approaches the detachment of officers, the Honor Guard Sergeant will give the command to "present Arms" at which time the uniformed personnel will render the hand salute until the casket has been placed at the gravesite and the command is given to "Order Arms".

The command to stand at "Parade Rest" will then be given. Officers will remain in this position during the services. After the minister/chaplain finishes, the Honor Guard Sergeant will call the detachment to "attention," followed by the twenty-one gun salute and then taps played by the bugler. Upon completion of "taps," the order will be given to "Order Arms."

The Honor Guard will then fold the flag and present it to the Chief of Police or the highest ranking officer of the Department who will then present it to the next-of-kin. The Honor Guard Sergeant at this time will dismiss the detachment.

DONATIONS AND TRUST FUNDS

All collected and donated funds for the decedent's family shall be sent immediately to the memorial fund coordinator for proper recording and safekeeping. The coordinator shall disburse or make arrangements to set up a trust fund if directed by the family.

APPROVED:

A handwritten signature in black ink, appearing to read 'AS', written over a faint circular stamp.

Greg Savelli
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

S2.19 POLICE VEHICLE SPECIFICATIONS

Effective 10/27/2009
Updated

PURPOSE

This policy establishes the required operational lighting and safety equipment for emergency vehicles, whether conspicuously marked or unmarked, operated by this Department.

DEFINITIONS

Standard Patrol Vehicle: Any distinctively marked police patrol vehicle assigned primarily to field patrol operations and specifically authorized and certified by the vehicle's manufacturer for high-speed pursuit operation.

Special Purpose Vehicle: Any distinctively marked police vehicle assigned primarily to field patrol operations that is authorized for continuous on-road operation but not specifically authorized and certified by the vehicle's manufacturer for high-speed pursuit operation.

Unmarked Vehicle: Any police vehicle, not distinctively marked, but otherwise authorized for emergency operation when driven by a sworn police officer, used primarily for other than field patrol operations.

EMERGENCY LIGHTING AND SIREN REQUIREMENTS

All police department vehicles that are authorized for emergency operation shall be minimally equipped with a forward-facing, steady-burning red light and siren in accordance with California Vehicle Code sections 21055 and 25252. Additionally, all distinctively marked patrol vehicles and unmarked vehicles may be equipped with additional emergency and non-emergency lighting equipment as allowed for by the California Vehicle Code.

(CALEA 41.3.1)

PATROL VEHICLE MARKINGS AND IDENTIFICATION

All police department vehicles that are assigned primarily to field patrol operations shall be distinctively marked. Each vehicle will be painted black except for the doors and roof, which shall be painted white. Both the driver and passenger side of the vehicle shall be prominently marked with lettering and/or insignia identifying the vehicle as a police vehicle assigned to the City of Hermosa Beach. Additionally, each such vehicle shall be marked with unit-specific identification. Such identification shall be graphically displayed on both front fenders, adjacent to the A-pillar, and on the vehicle's roof.

Special purpose vehicles not authorized for continuous on-road operation are exempt from the standard marking and identification requirements.

PRISONER TRANSPORT SYSTEMS

All standard patrol vehicles shall be equipped with securable prisoner transport systems. Special purpose vehicles and unmarked vehicles may be so equipped; however, such systems are not required. These systems shall minimally consist of the following:

- A. Metal prisoner safety barrier separating the rear passenger area from the front driver/passenger area. The barrier should contain a Plexiglas or metal mesh (or combination thereof) upper portion so that the driver's view to the rear is less obstructed. The lower portion of the barrier should extend to the floorboard to prevent under seat "pass through" access
- B. Hard plastic prisoner "safety" seat(s) with incorporated safety belt(s) in compliance with Federal NHTSA requirements
- C. Rear power window switches (or manual cranks) must be deactivated/removed and interior rear door handles disabled

Note: Any full width upper prisoner barrier shall be equipped with acoustic features/modifications to allow for verbal communication between the prisoner and the officer(s).

If so desired, each such vehicle may also be equipped with security bars placed over the rear passenger door windows.

(CALEA 70.4.1; 70.4.2)

APPROVED:



Greg Savelli
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

S2.20 HOMELAND SECURITY

Effective 10/27/2009
Updated

PURPOSE AND SCOPE

The procedure establishes guidelines for reporting and relaying terrorism related information and provides employees with awareness level guidelines for events involving chemical, biological, radiological, nuclear and explosive attacks.

LIAISON WITH EXTERNAL ORGANIZATIONS

The Hermosa Beach Police Department should maintain a liaison with other organizations for the exchange of information related to terrorism. This liaison may be in the form of direct contact with specific departments and/or through such organizations as the Joint Regional Intelligence Center (JRIC), Regional Terrorism Threat Assessment Center, Western States Information Network, California Office of Homeland Security, The FBI Terrorism Early Warning Group (TEWG), and United States Department of Homeland Security (DHS). The Terrorism Liaison Officer (TLO) is responsible for maintaining liaison with other organizations and dissemination of terrorist related information within the department.
(CALEA 46.3.1)

TERRORISM LIAISON OFFICER (TLO)

It is the policy of this Department to participate in multi-jurisdictional information sharing (as specified above) as part of Homeland Security efforts to detect and/or prevent acts of domestic or foreign terrorism.

The Department shall assign a Terrorism Liaison Officer (TLO). The designated TLO is the agency representative as liaison to any/all local, county, state and federal agencies dedicated to preserving Homeland Security measures.

The Terrorism Liaison Officer (TLO) sustains the following responsibilities:

- Attending regular Homeland Security meetings, briefings, seminars, etc. – as specified by the Operations Division Commander.
- Collecting, reporting, retrieving, and sharing of terrorism intelligence and materials, such as:
 1. Training bulletins
 2. Information on schools and cases
 3. Books, journals, periodicals, and video information
 4. Lists of official contacts

- Identifying and communicating with community stakeholders. The TLO shall review, filter, and then forward relevant intelligence information to other agencies, City departments, and/or individuals, when and where appropriate and approved by the Operations Division Commander.
- Conducting, coordinating and/or facilitating Departmental training regarding terrorism and/or terrorism related subjects.
- Provide appropriate information to the Public Information Officer (PIO) for media dissemination when such information is related to terrorism.

REPORTING TERRORISM RELATED INFORMATION

Any officer receiving information concerning possible terrorism activities will immediately notify the Watch Commander and complete a TEW/LAJRIC Lead Sheet. The Watch Commander will determine the validity of the information and the appropriate response from the department. This shall include notification as follows:

- Operations Division Commander
- TLO and TLO Sergeant
- Support Services Division Commander

The Operations Division Commander shall direct the Watch Commander and/or TLO to make appropriate notifications to the Los Angeles Terrorism Early Warning Group or other law enforcement agencies, and/or the appropriate state and federal agencies.

The Support Services Division Commander shall notify and direct the Detective Sergeant in any investigative procedures necessary.

Patrol Officers, detectives, and other police employees should look for and report the following and other suspicious items or events that may link a subject to terrorism:

- Unusual items in vehicles or residences
- Suspicious identification characteristics such as fraudulent or altered license, multiple IDs with names spelled differently
- Thefts, purchases or discovery of weapons, explosive materials or other tactical equipment
- Testing of security systems and responder behavior
- Advanced payments for apartment or vehicle rentals, payments in cash
- Credit card fraud, money laundering, counterfeit cigarette tax stamps
- Links between gangs and international organizations

(CALEA 46.3.2)

PROVIDING AWARENESS INFORMATION

The Hermosa Beach Police Department's website provides terrorism awareness information and methods for reporting suspicious activity that may be related to terrorism.

(CALEA 46.3.3)

CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR AND EXPLOSIVE (CBRNE) ATTACKS

Chemical Weapons

Chemical agents can enter the body by inhalation of the chemical agents, absorption through the skin or eyes, injection into the body by flying glass or shrapnel, or by ingesting with food or water. A likely delivery method is in the form of a gas or as an aerosol spray. There are numerous chemical agents each with different symptoms and effects. The most common families of chemical agents are:

- **Nerve Agents**: Nerve agents attack the victim's nervous system. Most belong to the family of chemicals known as organophosphates (OP) (organophosphates are also the basis of many insecticides, herbicides, and nerve gases). Many common pesticides belong to this family of chemicals. Nerve agents tabun (GA), sarin (GB), soman (GD), and VX are manufactured chemical warfare agents classified as nerve agents (all classified as WMDs). Nerve agents are the most toxic and rapidly acting of the known chemical warfare agents.
- **Blister Agents**: Blister agents (vesicants) also known as vesicants attack the skin of the victim resulting in blisters and skin burns. Mustard gas and Lewisite (an organic compound once manufactured in the U.S. and Japan as a chemical weapon) are common blister agents.
- **Blood Agents**: Blood agents attack the ability of the blood to hold and deliver oxygen. The victim suffocates. Cyanide gases and compounds are the most common types of these agents.
- **Choking Agents**: These chemicals attack the lungs causing them to fill with fluid. Chlorine gas and phosgene (CG) (phosgene was used extensively during World War I) are typical choking agents.
- **Incapacitating Agents**: These agents usually irritate the skin, mucous membranes, eyes, nose, lips and mouth. They may cause vomiting or intolerable pain. While they may lead to serious medical situations such as seizures or heart attacks, they are not designed to kill or cause permanent harm. Used alone, the intention is to temporarily incapacitate or harass the target, or force them to evacuate the area. However, incapacitating agents may be used in combination with other agents to force responders to remove their gas masks and other protective gear, so that they will be exposed to lethal doses of the other agent. Examples of incapacitating agents are pepper spray, tear gas, riot control agents and several military chemicals from different nations.

Biological Weapons

Biological weapons present a serious challenge for response planning. There is risk that a biological attack may not be detected until days, or even weeks after it happens. First responder resources, therefore, may be of little use at a bioterrorism incident unless it is detected promptly. There are two (2) types of biological weapons:

- **Pathogens:**

These are disease-causing organisms, some of which can reproduce and keep spreading long after the attack. The potential for many thousands of casualties is possible but the more likely number is much less because of the difficulty of efficiently delivering the pathogenic agents to large numbers of people.

Pathogens can be bacteria such as anthrax, viruses such as smallpox, or fungi like yeast and molds, mycoplasmas (a specific and unique species of bacteria - the smallest free-living organism known on the planet) that cause pneumonia and similar problems, or rickettsiae (causing diseases such as typhus and Rocky Mountain spotted fever). Plague, smallpox, anthrax, hemorrhagic fever, and rabbit fever are known to be probable biological weapons.

Not all diseases are contagious, and many have a low mortality rate when properly treated.

- **Toxins:**

Toxins are poisonous substances produced by living things. Many toxins are extremely lethal and small quantities can kill very large numbers of people. In many ways a toxin attack is more like a chemical attack than a biological one. Some possible toxin weapons are ricin (a poison found naturally in castor beans that has potential to be used as an agent of biological warfare and as a WMD), botulism toxin (botulism is a muscle-paralyzing disease caused by a toxin made by a bacterium to contaminate food), and aflatoxin (a poison produced by two (2) common fungi to contaminate food). Again, the difficulty for the terrorist is in finding an effective way to disperse or distribute the toxin.

Radiological Dispersion Devices (RDD)

An RDD or “dirty bomb” is an explosive intended to spread radioactive material from the detonation of conventional explosives. Radiation comes from the decay of radioactive isotopes of certain elements and compounds. Radiation can be in the form of alpha, beta, or gamma rays. All three are odorless and colorless and can be detected only with radiation detectors. The primary hazard will be from dust contaminated with radioactive sources. It will be very important for the first responder to use respiratory protection to avoid breathing in the radioactive dust particles.

Explosives

Terrorists make lethal explosives from readily available materials, many of which are uncontrolled and attract little attention. The availability of many of these materials, along with the widespread proliferation of techniques for making homemade explosive (HME) mixtures and IEDs (improvised explosive devices), enables terrorists to assemble weapons even when deprived of commercial or military explosives.

- HMEs are packaged into IEDs of various shapes and sizes (e.g. pipe bombs and VBIEDs – vehicle born improvised explosive devices)

- The effectiveness of most HME mixtures dissipates over time, so they must be deployed as an explosive device soon after their manufacture
- HMEs and their chemical precursors should be noted during searches of persons, vehicles and residences as suggestive of bomb-making and other pre-attack activity

CBRNE INDICATORS

Patrol Officers, detectives, and other police employees should look for and report the following and other suspicious CBRNE-related indicators:

- Theft of large quantities of baby formula (may be used to grow specific cultures)
- Theft or solicitation of live agents, toxins or diseases from medical supply companies or testing and experimentation facilities
- Multiple cases of unexplained human or animal deaths
- Thefts of agricultural sprayers, crop-dusting aircraft, foggers or other dispensing systems
- Suspicious inquiries regarding local chemical or biological sales, storage or transportation points and facilities
- Inappropriate inquiries regarding heating and ventilation systems for buildings or facilities by persons not associated with service agencies

CBRNE AWARENESS LEVELS

In the event of a CBRNE attack, the Hermosa Beach Police Department's primary objective is to secure and isolate the target area and assist the FBI in the criminal investigation of the incident. Department response to incidents involving CBRNE or other hazardous materials will be accomplished in accordance with the Hermosa Beach Police Department Policies and Procedures and the City of Hermosa Beach Emergency Operations Plan.

In the event of a terrorist attack, officers should use caution if the explosion seems to do little damage. A small explosive device might be used to disperse chemical, biological or even radioactive agents. Another purpose of a small device might be to bring large numbers of first responders, who are then subjected to a larger secondary device.

Another immediate problem for responders and victims is the potential for asbestos exposure. Older buildings may contain asbestos as insulation, pipe coverings, siding or roofing, flooring, adhesives, floor or ceiling tile and wall panels. Any explosion or collapse may cause this asbestos to become airborne in hazardous levels.

Immediately, the primary inhalation threat and decontamination problem will be dust particles. Any expedient breathing protection should be used - masks, wet towels, handkerchiefs, etc. - while exiting the area immediately.

CBRNE EQUIPMENT AND AWARENESS TRAINING

All equipment utilized by the Hermosa Beach Police Department will meet Cal/OSHA and NIOSH standards. The Respiratory Protection Manager will be responsible for the purchase of equipment that meet the standards and that all employees are properly trained and go through annual fit testing.

All First Responders will go through Weapons of Mass Destruction Awareness training as outlined by Police Officer Standards and Training requirements. This course is given to all basic police academy recruits and in advanced officer training classes.

The Hermosa Beach Police Department issues gas masks and CBRN canisters to all officers and sergeants. Additionally the department has on hand at the station Level "C" suits, gloves, booties and chemical tape (Chem-Tape) that can be deployed as needed. All officers wearing the Level C suits must go through mandatory training prior to wearing the suits.

(CALEA 46.3.4)

APPROVED:

A handwritten signature in black ink, appearing to read 'G. Savelli', is written over the printed name.

Greg Savelli
Chief of Police

Media Relations

324.1 PURPOSE AND SCOPE

This policy provides guidelines for the release of official department information to the media. It also addresses coordinating media access to scenes of disasters, criminal investigations, emergencies, and other law enforcement activities.

324.2 POLICY

It is the policy of the Hermosa Beach Police Department to protect the privacy rights of individuals, while releasing non-confidential information to the media regarding topics of public concern. Information that has the potential to negatively affect investigations will not be released.

324.3 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police. In situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, Division Commanders, Watch Commanders, and designated Public Information Officers (PIOs) may prepare and release information to the media in accordance with this policy and the applicable laws regarding confidentiality.

On incidents when the PIO (primary or secondary) is unavailable, the on-duty Watch Commander will be the designated department member to release information to the news media or public.

324.4 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of department members and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception, the Chief of Police will consider, at a minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person, or is otherwise prohibited by law.

324.5 MEDIA REQUESTS

Any media request for information or access to a law enforcement incident shall be referred to the PIO, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, members shall consider the following:

- (a) At no time shall any member of this department make any comment or release any official information to the media without prior approval from a supervisor or the PIO.

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- (b) In situations involving multiple agencies or government departments, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.
- (c) Under no circumstance should any member of this department make any comments to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police. Under these circumstances the member should direct the media to the agency handling the incident.

324.6 ACCESS

Authorized media representatives shall be provided access to scenes of disasters, criminal investigations, emergencies, and other law enforcement activities as required by law.

Access by the media is subject to the following conditions (Penal Code § 409.5(d)):

- (a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public. Media representatives may not bring or facilitate the transport of an unauthorized person into a closed area unless it is for the safety of the person.
- (b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.
 - 1. Based upon available resources, reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the PIO or other designated spokesperson.
- (c) No member of this department who is under investigation shall be subjected to media visits or interviews without the consent of the involved member (Government Code § 3303(e)).
- (d) Media interviews with individuals who are in custody should not be permitted without the approval of the Chief of Police and the express consent of the person in custody.

324.6.1 AUTHORIZED NEWS MEDIA

Authorized News Media representatives are those persons possessing valid press passes issued by any bona fide news media organization.

324.6.2 CRITICAL OPERATIONS

A critical incident or tactical operation should be handled in the same manner as a crime scene, except the media should not be permitted within the inner perimeter of the incident, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a critical incident or tactical operation in order to accommodate the media. All comments to the media shall be coordinated through a supervisor or the PIO.

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324.6.3 TEMPORARY FLIGHT RESTRICTIONS

Whenever the presence of media or other aircraft pose a threat to public or member safety or significantly hamper incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Watch Commander. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration (FAA) should be contacted (14 CFR 91.137).

324.7 CONFIDENTIAL OR RESTRICTED INFORMATION

It shall be the responsibility of the PIO to ensure that confidential or restricted information is not inappropriately released to the media (see the Records Maintenance and Release and Personnel Records policies). When in doubt, authorized and available legal counsel should be consulted prior to releasing any information.

The following are also restricted from being released:

- (a) Copies of the suspect's "rap sheet" or any information obtained from the "rap sheets" shall not be released. The exception is a felony conviction may be released per Section 11142 PC.
- (b) Residence addresses of department members shall not be released to the news media.
- (c) Department personnel are accountable for "off the record" statements to the media.
- (d) The name of the victim of any crime of sexual assault, domestic violence, and any case that the release would jeopardize an on-going investigation.

324.7.1 EMPLOYEE INFORMATION

The identities of officers involved in shootings or other critical incidents may only be released to the media upon the consent of the involved officer or upon a formal request filed.

Any requests for copies of related reports or additional information not contained in the information log (see the Information Log section in this policy), including the identity of officers involved in shootings or other critical incidents, shall be referred to the PIO.

Requests should be reviewed and fulfilled by the Custodian of Records, or if unavailable, the Watch Commander or the authorized designee. Such requests will be processed in accordance with the provisions of the Records Maintenance and Release Policy and public records laws.

324.8 RELEASE OF INFORMATION

The Department may routinely release information to the media without receiving a specific request. This may include media releases regarding critical incidents, information of public concern, updates regarding significant incidents, or requests for public assistance in solving crimes or identifying suspects. This information may also be released through the department website or other electronic data sources.

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324.8.1 INFORMATION LOG

The Department will maintain a daily information log of significant law enforcement activities. Log entries shall only contain information that is deemed public information and not restricted or confidential by this policy or applicable law. Upon request, the log entries shall be made available to media representatives through the Watch Commander.

The daily information log will generally include:


- (a) The date, time, location, case number, type of crime, extent of injury or loss, and names of individuals involved in crimes occurring within this jurisdiction, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation, or the information is confidential (e.g., juveniles or certain victims).
- (b) The date, time, location, case number, name, and charges for each person arrested by this department, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation or the information is confidential (e.g., juveniles).
- (c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident.

At no time shall identifying information pertaining to a juvenile arrestee (13 years of age and under), victim, or witness be publicly released without prior approval of a competent court. The identity of a minor 14 years of age or older shall not be publicly disclosed unless the minor has been arrested for a serious felony and the release of such information has been approved by the Watch Commander (Welfare and Institutions Code § 827.5).

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or otherwise cleared through the Coroner.

Any requests for copies of related reports or additional information not contained in this log shall be referred to the designated department media representative, the custodian of records, or if unavailable, to the Watch Commander. Such requests will generally be processed in accordance with the provisions of the Public Records Act (see the Records Maintenance and Release Policy).

324.9 ISSUING AUTHORITY

	Effective Date	Updated Date
W. Paul LeBaron, Chief of Police	October 27, 2009	May 7, 2024



HERMOSA BEACH POLICE DEPARTMENT

S2.22 AUTOMATED INFORMATION ENTRY AND RETRIEVAL

**Effective 10/27/2009
Updated 8/12/2010**

PURPOSE AND SCOPE

To establish procedures for entry, retrieval, and verification of information in the Records Management System (RMS), and the California Law Enforcement Telecommunications System (CLETS Network), that provides access to CJIS/DOJ, FBI/NCIC, DMV, and NLETS.

The policy of this Department is to have all employees follow uniform entry, retrieval, and verification procedures of automated records to optimize the accuracy of the information and cross-referencing capabilities. Department policy requires that Records Unit personnel and other authorized personnel must always login and logout of RMS and CLETS as required during the course of their on-duty shift.

PROCEDURE

Information is available to the Hermosa Beach Police Department through the Records Management System (RMS TIBURON).

- Via RMS TIBURON the Department maintains a Master Name File of all individuals involved in any type of police field interview or case report (i.e., traffic accidents, service calls, and criminal complaints).
- Records in RMS TIBURON will be maintained for service calls and crimes by type and location, minimally; in RIMS records will be maintained on all stolen, recovered, and evidentiary property files. Found property will be issued a unique, sequential case number and recorded in the found property spreadsheet and found property disposition book located in the front counter area.
- Searches can be performed by name, involvement summary, victim summary, gang affiliation, type of crime, and physical description for any range of dates.
- The Master Name File identifies and links all documents that reference any specific individual in the system.
- The Master Name File information can be multi-specified to provide a precisely defined report (i.e. all juveniles entered as suspects or victims or both, males or females or both, for bike theft, etc.).

(CALEA 82.3.1)

RMS TIBURON provides a Property/Evidence File that includes a unique Incident Number, Case Number, Location, Property Type, Property Status, Item Description, Serial Number and Item Disposition.

The Property/Evidence Custodian will be responsible for:

- Maintaining all records of the reporting, listing, returning and disposal of the Lost, Found, and Unclaimed Property in compliance with California Statutes.
- Maintaining the Master Evidence File to preserve the chain of custody, the delivery of items to the Los Angeles County Sheriff's Crime Lab or District Attorney's Office, and the final disposal of all Evidence in compliance with California Statutes.

All Department traffic records including: traffic collision data on reports, investigations, and locations; and traffic enforcement data on citations, arrests, dispositions and locations; are maintained and retrieved through the automated Moving Citation File and Case Management File in RMS. Records Unit personnel maintain and retrieve both automated information and hard copy information from the Case Reports File. These records are available to authorized personnel 24-hours a day.

Traffic citation books shall be kept in the Records Bureau. Officers will request traffic citation books from an on-duty PSO. The PSO will account for each citation book issued by recording the officer's name the citation book was issued to, along with the corresponding beginning and ending citation numbers, into RMS.

(CALEA 82.3.4 a, b, c)

Citations copies are disseminated as follows:

- Violator's Copy is given to the individual cited
- Officer retains the Officer's Copy
- Station and Court copies are processed through the Watch Commander to the Records Unit where:
 1. Court copies are logged and forwarded to the Court Liaison
 2. The Court Liaison forwards the Court Copy to the designated Los Angeles County Justice Center for final disposition
 3. Station copies are securely stored and filed by the Court Liaison in Numerical Order by date.

Voided Traffic Citations:

Traffic citations voided for any reason shall be marked in large letters across the citation with the word "VOID". If the citation was voided after it was issued to the defendant, the citation must be turned in to the Court Liaison who will process the Officer's Application and Order to Dismiss Citation Form and deliver it to court.

Traffic citations voided before being issued to the defendant should be turned in to the Watch Commander for processing in RMS by Records personnel.

Notification from Department patrol officers or recognized outside agencies of hazards, safety issues, and traffic volume are logged into CAD where they are assigned a specific incident number by RCC Dispatch personnel.

All traffic collision investigations/reports, citations, arrests, and hazards can be retrieved by either Incident type and/or Incident location.

Monthly all reportable traffic collision reports are submitted to the California Highway Patrol (CHP), a State agency, for inclusion in area traffic collision and enforcement analyses. (CALEA 82.3.2, 82.3.3, 82.3.5)

RECORDING AND MAINTAINING ARREST INFORMATION

All Case Reports of persons arrested are assigned a distinct and individual case number. Only one (1) number is assigned to any case and numbers are not reissued. Example: #00-0001, the first two (2) digits reflect the year of occurrence and the remaining four (4) are issued sequentially starting at 0001 on January 1st every year.

- The Case Report files of persons arrested consist of all identification information in the automated criminal history files plus fingerprints, photographs and criminal history printouts from other jurisdictions.
- Automated criminal history files on persons arrested by the Hermosa Beach Police Department shall include the following minimal information, if available:
 1. Name, Address, and Phone Number
 2. Date of Birth, Social Security Number, and CDL
 3. Narrative of Arrest Report and Statements
- On entry to the automated system by Records Unit personnel or Officers, all possible matches of prior and/or alias records on the arrestee will be presented as a search feature of the RMS.
 1. Arrestee's can be tracked by Name and verified by Social Security Number, Date of Birth, and/or CDL.
 2. All subsequent arrests and queries will continue to be linked to the individual's criminal history file by Social Security Number verification.

All arrests whether field processed or custodial require that the Officer be assigned a case number and complete the required automated information in RMS TIBURON on the subject arrested for the case report.

- Field arrests and Custodial arrests require the following:
 1. Los Angeles County Booking Form
 2. Officer's Report
 3. Department Property/Evidence Forms (if applicable)

(CALEA 82.3.6)

WARRANT AND/OR WANTED PERSONS FILE

The immediate availability of current records regarding active warrants and wanted persons is a valuable resource and, as such, the security and accuracy of these records must be safeguarded at all times.

- This automated information is available to authorized personnel 24-hours a day
- All entering, receiving, recording, verifying, and canceling information will be maintained by the following procedures:
 1. The Los Angeles County Courts enter all active warrant notices for the entire county area into the National Crime Information Center NCIC system. NCIC, which is accessed through CLETS, is available for regional, state and federal inquiries. The Hermosa Beach Police Department uses the automated warrant files in NCIC - California Department of Justice (DOJ) (Wanted Persons System - WPS).
 2. When a "Hit" has been confirmed on a Los Angeles County warrant and the warrant is served, Records Unit personnel will pull the warrant from the automated warrant files in NCIC at the Officers request.
 3. When a "Hit" has been confirmed on any out of county or out of state warrants and the warrant is served at the direction of the agency with jurisdiction, Records Unit personnel will notify the appropriate agency with jurisdiction to pull the warrant from the automated warrant files in NCIC.

APPROVED:



Greg Savelli
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

S2.23 RECORDS MANAGEMENT SYSTEM

Effective 10/27/2009

Updated 5/24/2017

PURPOSE AND SCOPE

Department Policy for the management of all Department generated Law Enforcement, operational and information records and files. The Hermosa Beach Police Department Records Unit is comprised of the Police Services Supervisors and Police Services Officers (PSO's). The Records Management System is maintained by the Hawthorne Police Department which grants access to the Hermosa Beach Police Department via designated computer ID addresses.

POLICY

This operating policy and procedure is to ensure adherence to the California Department of Justice (DOJ) and California Public Records, Government Code Section 6250-6265 regulations regarding the protection, storage, release, and maintenance of the Hermosa Beach Police Department records and files.

The Hermosa Beach Police Department uses an automated Records Management System (RMS) that links the communications center Computer Aided Dispatch (CAD) through the South Bay Regional Public Communications Authority (SBRPCA), law enforcement field reporting, police records, evidence, found/agency-owned property control, and investigative case management.

The Records Management System (RMS) is also linked to the County Justice Data Interface Controller (JDIC), and the State California Law Enforcement Telecommunication System (CLETS).

CLETS files interface with California Department of Justice Center files in Sacramento and Federal Bureau of Investigation National Crime Information Computer (NCIC) files in Washington, D.C.

The Department of Justice requires 24-hour coverage of these dedicated terminals by trained personnel.

CONFIDENTIALITY AND SECURITY OF RECORDS

DOJ regulations require that Police Records be restricted to personnel who have had background checks and fingerprint clearances from the DOJ and the FBI. Access to records will be limited to:

- PSO Supervisors
- Records Personnel (PSO's)
- Chief of Police
- Captain
- Division Commanders
- On-duty Watch Commander
- Investigations/Detective Sergeant
- Administrative Services Sergeant
- Administrative Assistant/Accreditation Manager
- City Prosecutor
- Court Liaison
- Chief's Secretary
- Crime Analyst

Any person not listed above who wishes to enter the Records Unit for any reason must gain permission from the on-duty PSO Supervisor or watch commander. Routine requests for records services, copies of reports, and record checks shall be made through an on-duty PSO.

Equipment service technicians and custodians may only enter this area while directly supervised by authorized Department personnel.

Every Hermosa Beach Police Department employee will sign an Employee/Volunteer Statement Form that ensures the confidentiality of all department records and files. Security of the records and the integrity of the system are enhanced by utilizing outlined procedures. (CALEA 82.1.1)

RELEASE OF INFORMATION

The authority for establishing Department mandates on the security and release of criminal offender records (Criminal Offender Record Information (CORI)) is found in Title II, Chapter 1, California Administrative Code. Other authorities include Penal Code Section 11105, which specifies who has access to criminal history information and Penal Code Section 11140-11144 which establishes penalties for the misuse of "records". California Vehicle Code 1808.21(a) regulates the release of Department of Motor Vehicle (DMV) records, and 1808.45 describes the penalties for misuse of DMV records or information.

Department personnel will refer to the following definitions regarding the release of police records:

- "Criminal Justice Agency" – Any person or component thereof which performs a criminal justice activity as its principal function.
- "Authorized Person or Agency" – Any person or agency authorized by court order, statute, or decisional law to receive Criminal Offender Record Information (CORI).
- "Criminal Offender Record Information" (CORI) – Records and data compiled by criminal justice agencies for purposes of identifying criminal offenders and summaries of arrests, pretrial proceedings, the nature and disposition of criminal charges, sentencing, incarceration, rehabilitation and release.

- “Right to Know” – entitled and authorized to obtain CORI.
 - “Need to Know” – CORI is essential to complete official duties.
 - “Records Check” – obtaining the most recent rap sheet from the California Department of Justice.
 - “Records Security Officer” – the employee of the Department who is given the authority and responsibility to enforce records security regulations (PSO Supervisor).
- (CALEA 82.1.1)

**DEPARTMENT POLICY AND PROCEDURE TO RELEASE/RECEIVE
POLICE RECORDS**

- Department employees in possession of criminal history records shall be responsible for the physical security of documents. Under no circumstances shall an employee disclose the contents of any criminal history record to any person, except as provided in this order.
- Authorized release of CORI is indicated only when both the right-to-know and need-to-know have been substantiated.
- Right-To-Know basis and criteria:
 1. Criminal offender record information will be released only to persons or agencies authorized by court order, statute, or decisional law to receive such information.
 2. One of the criteria for release shall be “Agencies Authorized to Receive California Department of Justice Rap Sheets.”
- Need-To-Know basis and criteria:
 1. Need-to-know is defined as the necessity to obtain CORI in order to execute official responsibilities. If the data is needed for official purposes such as a criminal investigation, arrest, booking, child endangerment or officer safety.
 2. Need-to-know is established when the requester certifies verbally or in writing to an official the need for the information.
- Security, Review, and Audit Trail Requirements of Criminal Offender Records Information in CLETS.
 1. All criminal offender record information computerized or hard copy will be stored in a secure area and access to this file will be restricted to personnel authorized to release CORI.
 2. The computer terminal equipment for accessing CORI is located in various parts of the station facility. Access to CORI or DMV records is controlled by computer security access controls including authentication, authorization, and audit. All hard copy criminal history records are housed in the Records Unit filing system. The Department has 24-hour personnel coverage to prevent unauthorized access to these areas.

3. Inquiries for the criminal history information of an individual are restricted to authorized full access DOJ trained operators, in accordance with the methods outlined in CLETS policies, practices and procedures.
- Local criminal offender record information shall be reproduced or photocopied only within the physical facility of the Department by persons authorized to perform such reproduction.
 - The PSO Supervisors shall comply with any reasonable request made by a representative of the Department of Justice relative to any security and privacy audit of this Department.
(CALEA 82.1.7)

PENALTIES FOR THE “MISUSE” OF CORI OR DMV RECORDS

- Pursuant to CAC Section 702 Title II, Chapter I, authorized persons or agencies that violate the regulations regarding the security of CORI may lose access to CORI from the DOJ. California Penal Code Sections 11140-11141 state it is a misdemeanor to furnish, buy, receive or possess DOJ rap sheets without authorization by a court, statute, or decisional law. Employees who disregard Department policy concerning dissemination of CORI are subject to Department discipline.
- California Vehicle Code Section 1808.21 specifies that any residence address is confidential and will not be disclosed to any person except the courts, law enforcement agencies or other government agency.
- It is a misdemeanor to release DMV records or information for any purpose other than law enforcement queries, per Section 1808.45. Any employees who are responsible for the misuse of these records are subject to Department discipline. Violations may also result in criminal and/or civil action.

(CALEA 82.1.1)

JUVENILE RECORDS

The PSO Supervisors will be responsible and accountable for the collection, maintenance, dissemination, retention, and destruction of juvenile records.

- All juvenile arrest and identification records will be collected, retained, disseminated, and destroyed in strict compliance with existing statutes, decisional law, and policies or orders by the Juvenile Court for the County of Los Angeles and the State of California.
- Juveniles will not be fingerprinted and photographed on a routine basis. If the Officer determines that fingerprinting and photographing of the juvenile offender could be necessary (e.g. serious offenses and felonies), the Officer shall obtain approval from the on-duty Watch Commander.
- As a method to distinguish juvenile records, and to control and maintain their restricted access, all juvenile arrest and/or identification records (fingerprints, photographs or physical descriptions) will be filed in **red** folders.

- Upon receipt of a Court Order to seal or expunge an official police record, the Records Unit Supervisor will be responsible for ensuring the prompt sealing or shredding of the indicated record(s).

(CALEA 82.1.2 a-e)

RECORDS RETENTION

All reports/records/files will be retained and destroyed consistent with State of California legal requirements and in accordance with the City of Hermosa Beach Records Retention Schedule.

- The original of all Case Reports will be maintained in numerical order in the Master Case Reports files.
- Under no circumstances will the original report be removed from the Records Unit, only copies will be routed to the appropriate personnel for follow-up as required.
- Personnel Files and Background Investigation Files on current employees are secured in the Office of the Chief of Police. Personnel Complaint Files are secured in the Administrative Assistant/Accreditation Manager's office.
- The Investigators retain copies of all cases actively under investigation and those cases used for crime prevention training.
- Patrol operations and special events records, along with all "Use of Force" and "Pursuits" case copies are maintained in the office of the Operations Division Commander.
- The PSO Supervisors maintain records on property and items for safekeeping, and all evidence records.
- Warrants/wanted person and Communications records are under the custodial care of the PSO Supervisors.

(CALEA 82.1.3)

UCR/NIBRS

The Department's Case Records and arrest information are confidential and not open to inspection by the general public (California Information Practice Act). Records personnel will comply with the following procedures:

- All requests from individuals outside law enforcement must be submitted in writing and the PSO Supervisor must approve the release of partial or complete copies.
- Traffic Accident reports or a copy of an individual's statements will only be released to the person involved or their representative.
- When released, the authorized request form will be attached to the original case report.

On a monthly basis, the PSO Supervisor will compile and submit mandatory crime reporting data (Uniform Crime Report (UCR) and/or National Incident-Based Reporting System

(NIBRS) statistics) to the California Department of Justice (DOJ). These statistics will be collected according to Federal Bureau of Investigation (FBI) guidelines. These statistics are automatically compiled by the RMS program.
(CALEA 82.1.4)

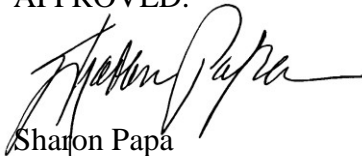
SECURITY ACCESS

The main server for the RMS application is behind a firewall that allows only the twenty-four designated computer IP addresses identified by the police department access. Each computer has a pre-selected security level for the RMS program. Only department personnel with the appropriate network ID and password can open these computers. The Records Unit will ensure the protection of the computerized records/reports/files with the following measures:

- All RMS computer files are backed up daily and the files are sent weekly to an off site secure location.
- The Department will ensure that all Department programs used are properly licensed. Employees will not introduce any non-authorized software or disks into the computer system or Department laptops or workstations. All computers will continually scan any disk or download for viruses.
- The computers have a configured functional use security level for the RMS program. The RMS application requires personnel to be identified as a user with a unique ID, password and security level. The security levels allow limited or unlimited access to the program. The system automatically requires passwords to be changed and verified every ninety (90) days.

(CALEA 82.1.6d)

APPROVED:



Sharon Papa
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

S2.24 ORGANIZATION, ADMINISTRATION, AND MANAGEMENT OF HOLDING FACILITY

**Effective 10/27/2009
Updated 10/24/2016**

PURPOSE AND SCOPE

The purpose of this policy is to outline the organization, administration, and management, of the Hermosa Beach Police Department's holding facility.

MANAGEMENT OF THE HOLDING FACILITY

The management of the holding facility is the responsibility of the Support Services Division Commander. Any problems with the facility or contents thereof shall be reported via intra-departmental memorandum and chain-of-command to the Support Services Division Commander.

The shift operation of the holding facility is the responsibility of the on-duty Watch Commander. The on-duty Watch Commander is responsible for overseeing security, arrestee accounting, and control inside the holding facility. The on-duty patrol Watch Commander will have departmental accountability for the temporary holding facility.

SECURITY

Security within the holding facility is a paramount concern to the organization. To ensure that a high level of security is maintained, only authorized department personnel are allowed access to the holding facility. Authorized personnel shall include sworn officers, sworn and non-sworn personnel directed to search an arrestee, and all persons authorized by an on-duty supervisor.

The only exceptions are:

- tours authorized by the department
- individuals authorized to make necessary repairs

(CALEA 72.1.2)

ARRESTEE ACCOUNTABILITY

The on-duty Police Services Officers (PSOs) are responsible for arrestee accountability while the individual is housed in the Hermosa Beach Police Department holding facility. This is necessary for the safety of the arrestees, department members, and the facility.

TRAINING

All PSO personnel shall be trained and certified as required by the State of California Corrections Standards Authority, Title 15. Retraining, including the use of fire suppression equipment, will be conducted as mandated by state law, or at least once every three years.
(CALEA 72.1.1)

ARRESTEE RECORDS

All arrestee records/information are confidential in nature. This information shall be kept secured and not released to unauthorized persons.
(CALEA 72.1.3)

APPROVED:

A handwritten signature in black ink, appearing to read "Sharon Papa", with a long horizontal flourish extending to the right.

Sharon Papa
Chief of Police

Custodial Searches

901.1 PURPOSE AND SCOPE

This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants or weapons into the Hermosa Beach Police Department facility. Such items can pose a serious risk to the safety and security of department members, individuals in custody, contractors and the public.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

901.1.1 DEFINITIONS

Definitions related to this policy include:

Custody search - An in-custody search of an individual and of the individual's property, shoes, and clothing, including pockets, cuffs, and folds on the clothing, to remove all weapons, dangerous items, and contraband.

Physical body cavity search - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach, rectal cavity, or vagina of an individual.

Strip search - A search that requires an individual to remove or rearrange some or all of the individual's clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus, or outer genitalia. This includes monitoring an individual who is changing clothes, where the individual's underclothing, buttocks, genitalia, or breasts are visible.

901.2 POLICY

All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment or retaliation.

901.3 FIELD AND TRANSPORTATION SEARCHES

An officer should conduct a custody search of an individual immediately after the individual's arrest, when receiving an individual from the custody of another, and before transporting a person who is in custody in any department vehicle.

Whenever practicable, a custody search should be conducted by an officer of the same sex as the person being searched. If an officer of the same sex is not reasonably available, a witnessing officer should be present during the search.

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901.4 SEARCHES AT POLICE FACILITIES

Custody searches shall be conducted on all individuals in custody, upon entry to the Hermosa Beach Police Department facilities. Except in exigent circumstances, the search should be conducted by a member of the same sex as the individual being searched. If a member of the same sex is not available, a witnessing member must be present during the search.

Custody searches should also be conducted any time an individual in custody enters or re-enters a secure area, or any time it is reasonably believed that a search is necessary to maintain the safety and security of the facility.

901.4.1 PROPERTY

Members shall take reasonable care in handling the property of an individual in custody to avoid discrepancies or losses. Property retained for safekeeping shall be kept in a secure location until the individual is released or transferred.

Some property may not be accepted by a facility or agency that is taking custody of an individual from this department, such as weapons or large items. These items should be retained for safekeeping in accordance with the Property and Evidence Policy.

All property shall be inventoried by objective description (this does not include an estimated value). The individual from whom it was taken shall be required to sign the completed inventory. If the individual's signature cannot be obtained, the inventory shall be witnessed by another department member. The inventory should include the case number, date, time, member's Hermosa Beach Police Department identification number and information regarding how and when the property may be released.

901.4.2 VERIFICATION OF MONEY

All money shall be counted in front of the individual from whom it was received or on camera. When possible, the individual shall initial the dollar amount on the inventory. Additionally, all money should be placed in a separate envelope and sealed. Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated but not added to the cash total. All envelopes should clearly indicate the contents on the front. The department member sealing it should place the member's initials across the sealed flap. Should any money be withdrawn or added, the member making such change shall enter the amount below the original entry and initial it. The amount of money in the envelope should always be totaled and written on the outside of the envelope. Any and all money/cash shall be counted and placed in a Hermosa Beach Police Department "Money Envelope" and secured in the arrestee's property locker.

901.5 STRIP SEARCHES

No individual in temporary custody at any Hermosa Beach Police Department facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the individual has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include, but are not limited to:

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- (a) The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.
- (b) Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.
 - 1. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
- (c) Custody history (e.g., past possession of contraband while in custody, assaults on department members, escape attempts).
- (d) The individual's actions or demeanor.
- (e) Criminal history (i.e., level of experience in a custody setting).

No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual's genital status. If the individual's genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

901.5.1 STRIP SEARCH PROCEDURES

Strip searches at Hermosa Beach Police Department facilities shall be conducted as follows (28 CFR 115.115; Penal Code § 4030):

- (a) Written authorization from the Watch Commander shall be obtained prior to the strip search.
- (b) All members involved with the strip search shall be of the same sex as the individual being searched, unless the search is conducted by a medical practitioner.
- (c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that it cannot be observed by those not participating in the search. The search shall not be reproduced through a visual or sound recording.
- (d) Whenever possible, a second member of the same sex should also be present during the search, for security and as a witness to the finding of evidence. When a female prisoner is to be strip searched by a female Police Service Officer, a sworn officer shall remain in the holding cell area. If the sworn officer is male, he shall remain out of view of the female prisoner being searched.
- (e) Members conducting a strip search shall not touch the breasts, buttocks, or genitalia of the individual being searched.
- (f) The primary member conducting the search shall prepare a Strip Search Authorization report to include:
 - 1. The facts that led to the decision to perform a strip search.
 - 2. The reasons less intrusive methods of searching were not used or were insufficient.
 - 3. The written authorization for the search, obtained from the Watch Commander.

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4. The name of the individual who was searched.
 5. The name and sex of the members who conducted the search.
 6. The name, sex, and role of any person present during the search.
 7. The time and date of the search.
 8. The place at which the search was conducted.
 9. A list of the items, if any, that were recovered.
 10. The facts upon which the member based the member's belief that the individual was concealing a weapon or contraband.
- (g) No member should view an individual's private underclothing, buttocks, genitalia, or breasts while that individual is showering, performing bodily functions, or changing clothes, unless the individual would otherwise qualify for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect the individual's privacy and dignity.
- (h) If the individual has been arrested for a misdemeanor or infraction offense, the written authorization from the Watch Commander shall include specific and articulable facts and circumstances upon which the reasonable suspicion determination for the search was made.
- (i) A copy of the written authorization shall be retained and made available upon request to the individual or the individual's authorized representative. A record of the time, date, place of the search, the name, and sex of the person conducting the search, and a statement of the results of the search shall also be retained and made available upon request to the individual or the individual's authorized representative.

[See attachment: Strip Search](#)

901.5.2 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES

A strip search may be conducted in the field only with Watch Commander authorization and only in exceptional circumstances, such as when:

- (a) There is probable cause to believe that the individual is concealing a weapon or other dangerous item that cannot be recovered by a more limited search.
- (b) There is probable cause to believe that the individual is concealing controlled substances or evidence that cannot be recovered by a more limited search, and there is no reasonable alternative to ensure the individual cannot destroy or ingest the substance during transportation.

These special-circumstance field strip searches shall only be authorized and conducted under the same restrictions as the strip search procedures in this policy, except that the Watch Commander authorization does not need to be in writing.

Custodial Searches

901.6 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be subject to the following (Penal Code § 4030):

- (a) No individual shall be subjected to a physical body cavity search without written approval of the Watch Commander and only upon a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).
- (b) Only a physician, nurse practitioner, registered nurse, licensed vocational nurse or Emergency Medical Technician Level II licensed to practice in California may conduct a physical body cavity search.
- (c) Except for the physician or licensed medical personnel conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary department members needed to maintain the safety and security of the medical personnel shall be present.
- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
- (e) All such searches shall be documented, including:
 - 1. The facts that led to the decision to perform a physical body cavity search of the individual.
 - 2. The reasons less intrusive methods of searching were not used or were insufficient.
 - 3. The Watch Commander's approval.
 - 4. A copy of the search warrant.
 - 5. The time, date and location of the search.
 - 6. The medical personnel present.
 - 7. The names, sex and roles of any department members present.
 - 8. Any contraband or weapons discovered by the search.
- (f) Copies of the written authorization and search warrant shall be retained and shall be provided to the individual who was searched or other authorized representative upon request. A record of the time, date, place of the search, the name and sex of the person conducting the search and a statement of the results of the search shall also be retained and made available upon request to the individual or the individual's authorized representative.

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901.7 BODY SCANNER SEARCH

If a body scanner is available, a body scan search should be performed on all persons in custody upon entering the secure booking area of the facility. Members (Penal Code § 4030):

- (a) Within sight of the visual display of a body scanner that is depicting the body during a scan shall be of the same sex as the person being scanned, except for physicians or licensed medical personnel.
- (b) Should ask persons in custody if they are pregnant prior to a body scan and should not knowingly use a body scanner on a pregnant person.

901.8 TRAINING

The Training Sergeant shall ensure members have training that includes (28 CFR 115.115):

- (a) Conducting searches of cross-gender individuals.
- (b) Conducting searches of transgender and intersex individuals.
- (c) Conducting searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

901.9 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police October 29, 2009

March 29, 2023

Attachments

Strip Search (003).pdf

HERMOSA BEACH POLICE DEPARTMENT STRIP SEARCH AUTHORIZATION

PERSON TO BE SEARCHED
(4030 P.C.)

DR# _____

NAME: _____

SEX: M ___ F ___

REASON FOR SEARCH

- ___ 1. Arrestee is charged with an offense which involves weapons, violence, or controlled substance.
- ___ 2. A reasonable suspicion exists to believe that the arrestee is concealing a weapon or contraband (describe foundation for reasonable suspicion under SUMMARY below).
- ___ 3. OTHER (describe foundation for search under SUMMARY below).

CHARGES: _____

DATE OF SEARCH: _____ **TIME OF SEARCH:** _____

PLACE SEARCH WAS CONDUCTED: _____

SEARCHING EMPLOYEE: _____ **ID:** _____ **SEX:** M: ___ F: ___

WITNESS EMPLOYEE (if present): _____ **ID:** _____ **SEX:** M: ___ F: ___

TYPE OF SEARCH: STRIP SEACH: ___ **VISUAL BODY CAVITY SEARCH:** ___

SUMMARY: *The specific facts that led to the decision to perform a strip search and reason less intrusive methods of searching were not used or were insufficient.*

RESULTS OF SEARCH: *Describe any contraband or weapon found.*

SIGNATURE OF WATCH COMMANDER

SIGNATURE OF SEARCHING OFFICER



HERMOSA BEACH POLICE DEPARTMENT

S2.25 DETAINEE PROCESSING (Supersedes General Order No. 9)

**Effective 10/27/2009
Updated**

PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the processing of detainees (persons arrested) placed in the Hermosa Beach Police Department holding facility.

PRELIMINARY DETAINEE PROCESSING

Prior to the processing of detainees the arresting/transporting officer shall complete a Hermosa Beach Police Department Booking Approval Form. This form shall be completed with the following minimum information:

- Date, time, DR number
- Arrest Location
- Arrestee name (if known – see below)
- Arresting Officer(s) name, serial number, agency
- Transporting Officer(s) name, serial number, agency
- Booking charges and/or warrant information

This minimum information shall be presented to the on-duty PSO, and approved (signature authorization) by the on-duty Watch Commander prior to the processing/booking of any detainee. In the event the on-duty Watch Commander is not in the station, verbal radio authorization may be obtained.

It is understood that in some cases a detainee's proper identification cannot be initially obtained (due to intoxication or reluctance by the detainee to provide proper identification). In these cases a California Identification (CAL-ID) procedure shall be completed as soon as possible.

The on-duty PSO shall complete the Los Angeles County Unified Arrestee Medical Screening Form as soon as possible/practicable upon receipt of all detainees. The on-duty Watch Commander is responsible for review and signature authorization of this form pertaining to any/all medical conditions, the taking of any prescription drugs, mental or psychological disorders, and/or conditions when the detainee is under the influence of alcohol and/or drugs (in particular, sub-sections #2, #3, #4, #5 & #12). The on-duty PSO shall not complete any processing/booking until this form is signature authorized by the on-duty Watch Commander.

It is necessary to obtain a medical clearance prior to booking a prisoner into the Hermosa Beach Police Department Jail facility if the prisoner is in obvious need of medical care or reports that they have a serious medical condition. In all cases where an employee suspects

that a prisoner is in need of medical attention the Watch Commander must be notified immediately.

Serious medical conditions include, but are not limited to; traumatic injury, asthma, diabetes, epilepsy, heart trouble, high blood pressure, HIV/AIDS, hepatitis, tuberculosis, pregnancy, any condition for which they are taking prescription medication.

Medical Clearance can only be obtained from a **Medical Doctor** at Bayside Medical, Little Company of Mary Hospital, Torrance Memorial Medical Center, Harbor General Hospital, County USC Jail ward or any Los Angeles County Sheriff's medical facility.

The Hermosa Beach Fire Department Paramedics should evaluate the prisoner if there is any question regarding his/her medical condition. After an evaluation by the Paramedics has occurred, one of the three courses of action listed below should be followed:

1. The Paramedics determine that the prisoner is in need of medical attention and the prisoner is transported to one of the authorized medical facilities listed above for a medical clearance to book or for extended medical care. The Paramedics will determine if the prisoner needs to be transported by ambulance or is safe to transport in a police vehicle.
2. The Paramedics determine that the prisoner has no medical problems or that the problems are so minor that minor first aid is all that is required. The prisoner may be booked into the Hermosa Beach Police Department Jail facility. In this case the Paramedics are not giving a medical clearance to book; they are making a determination that no medical condition exists for which a medical clearance to book is required.
3. If the Paramedics determine that the prisoner is not in need of immediate medical attention but does have a serious medical condition. The prisoner must be transported to one of the authorized medical facilities listed above for a medical clearance to book or for extended medical care. The Paramedics will determine if the prisoner needs to be transported by ambulance or is safe to transport in a police vehicle.

The Paramedics can not give a medical clearance for booking.

If a prisoner has a condition that requires a medical clearance to book and you are unable to secure one, the prisoner must be transported to a Los Angeles County Sheriff's medical facility. If the Los Angeles County Jail facility will not accept the prisoner then he/she should be released on bail, cited out or released on their own recognizance (whichever is the most appropriate). Contact a Division Commander prior to releasing prisoner if there is likelihood that such release would endanger the public.

In a situation where a detainee is under the influence of alcohol and/or drugs, the on-duty Watch Commander shall take into consideration and determine the following:

- Degree or level of intoxication (alcohol) and/or drug influence
- Behavior and mental acuity of under the influence detainee

- Consciousness level of the detainee

If, in the opinion of the on-duty Watch Commander and/or on-duty PSO, the detainee is intoxicated and/or under the influence to such a degree that the safety and welfare of the detainee may be in question, the on-duty Watch Commander shall summon the Hermosa Beach Fire Department Paramedics for emergency evaluation/treatment.

If the Hermosa Beach Fire Department Paramedics determine that the detainee's state of intoxication and/or under the influence condition is to such a degree that the safety and welfare of the detainee may be in question, the detainee shall be transported to the department designated medical facility for:

- Clearance to book (by medical doctor)
- Emergency medical treatment (state of medical emergency)
(in this situation, the detainee shall be released to the immediate custody of the medical facility for treatment – and not allowed in the Hermosa Beach Police Department Holding Facility)

In a situation where a detainee is injured or has trauma markings, bruises, lesions, or other visible injuries, the on-duty Watch Commander shall summon the Hermosa Beach Fire Department Paramedics for emergency evaluation/treatment.

If the Hermosa Beach Fire Department Paramedics determine that the detainee's condition is to such a degree that the safety and welfare of the detainee may be in question, the detainee shall be transported to the department designated medical facility for:

- Clearance to book (by medical doctor)
- Emergency medical treatment (state of medical emergency)
(in this situation, the detainee shall be released to the immediate custody of the medical facility for treatment – and not allowed in the Hermosa Beach Police Department Holding Facility)

In a situation where a detainee is demonstrating mental instability (not intoxicated or under the influence of drugs/controlled substance), as follows:

- Making threats of suicide or self-harm
- Making threats of harming others
- Other statements of death or suicide

The on-duty Watch Commander shall summon the Hermosa Beach Fire Department Paramedics for emergency evaluation. If so determined, the detainee shall be committed to an appropriate facility for 72-hour evaluation pursuant to California State Welfare and Institutions Code 5150.

(CALEA 72.5.2)

DETAINEE SEARCHES

Please see Policy 901.4 - Custodial Searches.

With the exception of basic clothing items, all property articles shall be removed from the detainee. The officer/PSO may remove any item that he/she feels might be used in a harmful manner by the arrestee.

Arrestees will be un-handcuffed as soon as safety and practicality allows. Prisoners shall be un-handcuffed prior to being locked in a cell.

STRIP SEARCHES

A “strip or visual body cavity search” will only be conducted with the prior written authorization of the Watch Commander, investigative supervisor, or other sworn personnel with the rank of sergeant or higher, pursuant to provisions outlined in California Penal Code Section 4030. (Refer to Policy S2.02 in this manual for detailed procedures)

The justification will be contained in a statement of facts written by the arresting officer, transporting officer, or PSO. The individual writing the statement of facts must have first hand knowledge that there is reasonable suspicion based on specific and particular facts (articulated in statement SUMMARY) to believe the arrestee is concealing a weapon or contraband, and a strip search will result in the discovery of the weapon or contraband.

Strip searches should be limited to arrestees who are charged with crimes involving:

- violence
- weapons
- controlled substances

After a review and approval, the Watch Commander will sign the “Strip Search Authorization Form,” thereby authorizing the search. The “Strip Search Authorization Form” is a separate document and will be maintained with the completed report.

Please see Policy 901.6.1 - Custodial Searches.

(CALEA 72.5.1)

DETAINEE PROPERTY INVENTORY

The arrestee's property shall be inventoried by the arresting/transporting officer and PSO personnel upon arrival at the holding facility. An itemized list of the property taken from the arrestee shall be recorded on standardized Los Angeles County Booking Form. The receipt form should be signed by the arrestee with a copy placed with his property. In the event the arrestee is unable to sign the Booking Form, the PSO shall note that fact on the form. If the arrestee refuses to sign the Booking Form, the on-duty Watch Commander will be notified immediately for verification assessment.

Any complaint of property mishandling will be documented and forwarded to the PSO Supervisor and Support Services Division Commander.

All property taken from an arrestee shall be placed in a secured property locker located in the holding facility. If any of the arrestee's property is seized as evidence, the Property and Evidence booking procedure shall be followed and the appropriate box checked on Hermosa Beach Police Department Property Receipt Form.

Please see Policy 901.4.2 - Custodial Searches.

Please see Policy 901.4.1 - Custodial Searches.

When the arrestee is released, he/she should inventory his/her property to ensure all items are accounted for. A property receipt form should be signed by the arrestee with a copy placed with the arrest report. In the event the arrestee is unable to sign the returned property, the PSO shall note that fact on the form. If the arrestee refuses to sign the returned property, the on-duty Watch Commander will be notified immediately for verification assessment.

Prior to releasing an arrestee or transferring him to another agency, the on-duty PSO officer shall confirm the arrestee's identity. This process shall be verified by the California Identification (CAL-ID) process.

(CALEA 72.5.1, 72.5.2, 72.5.7)

JUVENILE ARRESTEES

Juvenile arrestees shall not come in contact with any adult arrestees. Refer to Hermosa Beach Police Department Booking Procedures.

FEMALE ARRESTEES

Female arrestees shall be placed in a holding cell out of sight and sound from male arrestees.
(CALEA 72.5.3)

INTOXICATED ARRESTEES

Persons arrested for being under the influence of alcohol or other drugs or who are violent should be segregated.

These types of individuals shall be checked at least every 30 minutes by PSO personnel. The times the arrestee is checked shall be logged on the Hermosa Beach Police Department Welfare Check Sheet.

See Preliminary Detainee Processing above.
(CALEA 72.5.4)

VIOLENT ARRESTEES

Arrestee(s) who appear, or are reported as being potentially violent with jail personnel, or other arrestees, shall immediately be segregated from other arrestees. The arresting/transporting officer(s) shall remain in the jail booking area with PSO personnel during the booking and/or processing of these arrestees. The arresting/transporting officer(s) shall NOT leave until the arrestee is secured in a holding cell.
(CALEA 72.5.4)

ARRESTEE FROM AN OUTSIDE AGENCY

The Hermosa Beach Police Department will accept prisoners from outside agencies when advance notification and prior arrangements have been made and approval has been obtained by the on-duty Watch Commander. If extenuating circumstances exist, and arrestees are delivered to the Hermosa Beach Police Department by an officer/employee of an outside law enforcement agency without making prior arrangement, PSO(s) shall require the officer/employee present proper identification and advise the circumstances surrounding the arrest/detention, thus verifying the person's authority to make the arrest/detention. The receiving PSO shall also contact the on-duty Watch Commander for verification of the arresting officer's identity and authority to make the arrest/detention.
(CALEA 72.5.5)

GROUP/MASS ARRESTS

In the event of a group arrest that would exceed the maximum capacity of the Hermosa Beach Police Department holding facility, the excess arrestee(s) shall be transferred, as soon as possible, to the Los Angeles County Jail, Redondo Beach City Jail, Manhattan Beach City Jail, or released on a written promise to appear, if applicable.
(CALEA 72.5.6)

BOOKING PROCEDURE FOR LOS ANGELES COUNTY JAIL

The Hermosa Beach Police Department has temporary holding facilities only. All arrestees not being released from the Hermosa Beach Police Department holding facility, transferred to a medical/mental health facility, or transported to the Southwest District Court Jail Facility, shall be booked into the Los Angeles County Jail.

The appropriate booking form contains the arrest information and physical condition of the arrestee, which is completed by the on-duty PSO. The booking form also contains a property inventory and disposition section that is completed by the on-duty PSO.

DETAINEE DNA COLLECTION

California State Proposition 69 requires collection of DNA samples from:

- adults and juveniles convicted of any felony offense
- adults arrested for or charged with any felony offense
- adults and juveniles convicted of any sex offense or arson offense, or an attempt to commit such an offense (not just felonies)

- adults arrested for or charged with felony sex offenses, murder, or voluntary manslaughter (or the attempt to commit such offenses)

PSOs are charged with compliance with California State Proposition 69 pursuant to guidelines contained in the Collection Procedure Manual located in the Hermosa Beach Police Department Holding Facility.

APPROVED:

A handwritten signature in black ink, appearing to read 'AS', is written over the printed name 'Greg Savelli'.

Greg Savelli
Chief of Police

Cite and Release Policy

411.1 PURPOSE AND SCOPE

This policy provides guidance on when to release adults who are arrested for a criminal misdemeanor offense on a written notice to appear (citation) and when to hold for court or bail.

411.2 POLICY

It is the policy of the Hermosa Beach Police Department to release all persons arrested on misdemeanor or other qualifying charges on a citation with certain exceptions (Penal Code § 853.6).

If there is a reason for non-release, the Department's mission to protect the community will be the primary consideration when determining whether to release any individual in lieu of holding for court or bail.

411.3 RELEASE BY CITATION

Except in cases where a reason for non-release as described below exists, adults arrested for a misdemeanor offense, including a private person's arrest, shall be released from custody on a citation (Penal Code § 853.6).

The citing officer shall, at the time the defendant signs the notice to appear, call attention to the time and place for appearance and take any other steps they deem necessary to ensure that the defendant understands their written promise to appear.

411.3.1 FIELD CITATIONS

In most cases an adult arrested for a misdemeanor offense may be released in the field on a citation in lieu of physical arrest when booking and fingerprinting is not practicable or immediately required provided the individual can be satisfactorily identified, there is no outstanding arrest warrant for the individual and none of the below described disqualifying circumstances are present (Penal Code § 853.6; Penal Code § 1270.1). In such cases the arresting officer should check the booking required box on the citation form to indicate that the person will be photographed and fingerprinted at a later time when ordered by the court.

When a booking photo or fingerprints are needed for the furtherance of any investigation, the person should be released on citation after booking instead of on a field citation.

411.3.2 RELEASE AFTER BOOKING

In some cases it may not be feasible or desirable to release a person in the field. The person should instead be released on citation after booking at the jail. All bookings shall be approved by the Watch Commander or the authorized designee.

411.4 NON-RELEASE

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411.4.1 DISQUALIFYING OFFENSES

An adult arrested on any of the following disqualifying charges shall not be released on citation and shall be transported to the appropriate detention facility or held for court or bail after booking (Penal Code § 1270.1):

- (a) Misdemeanor domestic battery (Penal Code § 243(e)(1))
- (b) Felony domestic battery (Penal Code § 273.5)
- (c) Serious or violent felonies (Penal Code § 1270.1(a)(1))
- (d) Felony intimidation of witnesses and victims (Penal Code § 136.1)
- (e) Violation of a protective order and the arrested person has made threats, used violence, or has gone to the protected person's workplace or residence (Penal Code § 273.6)
- (f) Stalking (Penal Code § 646.9)
- (g) Misdemeanor violations of a protective order relating to domestic violence if there is a reasonable likelihood the offense will continue or the safety of the individuals or property would be endangered (Penal Code § 853.6)

411.4.2 REASONS FOR NON-RELEASE

A person arrested for a misdemeanor shall be released on a citation unless there is a reason for non-release. The Watch Commander may authorize a release on citation regardless of whether a reason for non-release exists when it is determined to be in the best interest of the Department and does not present an unreasonable risk to the community (e.g., release of an intoxicated or ill person to a responsible adult).

Reasons for non-release include (Penal Code § 853.6(i)):

- (a) The person arrested is so intoxicated that they could be a danger to themselves or to others. Release may occur as soon as this condition no longer exists.
- (b) The person arrested requires medical examination or medical care or is otherwise unable to care for their own safety.
- (c) The person is arrested for one or more of the offenses listed in Vehicle Code § 40302, Vehicle Code § 40303, and Vehicle Code § 40305.
- (d) There are one or more outstanding arrest warrants for the person (see Misdemeanor Warrants elsewhere in this policy).
- (e) The person could not provide satisfactory evidence of personal identification.
 - 1. If a person released on citation does not have satisfactory identification in their possession, a right thumbprint or fingerprint should be obtained on the citation form.
- (f) The prosecution of the offense or offenses for which the person was arrested or the prosecution of any other offense or offenses would be jeopardized by the immediate release of the person arrested.

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- (g) There is a reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be imminently endangered by the release of the person arrested.
- (h) The person arrested demands to be taken before a magistrate or has refused to sign the notice to appear.
- (i) There is reason to believe that the person would not appear at the time and place specified in the notice to appear. The basis for this determination shall be specifically documented. Reasons may include:
 - 1. Previous failure to appear is on record
 - 2. The person lacks ties to the area, such as a residence, job, or family
 - 3. Unusual circumstances lead the officer responsible for the release of arrested persons to conclude that the suspect should be held for further investigation
- (j) A previous conviction, citation, or arrest for misdemeanor or felony retail theft from a store in the previous six months.
- (k) There is probable cause to believe that the person arrested is guilty of committing organized retail theft.

When a person is arrested on a misdemeanor offense and is not released by criminal citation, the reason for non-release shall be noted on the booking form. This form shall be submitted to the Watch Commander for approval and included with the case file in the Records Bureau.

411.5 MISDEMEANOR WARRANTS

An adult arrested on a misdemeanor warrant may be released, subject to Watch Commander approval, unless any of the following conditions exist:

- (a) The misdemeanor cited in the warrant involves violence.
- (b) The misdemeanor cited in the warrant involves a firearm.
- (c) The misdemeanor cited in the warrant involves resisting arrest.
- (d) The misdemeanor cited in the warrant involves giving false information to a peace officer.
- (e) The person arrested is a danger to themselves or others due to intoxication or being under the influence of drugs or narcotics.
- (f) The person requires medical examination or medical care or was otherwise unable to care for their own safety.
- (g) The person has other ineligible charges pending against themselves.
- (h) There is reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be immediately endangered by the release of the person.
- (i) The person refuses to sign the notice to appear.
- (j) The person cannot provide satisfactory evidence of personal identification.

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- (k) The warrant of arrest indicates that the person is not eligible to be released on a notice to appear.

Release under this section shall be done in accordance with the provisions of this policy.

411.6 JUVENILE CITATIONS

Completion of criminal citations for juveniles is generally not appropriate with the following exceptions:


- Misdemeanor traffic violations of the Vehicle Code
- Violations of the Hermosa Beach Municipal codes

All other misdemeanor violations for juveniles shall be documented with a case number and the case should be referred to the Detective Bureau for further action including diversion.

411.7 REQUESTING CASE NUMBERS

Many cases involving a criminal citation release can be handled without requesting a case number. Traffic situations and local code violations can be documented on the reverse side of the records copy of the citation. Most Penal Code sections will require a case number to document the incident properly in a report. This section does not preclude an officer from requesting a case number if the officer feels the situation should be documented more thoroughly in a case report.

411.8 ISSUING AUTHORITY

	Effective Date	Updated Date
W. Paul LeBaron, Chief of Police	October 27, 2009	June 6, 2023



HERMOSA BEACH POLICE DEPARTMENT

S2.27 MEDICAL AND HEALTH CARE SERVICES

Effective 10/27/2009
Updated

PURPOSE AND SCOPE

The purpose of this policy is to outline medical and health care services provided to arrestees detained in the Hermosa Beach Police Department holding cells.

MEDICAL ASSISTANCE FOR ARRESTEES

In the event that an arrestee held in the Hermosa Beach Police Department holding facility is in need of emergency medical treatment, the Hermosa Beach Fire Department paramedics shall be called immediately to render medical aid.

Until the Hermosa Beach Fire Department paramedics arrive, the individual discovering the medical emergency shall render first aid, as necessary. All Hermosa Beach Police Department personnel and PSO personnel shall follow the Hermosa Beach Fire Department paramedics' recommendations regarding additional medical treatment for arrestees detained in the holding facility.

(CALEA 72.6.1)

FIRST AID KIT

A first aid kit shall be maintained in the holding facility. The on-duty PSO shall inspect the first aid kit on a weekly basis and restock as necessary.

(CALEA 72.6.2)

MEDICAL INFORMATION

The on-duty PSO shall complete the Los Angeles County Unified Arrestee Medical Screening Form as soon as possible/practicable upon receipt of all detainees. The on-duty Watch Commander is responsible for review and signature authorization of this form pertaining to any/all medical conditions, including whether the arrestee;

- a. has any injuries or medical problems
- b. possesses/requires prescribed medications
- c. appears to be under the influence of alcohol or drugs
- d. is currently a mental patient or is under the care of a mental health professional

The on-duty Watch Commander shall follow department procedure for the handling of detainees with medical conditions and/or detainees taking prescription medication. Disposition of detainees shall be determined by department policy and the on-duty Watch Commander in these cases.

The arresting officer and PSO shall document any/all unusual conditions in arrest reports and on the Los Angeles County Unified Arrestee Medical Screening Form.

In addition, the on-duty PSO shall complete the following forms, as necessary:

- Hermosa Beach Police Department Inmate Injury Report
- Hermosa Beach Police Department Jail Incident Report

These reports shall be approved by the on-duty Watch Commander and forwarded to the PSO Supervisor and Support Services Division Commander.

(CALEA 72.6.3 a, b, c, d; 72.5.2)

ACCESS TO MEDICAL SERVICES

It is important that arrestees know that emergency health care services are available to them. The procedures for requesting Hermosa Beach Fire Department paramedics shall be posted in the holding facility in English and Spanish.

In the event the arrestee is unable to read the posted sign, the procedure shall be explained orally, or in extreme cases, an interpreter obtained.

(CALEA 72.6.4)

DISPENSING OF MEDICATION

Hermosa Beach Police Department personnel SHALL NOT dispense ANY medication(s) to arrestees detained in the holding facility. If an arrestee is in need of constant medication, he shall be immediately transported to the Los Angeles County Jail Facility.

APPROVED:



Greg Savelli
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

S2.28 SECURITY AND CONTROL IN THE HOLDING FACILITY

**Effective 10/27/2009
Updated 2/9/2017**

PURPOSE AND SCOPE

The purpose of this policy is to outline the proper security and control measures to be utilized by all departmental personnel and Police Services employees while in the holding facility.

FIREARMS

Sworn officers of the Hermosa Beach Police Department and other law enforcement agencies shall not enter the holding facility with a firearm or other deadly weapons. The only exception to this policy would be in the event that an arrestee has armed himself with a deadly weapon and a sworn officer must arm himself with a firearm to subdue the prisoner.

Firearms shall be secured utilizing the firearm lockers located outside the sally port door or the hallway entry prior to entering the secured Holding Facility. Officers may elect to secure their firearms in their patrol vehicles.

(CALEA 72.4.1)

ENTRY INTO OCCUPIED HOLDING CELLS

Sworn officers and PSOs should not enter an occupied holding cell alone unless they are being monitored via the closed circuit television by other PSO personnel, or a sworn officer.

Please see Policy 901.6.1 - Custodial Searches.

(CALEA 72.4.2)

CONTROL OF HOLDING FACILITY KEYS

The keys to the three (3) holding cells are maintained by PSOs and not accessible to arrestees. Duplicate keys for the holding cells and keys for the inner holding facility security doors are maintained in the secure booking area (police personnel access only).

(CALEA 72.4.3)

SECURITY DOOR

There are six (6) security doors in the holding facility:

- the west security door leading to the sally port;
- the inner-west security door for the sally port holding cell to the main jail facility;
- the north security door (white) leading to the main hallway of the police department;

- the inner-north security door (grey) leading from the Livescan area to the jail facility;
- the east security door, separating the Livescan area from the holding cells;
- the south-east door, for emergency exit only

With the exception of the north security door, these doors are to remain closed and locked when the jail facility is in use. This may exclude instances where prisoners are being moved to another location or for other official business.

There are three (3) booking booths utilized for temporary holding of detainees during the booking process. These doors are to remain unlocked and open unless occupied by a detainee.

There are six (6) holding cells within the facility. The doors to the holding cells will remain unlocked and open when unoccupied – this deactivates the motion-activated video monitoring system within each separate cell. As a matter of standard operating practice, PSO personnel should verify that the locking mechanisms engaged properly after doors have been closed.
(CALEA 72.4.4)

SECURITY CHECK OF HOLDING CELLS

It is the responsibility of on-duty PSO personnel to conduct a security inspection of an unoccupied holding cell prior to placing an arrestee in that cell. The security inspection shall include a search for weapons and contraband.

Upon removing an arrestee from a holding cell, thus making the cell unoccupied, the on-duty PSO officer shall conduct a security inspection of that cell.

In the event that a weapon or contraband is found during a security inspection, the on-duty Watch Commander shall be notified immediately or as soon as practical of the circumstances surrounding the incident. This incident will be documented and forwarded to the Support Services Division Commander.
(CALEA 72.4.5)

WEEKLY SECURITY INSPECTION OF THE HOLDING CELLS

The assigned PSO shall conduct a weekly inspection of the holding cells/facility. This inspection shall include a search for weapons and contraband and a check of the locks, bars, lights, telephones, ventilator covers, sinks, showers, and toilets to ensure they are operating correctly and have not been tampered with.

The results of the inspection shall be documented on the Hermosa Beach Police Department Weekly Jail Safety and Sanitation Checklist and forwarded to the Support Services Division Commander. If defective/unsafe equipment is found, it shall be repaired or replaced immediately.
(CALEA 72.4.6)

HOLDING FACILITY SURVEILLANCE

The holding facility is equipped with a video security surveillance system - monitored in the Watch Commander's Office, the Records Bureau Office, the Chief's Office, and the Briefing Room.

This equipment shall be maintained in working order at all times. The video from the surveillance cameras shall be maintained by the department for the required period of time as set forth by California law.

If a member of the Department requests a copy (DVD disk) of a specific incident for court purposes, the request shall be made to the Court Liaison Officer. Absent extenuating circumstance, the request shall be made at least five (5) court days in advance. The Court Liaison Officer shall maintain the requests for copies. The Court Liaison Officer also processes outside requests for video surveillance copies pursuant to Government Code and Penal Code restrictions.

It is the responsibility of the Department member obtaining a copy of a DVD disk, to return that copy as soon as practical. The Court Liaison Officer shall erase/destroy the DVD disk immediately.

TOOLS AND CULINARY EQUIPMENT

In the event that outside maintenance personnel make repairs in the holding facility, on-duty PSO personnel shall visually inspect the facility for tools immediately after the repair(s) is completed.

Meals for arrestees are prepared and served in accordance with the Minimum Standards for Local Detention Facilities: Title 15 guidelines. PSO personnel provide one-time use plastic utensils with meals provided to arrestees and record the issuance and collection of utensils on the Jail Welfare Check List. The Hermosa Police Department does not have kitchen facilities for arrestees; therefore, culinary equipment is prohibited in the holding facility.
(CALEA 72.4.7)

PANIC ALARMS/ALERTING CONTROL POINT

For the safety of department employees and prisoners, there are emergency buttons connected to an alarm system positioned throughout the holding facility. This alarm also sounds in the downstairs briefing room and Watch Commander's office. This alarm shall also be maintained in working order at all times. Additionally, each on-duty PSO shall wear a personal protection alarm activating device, which will set off the alarm when activated; or a police radio with an emergency orange button that will notify dispatch of an emergency when activated.

The Emergency Panic Alarm and Personal Alarm Activating devices shall be tested weekly by the assigned PSO. The results shall be documented on the Hermosa Beach Police Department Weekly Jail Safety and Sanitation Checklist and forwarded to the Support

Services Division Commander. If defective/unsafe equipment is found, it shall be repaired or replaced immediately.
(CALEA 72.4.8, 72.4.9)

ESCAPES AND OTHER UNUSUAL SITUATIONS

In the event that an arrestee escapes from the holding facility, PSO personnel will make immediate notification to Radio Communications (RCC) and the on-duty Watch Commander. Immediate action should be taken by sworn police personnel to apprehend the escapee. This may include setting up a perimeter around the affected area, a city and/or county wide radio broadcast, and the mobilization of other resources deemed necessary.

Any and all unusual situations occurring in the holding cell area shall be reported immediately to the on-duty Watch Commander by the employee discovering the incident. This shall also be reported to the Support Services Division Commander via telephone and email (immediate) and by a written Hermosa Beach Police Department intra-departmental memorandum.
(CALEA 72.4.10)

THREATS TO FACILITY

Any received threats against the Hermosa Beach Police Department Holding Facility, personnel, or inmates, via any medium (telephone, email, written correspondence, etc.) shall be reported to the on-duty Watch Commander immediately. This shall also be reported to the Support Services Division Commander via telephone and email (immediate) and by a written Hermosa Beach Police Department intra-departmental memorandum.
(CALEA 72.4.11)

APPROVED:



Sharon Papa
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

S2.29 HOLDING FACILITY SAFETY AND SANITATION

Effective 10/27/2009
Updated

PURPOSE AND SCOPE

The purpose of this policy is to ensure that necessary safety, sanitation, and physical conditions of the holding facility are maintained.

PHYSICAL PLANT

The following minimum conditions shall be maintained in the holding facility:

- General lighting shall meet recommendations from Illuminating Engineering Association of North America (IESNA) - Artificial light shall be provided sufficient for the prisoners to read or work without injury to eyesight.
- Circulation of purified air in accordance with state and local health standards
- Toilets, showers, and wash basins will be maintained in proper working order.
- Clean, sanitary fire-retardant bedding will be provided for detainees held in excess of eight hours. Bedding is not provided in the sobering cell.
(CALEA 72.2.1 a, b, c, d, e)

SAFETY AND SANITATION INSPECTION PROCESS

Safety and sanitation in the holding facility is very important. It is the responsibility of all department employees to immediately report to the on-duty Watch Commander, any unsafe and/or unsanitary conditions occurring in the holding cell areas. The on-duty Watch Commander shall direct the ranking on-duty PSO to notify the Support Services Division Commander of such conditions via intra-departmental memorandum and chain-of-command.

The ranking on-duty PSO shall complete the Jail Safety and Sanitation Checklist on a weekly basis and maintain the filing of this report. A copy of the completed form will be routed to the PSO Supervisor and Support Services Division Commander for review and for any corrective measures that may be considered.

VERMIN-INFESTED ARRESTEES

Arrestees infested with vermin (lice, crabs, etc.) shall be transferred to the Los Angeles County Jail as soon as possible. The in-take deputy at the Los Angeles County Jail shall be informed that the arrestee is infested with vermin so that he/she will receive proper medical attention.

A vermin-infested arrestee shall not be placed in the same holding cell or transported in the same vehicle with other arrestees. If a vermin-infested arrestee is placed in a holding cell, the on-duty PSO(s) will take appropriate action to clean and disinfect the cell with a non-toxic pesticide.

A visual vermin inspection will be completed on a weekly basis by the on-duty PSO(s). Documentation will be included in the weekly facility inspection form. Staff will also complete an informal visual inspection at the change of shifts, and if any vermin are seen it will be reported to the on-duty Watch Commander.

(CALEA 72.3.3)

FIRE SAFETY/EVACUATION PLAN

The Hermosa Beach Police Department holding facility is currently equipped with smoke/heat detectors which are approved by the State Fire Marshal which are inspected semi-annually by the Hermosa Beach Fire Department.

In addition, a fire extinguisher which is approved by the State Fire Marshal is currently housed in the holding cell area.

The smoke/heat detector and the fire extinguisher should be visually inspected on a daily basis by the on-duty PSO(s) and tested weekly by the PSO Supervisor to ensure the equipment is maintained in working order (under National Fire Protection Association (NFPA) Standards, Section 72).

This test shall be logged on the Hermosa Beach Police Department Weekly Jail Safety and Sanitation Checklist.

(CALEA 72.3.1 a, b)

In the event of an actual fire, Hermosa Beach Police Department personnel shall take immediate action to evacuate any and all prisoners to an area of safety, notify the Hermosa Beach Fire Department so that appropriate fire department personnel respond and attempt to extinguish the fire.

There are three (3) posted emergency evacuation routes for the holding facility. They are:

- Exit the holding facility via the sally port door onto the ramp/parking area.
- Exit the holding facility via the east fire door to the front of the Police Station main entrance and/or into the front parking lot.
- Exit the holding facility area via the main security door to the holding facility via the hallway to the main Police Station lobby entrance to the front of the Police Station and/or into the front parking lot.

Subsequent disposition and housing of any evacuated detainees shall be determined by the on-duty Watch Commander. The following options may be considered and implemented:

- Transportation to and subsequent housing at the Redondo Beach Jail Facility
- Transportation to and subsequent housing at the Manhattan Beach Jail facility

- Transportation to and subsequent housing at the Los Angeles County Jail Facility

Implementations of any of these options are time sensitive, and may require mutual aid activation.

(CALEA 72.3.2)

APPROVED:

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Greg Savelli
Chief of Police

Communicable Diseases

1008.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

1008.1.1 DEFINITIONS

Definitions related to this policy include:

Communicable disease - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, hepatitis B virus (HBV), HIV and tuberculosis.

Exposure - When an eye, mouth, mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the Hermosa Beach Police Department. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

1008.2 POLICY

The Hermosa Beach Police Department is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

1008.3 EXPOSURE CONTROL OFFICER

The Human Resources Department, Risk Management Analyst will be designated as the Exposure Control Officer (ECO). The ECO shall develop an exposure control plan that includes:

- (a) Exposure-prevention and decontamination procedures.
- (b) Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.
- (c) The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) for each member's position and risk of exposure.
- (d) Evaluation of persons in custody for any exposure risk and measures to separate them (15 CCR 1051; 15 CCR 1207).
- (e) Compliance with all relevant laws or regulations related to communicable diseases, including:
 1. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).
 2. Bloodborne pathogen mandates including (8 CCR 5193):

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- (a) Sharps injury log.
 - (b) Needleless systems and sharps injury protection.
 3. Airborne transmissible disease mandates including (8 CCR 5199):
 - (a) Engineering and work practice controls related to airborne transmissible diseases.
 - (b) Distribution of appropriate personal protective equipment to minimize exposure to airborne disease.
 4. Promptly notifying the county health officer regarding member exposures (Penal Code § 7510).
 5. Establishing procedures to ensure that members request exposure notification from health facilities when transporting a person that may have a communicable disease and that the member is notified of any exposure as required by Health and Safety Code § 1797.188.
 6. Informing members of the provisions of Health and Safety Code § 1797.188 (exposure to communicable diseases and notification).
- (f) Provisions for acting as the designated officer liaison with health care facilities regarding communicable disease or condition exposure notification. The designated officer should coordinate with other department members to fulfill the role when not available. The designated officer shall ensure that the name, title, and telephone number of the designated officer is posted on the Department website (Health and Safety Code § 1797.188).
- (g) Coordination with the Personnel Department to provide required notices to members regarding COVID-19 exposures (Labor Code § 6409.6).

The ECO should also act as the liaison with the Division of Occupational Safety and Health (Cal/ OSHA) and may request voluntary compliance inspections. The ECO shall annually review and update the exposure control plan and review implementation of the plan (8 CCR 5193).

1008.4 EXPOSURE PREVENTION AND MITIGATION

1008.4.1 GENERAL PRECAUTIONS

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to (8 CCR 5193):

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area or department vehicles, as applicable.
- (b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.
- (c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.

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- (d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
- (e) Using an appropriate barrier device when providing CPR.
- (f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.
- (g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure.
 - 1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.
- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

1008.4.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (8 CCR 5193).

1008.5 POST EXPOSURE

1008.5.1 INITIAL POST-EXPOSURE STEPS

Members who experience an exposure or suspected exposure shall:

- (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
- (b) Obtain medical attention as appropriate.
- (c) Notify a supervisor as soon as practicable.

1008.5.2 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented (8 CCR 5193):

- (a) Name and Social Security number of the member exposed
- (b) Date and time of the incident
- (c) Location of the incident

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- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure
- (f) How the incident occurred or was caused
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Occupational Disease and Work-Related Injury Reporting Policy).

1008.5.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary (8 CCR 5193).

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information:

- (a) Whether the member has been informed of the results of the evaluation.
- (b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

1008.5.4 COUNSELING

The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure (8 CCR 5193).

1008.5.5 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate (8 CCR 5193). Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed member's supervisor to ensure testing is sought.

Source testing may be achieved by:

- (a) Obtaining consent from the individual.
- (b) Complying with the statutory scheme of Health and Safety Code § 121060. This includes seeking consent from the person who was the source of the exposure and seeking a court order if consent is not given.

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- (c) Testing the exposed member for evidence of a communicable disease and seeking consent from the source individual to either access existing blood samples for testing or for the source to submit to testing (Health and Safety Code § 120262).
- (d) Taking reasonable steps to immediately contact the County Health Officer and provide preliminary information regarding the circumstances of the exposure and the status of the involved individuals to determine whether the County Health Officer will order testing (Penal Code § 7510).
- (e) Under certain circumstances, a court may issue a search warrant for the purpose of HIV testing a person when the exposed member qualifies as a crime victim (Penal Code § 1524.1).

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the City Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

1008.6 CONFIDENTIALITY OF REPORTS

Medical information shall remain in confidential files and shall not be disclosed to anyone without the member's written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well.

1008.7 TRAINING

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training (8 CCR 5193):

- (a) Shall be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.
- (b) Shall be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.
- (c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure and what steps should be taken if a suspected exposure occurs.

1008.8 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police October 27, 2009

June 6, 2023



HERMOSA BEACH POLICE DEPARTMENT

S2.30 RECORDS MAINTENANCE AND RELEASE

Effective 08/05/2019

Updated 06/11/2021

PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy. The Records Management System is maintained by the Hawthorne Police Department which grants access to the Hermosa Beach Police Department via designated computer ID addresses. The Department of Justice requires 24-hour coverage of these dedicated computer terminals by trained personnel.

(CALEA 82.1.6b)

POLICY

The Hermosa Beach Police Department is committed to providing public access to records in a manner that is consistent with the California Public Records Act (Government Code § 6250 et seq.).

CUSTODIAN OF RECORDS RESPONSIBILITIES

The Investigative/Administrative Division Commander shall be the designated Custodian of Records. The responsibilities of the Custodian of Records include but are not limited to:

- a. Managing the records management system for the Department, including the retention, archiving, release, and destruction of department public records.
- b. Maintaining and updating the department records retention schedule including:
 1. Identifying the minimum length of time the Department must keep records.
 2. Identifying the department division responsible for the original record.
- c. Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records (Government Code § 6253).
- d. Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
- e. Establishing rules regarding the processing of subpoenas for the production of records.
- f. Ensuring a current schedule of fees for public records as allowed by law is available (Government Code § 6253).
- g. Determining how the department's website may be used to post public records in accordance with Government Code § 6253.

- h. Ensuring that all department current standards, policies, practices, operating procedures, and education and training materials are posted on the department website in accordance with Penal Code § 13650.
- i. Ensuring that public records posted on the Department website meet the requirements of Government Code § 6253.10 including but not limited to posting in an open format where a record may be retrieved, downloaded, indexed, and searched by a commonly used internet search application.
- j. Ensuring that a list and description, when applicable, of enterprise systems (as defined by Government Code § 6270.5) is publicly available upon request and posted in a prominent location on the Department's website.

PROCESSING REQUESTS FOR PUBLIC RECORDS

Any department member who receives a request for any record shall route the request to the City Clerk who will forward the request to the Custodian of Records or the authorized designee.

I. REQUESTS FOR RECORDS

Any member of the public, including the media and elected officials, may access unrestricted records of this department, during regular business hours (Monday through Thursday between 7:00 am to 6:00 pm) by submitting a written and signed Public Records Request (PRR) that reasonably describes each record sought and paying any associated fees (Government Code § 6253).

The processing of requests for any record is subject to the following (Government Code § 6253):

- a. The Department is not required to create records that do not exist.
- b. Victims of an incident or their authorized representative shall not be required to show proof of legal presence in the United States to obtain department records or information. If identification is required, a current driver's license or identification card issued by any state in the United States, a current passport issued by the United States or a foreign government with which the United States has a diplomatic relationship or current Matricula Consular card is acceptable (Government Code § 6254.30).
- c. The Department upon a request for a copy of records, shall, within 10 days from receipt of the request, determine whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency and shall promptly notify the person making the request and the reasons for the determination. If more time is needed, an extension of up to 14 additional days may be authorized by the Custodian of Records or the authorized designee. If an extension is authorized, the Department shall provide

the requester written notice that includes the reason for the extension and the anticipated date of the response.

1. When the request does not reasonably describe the records sought, the Custodian of Records shall assist the requester in making the request focused and effective in a way to identify the records or information that would be responsive to the request including providing assistance for overcoming any practical basis for denying access to the records or information. The Custodian of Records shall also assist in describing the information technology and physical location in which the record exists (Government Code § 6253.1).
 2. If the record requested is available on the department website, the requester may be directed to the location on the website where the record is posted. If the requester is unable to access or reproduce the record, a copy of the record shall be promptly provided.
- d. Upon request, a record shall be provided in an existing electronic format (see subsection "a" above) utilized by the Department. Records shall not be provided only in electronic format unless specifically requested (Government Code § 6253.9).
 - e. When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.
 - a. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the department-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.
 - f. All record request denials will be evaluated by the City Attorney. If a record request is denied in whole or part, the requester shall be provided a written response that includes the statutory exemption for withholding the record or facts that the public interest served by nondisclosure outweighs the interest served by disclosure (Government Code § 6255). The written response shall also include the names, titles or positions of each person responsible for the denial.

RELEASE RESTRICTIONS

Examples of release restrictions include:

- a. Personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any driver license record, motor vehicle record, or any department record including traffic collision reports, are restricted except

as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722).

- b. Social Security numbers (Government Code § 6254.29).
- c. Personnel records, medical records, and similar records which would involve an unwarranted invasion of personal privacy except as allowed by law (Government Code § 6254; Penal Code § 832.7; Penal Code § 832.8; Evidence Code § 1043 et seq.).
 - 1. Peace officer personnel records that are deemed confidential shall not be made public or otherwise released to unauthorized individuals or entities absent a valid court order.
 - 2. The identity of any officer subject to any criminal or administrative investigation shall not be released without the consent of the involved officer, prior approval of the Chief of Police, or as required by law.
- d. Victim information that may be protected by statutes, including victims of certain crimes who have requested that their identifying information be kept confidential, victims who are minors, and victims of certain offenses (e.g., sex crimes or human trafficking, Penal Code § 293). Addresses and telephone numbers of a victim or a witness to any arrested person or to any person who may be a defendant in a criminal action shall not be disclosed, unless it is required by law (Government Code § 6254; Penal Code § 841.5).
 - 1. Victims of certain offenses (e.g., domestic violence, sexual assault, stalking, human trafficking, elder and dependent adult) or their representatives shall be provided, upon request and without charge, one copy of all incident report face sheets, one copy of all incident reports, or both, pursuant to the requirements and time frames of Family Code § 6228.
 - 2. Victims of sexual assault, upon written request, shall be provided a free copy of the initial crime report regardless of whether the report has been closed. Personal identifying information may be redacted (Penal Code § 680.2(b)).
- e. Video or audio recordings created during the commission or investigation of the crime of rape, incest, sexual assault, domestic violence, or child abuse that depicts the face, intimate body part, or voice of a victim of the incident except as provided by Government Code § 6254.4.5.
- f. Information involving confidential informants, intelligence information, information that would endanger the safety of any person involved, or information that would endanger the successful completion of the investigation or a related investigation. This includes analysis and conclusions of investigating officers (Evidence Code § 1041; Government Code § 6254).
 - 1. Absent a statutory exemption to the contrary or other lawful reason to deem information from reports confidential, information from unrestricted agency reports shall be made public as outlined in Government Code § 6254(f).

- g. Local criminal history information including but not limited to arrest history and disposition, and fingerprints shall only be subject to release to those agencies and individuals set forth in Penal Code § 13300.
 - 1. All requests from criminal defendants and their authorized representatives (including attorneys) shall be referred to the District Attorney, City Attorney, or the courts pursuant to Penal Code § 1054.5.
- h. Certain types of reports involving but not limited to child abuse and molestation (Penal Code § 11167.5), elder and dependent abuse (Welfare and Institutions Code § 15633), and juveniles (Welfare and Institutions Code § 827).
- i. Sealed autopsy and private medical information concerning a murdered child with the exceptions that allow dissemination of those reports to law enforcement agents, prosecutors, defendants, or civil litigants under state and federal discovery laws (Code of Civil Procedure §130).
- j. Information contained in applications for licenses to carry firearms or other files that indicates when or where the applicant is vulnerable or which contains medical or psychological information (Government Code § 6254).
- k. Traffic collision reports (and related supplemental reports) shall be considered confidential and subject to release only to the California Highway Patrol, Department of Motor Vehicles (DMV), other law enforcement agencies, and those individuals and their authorized representatives set forth in Vehicle Code § 20012.
- l. Any record created exclusively in anticipation of potential litigation involving this department (Government Code § 6254).
- m. Any memorandum from legal counsel until the pending litigation has been adjudicated or otherwise settled (Government Code § 6254.25).
- n. Records relating to the security of the department's electronic technology systems (Government Code § 6254.19).
- o. A record of a civilian complaint, or the investigations, findings, or dispositions of that complaint if the complaint is frivolous, as defined by Code of Civil Procedure § 128.5, or if the complaint is unfounded (Penal Code § 832.7 (b)(8)).
- p. Any other record not addressed in this policy shall not be subject to release where such record is exempt or prohibited from disclosure pursuant to state or federal law, including but not limited to provisions of the Evidence Code relating to privilege (Government Code § 6254).
- q. Information connected with juvenile court proceedings or the detention or custody of a juvenile. Federal officials may be required to obtain a court order to obtain certain juvenile information (Welfare and Institutions Code § 827.9; Welfare and Institutions Code § 827.95; Welfare and Institutions Code § 831).

SUBPOENAS AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the District Attorney, City Prosecutor, City Attorney or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

RELEASE AND RECORDS TO BE MARKED

Each page of any written record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the department name and to whom the record was released.

Each audio/video recording released should include the department name and to whom the record was released.

When released, the authorized request form will be attached to the original case report.

SEALED RECORD ORDERS

Sealed record orders received by the Department shall be reviewed for appropriate action by the Custodian of Records or their designee. The Custodian of Records shall seal such records as ordered by the court. Records may include but are not limited to a record of arrest, investigation, detention, or conviction. Once the record is sealed, members shall respond to any inquiry as though the record did not exist (Penal Code § 851.8; Welfare and Institutions Code § 781).

When an arrest record is sealed pursuant to Penal Code § 851.87, Penal Code § 851.90, Penal Code § 851.91, Penal Code § 1000.4, or Penal Code § 1001.9, the Records Supervisor shall ensure that the required notations on local summary criminal history information and police investigative reports are made. Sealed records may be disclosed or used as authorized by Penal Code § 851.92.

I. SEALED JUVENILE ARREST RECORDS

Upon receiving notice from a probation department to seal juvenile arrest records pursuant to Welfare and Institutions Code § 786.5, the Records Supervisor should ensure that the records are sealed within 60 days of that notice and that the probation department is notified once the records have been sealed (Welfare and Institutions Code § 786.5).

Upon receipt of a Court Order to seal or expunge an official police record, the Records Unit Supervisor will be responsible for ensuring the prompt sealing or shredding of the indicated record(s).

SECURITY BREACHES

The Records Supervisor shall ensure notice is given anytime there is a reasonable belief an unauthorized person has acquired either unencrypted personal identifying information or encrypted personal information along with the encryption key or security credential stored in any Department information system (Civil Code § 1798.29).

Notice shall be given as soon as reasonably practicable to all individuals whose information may have been acquired. The notification may be delayed if the Department determines that notification will impede a criminal investigation or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

For the purposes of this requirement, personal identifying information includes an individual's first name or first initial and last name in combination with any one or more of the following:

- Social Security number
- Driver license number, California identification card number, tax identification number, passport number, military identification number, or other unique identification number issued on a government document commonly used to verify the identity of a specific individual
- Account number or credit or debit card number, in combination with any required security code, access code or password that would permit access to an individual's financial account
- Medical information
- Health insurance information
- A username or email address, in combination with a password or security question and answer that permits access to an online account
- Information or data collected by Automated License Plate Reader (ALPR) technology
- Unique biometric data

I. FORM OF NOTICE

- a. The notice shall be written in plain language, be consistent with the format provided in Civil Code § 1798.29 and include, to the extent possible, the following:
 1. The date of the notice.
 2. Name and contact information for the Hermosa Beach Police Department.
 3. A list of the types of personal information that were or are reasonably believed to have been acquired.
 4. The estimated date or date range within which the security breach occurred.
 5. Whether the notification was delayed as a result of a law enforcement investigation.
 6. A general description of the security breach.
 7. The toll-free telephone numbers and addresses of the major credit reporting agencies, if the breach exposed a Social Security number or a driver license or California identification card number.
- b. The notice may also include information about what the Hermosa Beach Police Department has done to protect individuals whose information has been breached and may include information on steps that the person whose information has been breached may take to protect him/herself (Civil Code § 1798.29).
- c. When a breach involves an online account, and only a username or email address in combination with either a password or security question and answer that would permit access to an online account, and no other personal information has been breached (Civil Code § 1798.29):
 - a. Notification may be provided electronically or in another form directing the person to promptly change either his/her password or security question and answer, as applicable, or to take other appropriate steps to protect the online account with the Department in addition to any other online accounts for which the person uses the same username or email address and password or security question and answer.
 - b. When the breach involves an email address that was furnished by the Hermosa Beach Police Department, notification of the breach should not be sent to that email address but should instead be made by another appropriate medium as prescribed by Civil Code § 1798.29.

II. MANNER OR NOTICE

- a) Notice may be provided by one of the following methods (Civil Code § 1798.29):
 1. Written notice.
 2. Electronic notice if the notice provided is consistent with the provisions regarding

electronic records and signatures set forth in 15 USC § 7001.

3. Substitute notice if the cost of providing notice would exceed \$250,000, the number of individuals exceeds 500,000 or the Department does not have sufficient contact information. Substitute notice shall consist of all of the following:
 - a) Email notice when the Department has an email address for the subject person.
 - b) Conspicuous posting of the notice on the department's webpage for a minimum of 30 days.
4. Notification to major statewide media and the California Information Security Office within the California Department of Technology.
 - b) If a single breach requires the Department to notify more than 500 California residents, the Department shall electronically submit a sample copy of the notification, excluding any personally identifiable information, to the Attorney General.

RECORDS RETENTION/DESTRUCTION

All reports/records/files will be retained and destroyed consistent with State of California legal requirements and in accordance with the City of Hermosa Beach Records Retention Schedule.

RELEASE OF AUDIO OR VIDEO RECORDINGS RELATED TO CRITICAL INCIDENTS

Video and audio recordings related to critical incidents shall be released upon a proper public record request and subject to delayed release, redaction, and other release restrictions as provided by law (Government Code § 6254(f)(4)).

For purposes of this section, a video or audio recording relates to a critical incident if it depicts an incident involving the discharge of a firearm at a person by an officer, or depicts an incident in which the use of force by an officer against a person resulted in death or in great bodily injury (as defined by Penal Code § 243(f)(4)) (Government Code § 6254(f)(4)).

The Custodian of Records should work as appropriate with the Chief of Police or the Professional Standards Unit supervisor in determining what recordings may qualify for disclosure when a request for a recording is received and if the requested recording is subject to delay from disclosure, redaction, or other release restrictions. The final determination to release recordings shall be made by the Chief of Police or their designee.

I. DELAY OF RELEASE

Disclosure of critical incident recordings during active criminal or administrative investigations may be delayed as follows if disclosure would substantially interfere with the investigation, such as by endangering the safety of a witness or a confidential source:

1. Disclosure may be delayed up to 45 days from the date the Department knew or reasonably should have known about the incident.
2. Delay of disclosure may continue after the initial 45 days and up to one year if the Department demonstrates that disclosure would substantially interfere with the investigation.
3. Any delay of disclosure longer than one year must be supported by clear and convincing evidence that disclosure would substantially interfere with the investigation (Government Code § 6254(f)(4)).

II. NOTICE OF DELAY OF RELEASE

When there is justification to delay disclosure of a recording, the Custodian of Records shall provide written notice to the requester as follows (Government Code § 6254(f)(4)):

- a. During the initial 45 days, the Custodian of Records shall provide the requester with written notice of the specific basis for the determination that disclosure would substantially interfere with the investigation. The notice shall also include the estimated date for the disclosure
- b. When delay is continued after the initial 45 days, the Custodian of Records shall promptly provide the requester with written notice of the specific basis for the determination that the interest in preventing interference with an active investigation outweighs the public interest in the disclosure, and the estimated date for the disclosure. The Custodian of Records should work with the Chief of Police in reassessing the decision to continue withholding a recording and notify the requester every 30 days.

Recordings withheld shall be disclosed promptly when the specific basis for withholding the recording is resolved.

III. REDACTION

If the Custodian of Records, in consultation with the Chief of Police or authorized designee, determines that specific portions of the recording may violate the reasonable expectation of privacy of a person depicted in the recording, the Department should use redaction technology to redact portions of recordings made available for release. The redaction should not interfere

with the viewer's ability to fully, completely, and accurately comprehend the events captured in the recording, and the recording should not otherwise be edited or altered (Government Code § 6254(f)(4)).

If any portions of a recording are withheld to protect the reasonable expectation of privacy of a person depicted in the recording, the Custodian of Records shall provide in writing to the requester the specific basis for the expectation of privacy and the public interest served (Government Code § 6254(f)(4)).

IV. RECORDINGS WITHHELD FROM PUBLIC DISCLOSURE

If the reasonable expectation of privacy of a person depicted in the recording cannot adequately be protected through redaction, and that interest outweighs the public interest in disclosure, the Department may withhold the recording from the public, except that the recording, either redacted or unredacted, shall be disclosed promptly, upon request, to any of the following (Government Code § 6254(f)(4)):

- a. The person in the recording whose privacy is to be protected, or his/her authorized representative.
- b. If the person is a minor, the parent or legal guardian of the person whose privacy is to be protected.
- c. If the person whose privacy is to be protected is deceased, an heir, beneficiary, designated immediate family member, or authorized legal representative of the deceased person whose privacy is to be protected.

If the Department determines that this disclosure would substantially interfere with an active criminal or administrative investigation, the Custodian of Records shall provide the requester with written notice of the specific basis for the determination and the estimated date of disclosure (Government Code § 6254(f)(4)).

The Department may continue to delay release of the recording from the public for 45 days with extensions as provided in this policy (Government Code § 6254(f)(4)(A)).

APPROVED:



Paul LeBaron
Chief of Police

Records Maintenance and Release

I. RECORDS RETENTION/DESTRUCTION

All reports/records/files will be destroyed in the following manner:

A. Printed Material

1. Printed material may be placed in Confidential Destroy bins and subsequently destroyed by a contracted vendor. Some divisions may have their own confetti shredders that they may use. "Strip cut" shredders are not to be used for Criminal Justice Information (CJI) or other confidential data.

B. Electronic Media

Electronic records on decommissioned servers or other storage devices are to be securely erased using Department of Defense (DOD) approved methods or the physical media destroyed. Electronic media may be reused, however the media should be securely erased first where practical.

(a) CD/DVD Media

- (a) Break/destroy media prior to disposal

(b) Hard Drives

- (a) Erase the drive using DOD approved methods
- (b) Use vendor provide utility for built-in "secure erase" function
- (c) Break/destroy the hard drive (drill several holes through platters, shred, smash to point where platters and PCBs are broken)

(c) Tapes

- (a) Erase using DOD approved methods (degauss)
- (b) Destroy (shred)

(d) Flashdrives

- (a) Break/destroy the device

Electronic Media may be placed in Confidential Destroy boxes where a vendor destroys them for us.

II. TRANSPORTATION

Printed material, electronic media, or containers with CJI may only be handled or transported by approved persons who have been finger print background checked.

III. STORAGE

Printed material, electronic media, or containers with CJI may only be stored at approved locations staffed by persons who have been finger print background checked.



CHAPTER 3

OPERATIONS



HERMOSA BEACH POLICE DEPARTMENT

03.01 GROOMING CODE – ALL PERSONNEL (Supersedes CSO Rules & Regulations R10.07)

**Effective 10/27/2009
Updated**

PURPOSE

This policy establishes the acceptable grooming standards for all employees of this Department while engaged in on-duty operations or when representing the Department.

MALE PERSONNEL

Male personnel shall conform to the following standards of appearance:

- A. Hair shall be neatly and evenly trimmed. The hair shall at no point extend downward more than one inch beyond the hairline at the back of the neck and in no event extend over the shirt collar while in a normal standing posture.
- B. Sideburns shall not extend below the bottom of the ear. The maximum width of the bottom of the sideburns shall not exceed one and one-half (1 ½) inches.
- C. Mustaches shall be neatly trimmed and shall not extend more than one inch horizontally beyond the corners of the mouth or more than one-half inch below the lower lip.
- D. Beards, goatees, or any partial style thereof are not permitted.
- E. Earrings or facial jewelry is not permitted, either in uniform or civilian attire while on duty. Rings may be worn, limited to a maximum of one per hand. Rings may not be excessively large and shall not display any garish or inappropriate insignia.

FEMALE PERSONNEL

Female personnel shall conform to the following standards of appearance:

- A. Hair shall be neatly and evenly trimmed. At no time shall hair be worn in such a manner that it obscures vision or creates a hazard to the employee's safety.
- B. Wigs and similar devices shall not be worn unless they conform to the rules specified above.
- C. If cosmetics are used, they shall be applied conservatively and in good taste.
- D. Fingernails shall extend no further than one-half (1/2) inch beyond the fingertip and shall not have any gaudy or extreme color of polish or design.

- E. No gaudy or extreme jewelry shall be worn, either in uniform or civilian attire while on duty. Wrist/arm jewelry (i.e. bracelets, bangles, etc.) and other loose-hanging jewelry are not permitted while in uniform. Only stud-type earrings are permitted while in uniform. Rings may be worn, limited to a maximum of one per hand (wedding sets are considered on ring). Rings may not be excessively large and shall not display any garish or inappropriate insignia.

TATTOO AND BODY PIERCING

Employees shall not display or make visible, tattoos or other forms of body art and/or objects used to pierce the body, while on-duty.

The Department acknowledges that individuals employed by it prior to the adoption of this policy wear tattoos on areas below the elbow and below the knee. Employees with existing tattoos on these areas of the body hired before the implementation of this policy (December 7, 2004) are exempt from this policy in regards to these areas of the body unless the Chief of Police or his/her designee deems the tattoos to be offensive and in violation of the City's Anti-Harassment Policy, section A1.09. If tattoos are deemed to be offensive, they must not be displayed while on-duty.

There are no exemptions for employees hired prior to the adoption of this policy that have objects of body piercing. Such employees are fully subject to this policy.

Additionally, an employee meeting the above exception shall not obtain and display any new or modified tattoos after December 7, 2004 while on-duty. If such tattoos are obtained and/or modified, then the employee is no longer exempt and is fully subject to this policy.

For employees fully subject to this policy, compliance can be effectuated by doing the following:

1. removal of the tattoo or body piercing object,
2. the wearing of a Department-approved uniform in a Department-approved manner such that the tattoo and/or object of body piercing is not visible during the performance of duties in the course and scope of employment,
3. the wearing of a Department-approved unobtrusive device which covers the tattoo and/or object of body piercing, such as, but not limited to, a bandage that does not impede the safe and efficient performance of duties.

EXCEPTIONS TO THE GROOMING STANDARD

Deviations from the grooming policy may be authorized for those officers assigned to undercover operations. Any officer working such a position shall consult with their appropriate Division Commander in order to determine the acceptable grooming standards for the assignment.

Deviations from the grooming policy may also be authorized for those employees who have a documented medical condition requiring it. The appropriate Division Commander shall be consulted prior to deviating from the grooming policy.

Deviations from the grooming policy are authorized for Community Service Officers who, prior to the effective date of this policy, have an established beard or goatee. Beards and goatees must be kept neat and clean at all times. If beards or goatees are removed for any reason, the CSO will be required to conform to the same standards of appearance as defined for male personnel in this policy. CSO's hired after the effective date of this policy must also conform to the same standards of appearance as defined for male personnel in this policy.

APPROVED:

A handwritten signature in black ink, appearing to read 'AS', with a long horizontal flourish extending to the right.

Greg Savelli
Chief of Police

Uniform Regulations

1023.1 PURPOSE AND SCOPE

The uniform policy of the Hermosa Beach Police Department is established to ensure that uniformed employees will be readily identifiable to the public through the proper use and wearing of department uniforms. Employees should also refer to the following associated policies:

Department Owned and Personal Property

Body Armor

Personal Appearance Standards

The Uniform and Equipment Specifications manual is maintained and periodically updated by the Chief of Police or his/her designee. That manual should be consulted regarding authorized equipment and uniform specifications.

The Hermosa Beach Police Department will provide uniforms for all employees required to wear them in the manner, quantity and frequency agreed upon in the respective employee group's collective bargaining agreement. After the initial issuance of the uniform by the Department, it is each officer's responsibility to replace items of the uniform which fail to meet departmental standards. Officers shall maintain uniforms and personal equipment in serviceable condition.

1023.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

Police employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose to identify the wearer as a source of assistance in an emergency, crisis, or other time of need.

- (a) Uniform and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean, and appear professionally pressed.
- (b) Uniforms lost or damaged due to negligence on the part of the employee shall be replaced by the employee at their expense.

In the event the loss occurred through no fault of the employee, the Department may replace the item at no expense to the employee. In the event that a piece of equipment or uniform is stolen, damaged, or lost, the officer shall prepare a written report documenting the incident circumstances and forward it to their supervisor, who will then forward it to the Chief of Police via the chain of command for review.

- (a) All members of this department shall possess and maintain at all times, a serviceable uniform and the necessary equipment to perform uniformed field duty.
- (b) Personnel shall wear only the uniform specified for their rank and assignment (Penal Code § 13655).
- (c) The uniform is to be worn in compliance with the specifications set forth in the department's uniform specifications that are maintained separately from this policy.

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- (d) All supervisors will perform periodic inspections of their personnel to ensure conformance to these regulations.
- (e) Civilian attire shall not be worn in combination with any distinguishable part of the uniform.
- (f) Uniforms are only to be worn while on duty, while in transit to or from work, for court, or at other official department functions or events. If the uniform is worn while in transit, an outer garment shall be worn over the uniform shirt so as not to bring attention to the employee while he/she is off-duty.
- (g) Employees are not to purchase or drink alcoholic beverages while wearing any part of the department uniform, including the uniform pants.
- (h) Visible jewelry, other than those items listed below, shall not be worn with the uniform unless specifically authorized by the Chief of Police or the authorized designee.
 - 1. Wrist watch
 - 2. Wedding ring(s), class ring, or other ring of tasteful design. A maximum of one ring/set may be worn on each hand
 - 3. Medical alert bracelet

1023.2.1 DEPARTMENT ISSUED IDENTIFICATION

The Department issues each employee an official department identification card bearing the employee's name, identifying information and photo likeness. All employees shall be in possession of their department issued identification card at all times while on duty or when carrying a concealed weapon.

- (a) Whenever on duty or acting in an official capacity representing the department, employees shall display their department issued identification in a courteous manner to any person upon request and as soon as practical.
- (b) Officers working specialized assignments may be excused from the possession and display requirements when directed by their Division Commander.

1023.3 UNIFORM CLASSES

1023.3.1 CLASS A UNIFORM

The Class A uniform is the department's official 'Formal Dress Uniform'. The Class A uniform shall be worn by officers to all formal functions, such as funerals, graduations, award ceremonies, formal inspections, and/or as directed by the Chief of Police or the officer's Division Commander. The Class A uniform will include the issued wool or wool blend fabric trousers with a dress long-sleeve shirt, tie with tie bar, and 'P' Buttons on the epaulets and pockets. For certain formal functions and with the approval of the Division Commander, Honor Guard members may wear their issued Honor Guard uniforms in lieu of the Class A uniform.

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1023.3.2 CLASS B UNIFORM

The Class B uniform is the department's official 'Patrol Uniform'. The Class B uniform will be worn for patrol duty operations; with the exception of wearing the Class C in lieu of. The Class B uniform will include the issued wool or wool blend fabric trouser with a dress long-sleeve or short-sleeve shirt and 'P' buttons on the epaulets and pockets. The uniform shirt will be worn with the collar open and a black crew t-shirt underneath. All officers will possess and maintain a serviceable Class B uniform at all times.

1023.3.3 CLASS C UNIFORM

The Class C uniform is the alternative to the Class B uniform. The Class C uniform may be worn in lieu of the Class B uniform. The Class C uniform will include the approved short-sleeve or long-sleeve polo shirt with the approved light weight cargo pants with cargo pockets. The approved cargo shorts may be worn in lieu of the cargo pants during the months of daylight-saving time of the second Sunday in March through the first Sunday in November.

1023.3.4 SPECIALIZED UNIT UNIFORMS

The Chief of Police may authorize special uniforms to be worn by officers in specialized units such as Canine Team, SWAT, Bicycle Patrol, Motor Officers, and other specialized assignments.

1023.3.5 FOUL WEATHER GEAR

The Uniform and Equipment Specifications lists the authorized uniform jacket and rain gear.

1023.4 INSIGNIA AND PATCHES

- (a) **Shoulder Patches** - The authorized shoulder patch supplied by the Department shall be machine stitched to the sleeves of all uniform shirts and jackets, three-quarters of an inch below the shoulder seam of the shirt and be bisected by the crease in the sleeve.
- (b) **Service stripes, stars, etc.** - Service stripes and other indicators for length of service may be worn on long sleeved shirts and jackets. They are to be machine stitched onto the uniform. The bottom of the service stripe shall be sewn the width of one and one-half inches above the cuff seam with the rear of the service stripes sewn on the dress of the sleeve. The stripes are to be worn on the left sleeve only. Each stripe shall represent five (5) years of service as a full-time, compensated officer as defined in Penal Code section 830, et seq.
- (c) **The regulation nameplate, or an authorized name embroidery, shall be worn at all times while in uniform.** The nameplate shall display the employee's last name. The nameplate shall be worn and placed above the right pocket located in the middle, bisected by the pressed shirt seam, with equal distance from both sides of the nameplate to the outer edge of the pocket.
- (d) **When a jacket is worn, the nameplate or an authorized sewn on cloth nameplate shall be affixed to the jacket in the same manner as the uniform.**
- (e) **Assignment Insignias** - Assignment insignias, (SWAT, FTO, etc.) may be worn as designated by the Chief of Police.

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- (f) Flag Pin - An American flag pin may be worn, centered above the nameplate.
- (g) Badge - The department issued badge, or an authorized sewn on cloth replica, must be worn and visible at all times while in uniform.
- (h) Rank Insignia - The designated insignia indicating the employee's rank must be worn at all times while in uniform. The Chief of Police may authorize exceptions.

1023.4.1 MOURNING BADGE

Uniformed employees shall wear a black mourning band across the uniform badge whenever a law enforcement officer is killed in the line of duty. The following mourning periods will be observed:

- (a) An officer of this department - From the time of death until midnight on the 14th day after the death.
- (b) An officer in the State of California - From the time of death until midnight on the day of the funeral.
- (c) Funeral attendee - While attending the funeral of an out of region fallen officer.
- (d) National Peace Officers Memorial Day (May 15th) - From 0001 hours until 2359 hours.
- (e) As directed by the Chief of Police.

1023.5 CIVILIAN ATTIRE

There are assignments within the Department that do not require the wearing of a uniform because recognition and authority are not essential to their function. There are also assignments in which the wearing of civilian attire is necessary. (e.g. Training courses).

- (a) All employees shall wear clothing that fits properly, is clean and free of stains, and not damaged or excessively worn.
- (b) All male administrative, investigative and support personnel who elect to wear civilian clothing to work shall wear button style shirts with a collar, slacks or suits that are moderate in style.
- (c) All female administrative, investigative, and support personnel who elect to wear civilian clothes to work shall wear dresses, slacks, shirts, blouses, or suits which are moderate in style.
- (d) When in public, while armed in civilian clothing, officers shall ensure their handgun is properly holstered and the officer's badge is prominently displayed within close proximity to the holstered weapon.
- (e) The following items shall not be worn on duty:
 - 1. T-shirt alone
 - 2. Open toed sandals or thongs
 - 3. Swimsuit, tube tops, or halter-tops
 - 4. Spandex type pants or see-through clothing

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5. Distasteful printed slogans, buttons or pins
- (f) Variations from this order are allowed at the discretion of the Chief of Police or designee when the employee's assignment or current task is not conducive to the wearing of such clothing.
- (g) No item of civilian attire may be worn on duty that would adversely affect the reputation of the Hermosa Beach Police Department or the morale of the employees.

1023.6 POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS

Unless specifically authorized by the Chief of Police, Hermosa Beach Police Department employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a department badge, patch or other official insignia, or cause to be posted, published, or displayed, the image of another employee, or identify himself/herself as an employee of the Hermosa Beach Police Department to do any of the following (Government Code §§ 3206 and 3302):

- (a) Endorse, support, oppose, or contradict any political campaign or initiative.
- (b) Endorse, support, oppose, or contradict any social issue, cause, or religion.
- (c) Endorse, support, or oppose, any product, service, company or other commercial entity.
- (d) Appear in any commercial, social, or non-profit publication, or any motion picture, film, video, public broadcast, or any website.

1023.7 OPTIONAL EQUIPMENT - MAINTENANCE, AND REPLACEMENT

- (a) Officers may, at their expense, elect to carry additional equipment for use during field operations other than that provided by the Department. Such equipment may include, but is not limited to, citation books, codebooks, cameras, etc. Any of the items listed in the Uniform and Equipment Specifications as optional shall be purchased totally at the expense of the employee. No part of the purchase cost shall be offset by the Department for the cost of providing the Department issued item.
- (b) Maintenance of optional items shall be the financial responsibility of the purchasing employee. For example, repairs due to normal wear and tear.
- (c) Replacement of items listed in this order as optional shall be done as follows:
 1. When the item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement.
 2. When the item is no longer functional because of damage in the course of the employee's duties, it shall be replaced following the procedures for the replacement of damaged personal property (see the Department Owned and Personal Property Policy).

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1023.7.1 RETIREE BADGES

The Chief of Police may issue identification in the form of a badge, insignia, emblem, device, label, certificate, card or writing that clearly states the person has honorably retired from the Hermosa Beach Police Department. This identification is separate and distinct from the identification authorized by Penal Code § 25455 and referenced in the Retired Officer CCW Endorsement Policy in this manual.


A badge issued to an honorably retired peace officer that is not affixed to a plaque or other memento will have the words "Honorably Retired" clearly visible on its face. A retiree shall be instructed that any such badge will remain the property of the Hermosa Beach Police Department and will be revoked in the event of misuse or abuse (Penal Code § 538d).

1023.8 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES

Hermosa Beach Police Department employees may not wear any uniform item, accessory or attachment unless specifically authorized in the Uniform and Equipment Specifications or by the Chief of Police or designee.

Hermosa Beach Police Department employees may not use or carry any safety item, tool or other piece of equipment unless specifically authorized in the Uniform and Equipment Specifications or by the Chief of Police or designee.

1023.9 ISSUING AUTHORITY

	Effective Date	Updated Date
 W. Paul LeBaron, Chief of Police	August 12, 2020	May 1, 2024

Uniform and Equipment Specifications

1001.1 COMMUNITY SERVICE OFFICERS (CSO)

When on duty, the badge shall be displayed on the outermost garment in the place provided for the badge. When off duty, carrying and displaying badge is prohibited and subject to discipline.

1001.1.1 GENERAL UNIFORM

This uniform consists of and shall conform to the following criteria:

- (a) The shirt, long or short sleeve (LawPro brand; Style #SG108 or equivalent which is approved by the Division Manager) may be a wash-and- wear, form-fitting, polyester material. It shall be silver/grey in color, epaulet style, with two flap pockets on the chest. It shall have a button-up front; however, a hidden zipper closure may be added. The shirt must have military creases. The top button of the shirt is the only one that may be left unbuttoned. The sleeves of the long sleeve shirt must be worn down and with the cuffs buttoned.
- (b) A crew neck undershirt is required when the uniform shirt is worn open-necked. The undershirt shall be plain black in color, crew neck style with a black neckband. The undershirt may be a T-shirt style or thermal wear style, long or short sleeve; but, at no time shall the undershirt sleeve extend below the uniform sleeve. At no time shall a stained, soiled, or faded undershirt be acceptable for wear with the uniform.
- (c) The uniform pant will be black in color and consist of a poly-wool blend material. Back pockets will be plain with no flaps.
- (d) Ties will be worn as an option with the long sleeve shirt, or as directed by the Chief of Police or his/her designee. The authorized tie is black in color with a four-in-hand knot. The width of the tie shall be three (3) inches at its widest point and the bottom of the tie will not be more than three (3) inches above the belt. A clip-on tie conforming to the listed standards is authorized. An approved tie bar must be worn.
- (e) Socks, worn with low-top shoes, must be crew length, black with no pattern.
- (f) Low-quarter military style shoes or similar style capable of being shined shall be worn. Shoes will be plain toe style, black in color with black strings. No decorative stitching, clasps, or buckles are allowed.
- (g) Military style boots, capable of being shined, may be worn. They must be black in color with a rounded toe design. No decorative stitching, clasps, or buckles are allowed. Boot strings shall be black in color.
- (h) Pant belts that are not covered by an equipment belt (Sam Browne) will be black basket weave, one and one-quarter ($1 \frac{1}{4}$) inch to one and three-quarters ($1 \frac{3}{4}$) inch wide, with a silver metal buckle. Officers wearing nylon gear may wear a black nylon belt underneath.

Only City or department logos or markings shall be worn on uniform items. Applicable uniform accessories and insignia will be worn in accordance with the guidelines established for sworn police personnel.

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1001.1.2 HATS AND HEADGEAR

A utility police "ball cap" is authorized for wear with the Class "B" uniform during inclement weather or to protect from sun exposure. The cap will not be worn at any other time without authorization from the Chief of Police or Division Commanders. The cap shall be the current official department ball cap as approved by the Chief of Police. No other logos or insignias are permitted. Should the Department opt to redesign the cap and/or insignia, only the most recent Department-approved design will be worn.

The determination of inclement weather will be at the discretion of the on-duty Watch Commander.

1001.1.3 OPTIONAL UNIFORMS

CSO may wear the following uniform pieces, subject to the listed restrictions. Any optional uniform pieces must be purchased at the employee expense:

- (a) The shirt shall be a dark grey, long sleeve (First Tactical, Asphalt Grey, Style #111503 - Men/Women) or short sleeve (First Tactical, Asphalt Grey, Style #112509 - Men/Women) performance polo style shirt, with collar, or equivalent which is approved by the Division Commander. The shirt shall be free of branding or logos of any type. The top button of the shirt is the only one that may be left unbuttoned. A Department-issued patch bearing the official insignia of the Hermosa Beach Police Department shall be displayed on each sleeve shoulder. For officers not wearing an outer carrier vest, the chest badge will be a Department-issued cloth badge sewn and centered on the left chest area of the shirt. The officer's last name will be embroidered, centered on the right chest area of the shirt opposite the badge, using white block lettering (minimum 3/8" to maximum 1/2' characters).
- (b) Light weight cargo pant (5.11, Black, Style #74369 - Men/Style #64386 - Women), shall be black in color, with cargo pockets, and constructed of a durable cotton blend material, or equivalent which is approved by the Division Commander.
- (c) Uniform shorts will be black, (5.11, Black, Style #73327 - Men/Style #63071 - Women) or equivalent which is approved by the Division Commander. While standing, the shorts leg shall extend to no less than one inch (1") below nor more than four inches (4") above the kneecap. Shorts may not be worn while assigned primarily to administrative station duties. Shorts may only be worn with the polo shirt. Shorts may not be worn with button up style uniform shirt.
- (d) Standard Military style or Low-quarter patrol boots will be worn with Class C pants. They must be black with a rounded toe design. No decorative stitching, clasps, or buckles are allowed. Boot strings shall be black in color.
- (e) Low top athletic shoes will be worn with shorts. Garish or excessive branding, logos or trim designs are not permitted. Black athletic socks will be worn. Final approval for a particular shoe design shall rest with the Chief of Police or his/her designee.
- (f) Excessively faded uniform shirts, pants, or shorts will not be permitted. The cargo pockets may not be loaded such that the pockets bulge significantly from the surface plain for the uniform.

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1001.2 POLICE OFFICERS

There are three style variations of the general police uniform: Class "A", Class "B" and Class "C". The Class "A" uniform is a more formal version of the general police uniform and is primarily worn for honorary and dignitary occasions (i.e. funerals, press conferences, etc.). The Class "A" uniform may be worn in lieu of a suit when making a court appearance (excluding Traffic Court) with or without a tie. The Class "B" and Class "C" uniform is primarily worn for standard patrol functions.

1001.2.1 GENERAL UNIFORM

This uniform consists of and shall conform to the following criteria:

A. Class "A" Uniform

The Class "A" uniform consists of a navy-blue wool or wool blend long-sleeved uniform shirt and uniform pants by Elbeco, Flying Cross, or equivalent which is approved by the Division Commander.

The shirt shall be a button-up, with epaulets over each shoulder, two flap pockets on the chest, and must have military creases, a hidden zipper closure may be added. The sleeves of the shirt will be worn down and with the cuffs buttoned. Matted silver P Buttons shall be worn with the Class "A" uniform; (1) on each Epaulet, and (1) on each chest pocket (4 total).

The pants will consist of the same wool or wool-blend material as the uniform shirt. Back pockets will be plain with no flaps. "Sap pockets" are optional. Cargo pockets will not be worn with the Class "A" uniform. Pant belts that are not covered by an equipment belt (Sam Browne) will be black basket weave, one and one-quarter inch (1 ¼") to one and three-quarters inch (1 ¾") wide, with a silver metal buckle.

Ties will be worn with the Class "A" uniform. The authorized tie is black in color with a four-in-hand knot. The width of the tie shall be three (3) inches at its widest point and the bottom of the tie will not be more than three (3) inches above the belt. A clip-on tie conforming to the listed standards is authorized. An approved tie bar must be worn.

Officers shall wear shined leather or patent leather shoes to include corfam or patent leather. Socks, worn with low-top shoes, must be crew length, black with no pattern.

Award ribbons/insignia, department issued service pins, and formal headgear (campaign hat or service cover – optional or as designated by the Chief of Police or his/her designee.) may be worn on the Class A uniform.

B. Class "B" Uniform

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The Class "B" uniform consists of a navy-blue wool or wool blend short-sleeved or long-sleeved uniform shirt and uniform pants by Elbeco, Flying Cross, or equivalent which is approved by the Division Commander.

The shirt shall be a button-up, with epaulets over each shoulder, two flap pockets on the chest, and must have military creases, a hidden zipper closure may be added. If a long-sleeve uniform shirt is to be worn, sleeves will be worn pulled down and with the cuffs buttoned. Both short and long-sleeve shirts will be worn fully buttoned except for the last button at the neck. Matted silver P Buttons shall be worn with the Class "B" uniform; (1) on each Epaulet, and (1) on each chest pocket (4 total).

The pants will consist of the same wool or wool-blend material as the uniform shirt. Back pockets will be plain with no flaps. Cargo pockets will not be worn with the Class "B" uniform, Sap pockets are optional. Pant belts that are not covered by an equipment belt (Sam Browne) will be black basket weave, one and one-quarter inch (1 ¼") to one and three-quarters inch (1 ¾") wide, with a silver metal buckle.

Officers may elect to wear Department-issued service pins with this uniform. Officers may wear a hat or headgear, subject to the restrictions set forth in this policy.

A crew neck undershirt is required when the uniform shirt is worn open-neck. The undershirt shall be plain black in color, crew neck style with a black neckband. The undershirt may be a T-shirt style or thermal wear style, long or short sleeve; but, at no time shall the undershirt sleeve extend below the uniform sleeve. At no time shall a stained, soiled, or faded undershirt be acceptable for wear with the uniform.

Standard Military style or Low-quarter patrol boots will be worn. They must be black with a rounded toe design, capable of being shined. No decorative stitching, clasps, or buckles are allowed. Boot strings shall be black in color.

C. Class "C" Uniform

The Class "C" uniform consists of a navy-blue short-sleeve or long-sleeve polo shirt with the approved light weight cargo pants with cargo pockets. The approved cargo shorts may be worn in lieu of the cargo pants during the months of daylight saving time of the second Sunday in March through the first Sunday in November.

Officers assigned to field patrol operations (except traffic officers riding motorcycles) may wear the Class "C" uniform in lieu of the Class "B" uniform.

The Class "C" uniform shall conform to the following standard:

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- (a) The shirt shall be a dark blue, long sleeve (First Tactical, Midnight Navy, Style #111015 - Men/Style #121015 - Women) or short sleeve (First Tactical, Midnight Navy, Style #112012 - Men/Style #122012 - Women) performance polo style shirt, with collar, or equivalent which is approved by the Division Commander. The shirt shall be free of branding or logos of any type. The top button of the shirt is the only one that may be left unbuttoned. A Department-issued patch bearing the official insignia of the Hermosa Beach Police Department shall be displayed on each sleeve shoulder. For officers not wearing an outer carrier vest, the chest badge will be a Department issued cloth badge sewn and centered on the left chest area of the shirt. The officer's last name will be embroidered, centered on the right chest area of the shirt opposite the badge, using white block lettering (minimum 3/8" to maximum 1/2" characters).
- (b) Additionally, sworn police officers are authorized to wear a multi-purpose pull over (First Tactical, Midnight Navy, Style #111018) or equivalent which is approved by the Division Commander. The pull over shall be free of branding or logos of any type. A Department-issued patch bearing the official insignia of the Hermosa Beach Police Department shall be displayed on each sleeve shoulder. For officers not wearing an outer carrier vest, the chest badge will be a Department-issued cloth badge sewn and centered on the left chest area of the shirt. The officer's last name will be embroidered, centered on the right chest area of the shirt opposite the badge, using white block lettering (minimum 3/8" to a maximum 1/2" characters). The pull over shall only be worn in cold weather and shall not be worn with shorts.
- (c) Rank designation shall be worn in a manner consistent with the guidelines established for the general police uniform. If worn, Command Staff shall wear black rank insignia on the shirt collar in lieu of gold metal pins.
- (d) Light weight cargo pant (5:11 Style #74369 - Men/Style #64386 - Women) shall be dark blue in color, with cargo pockets, and constructed of a durable cotton blend material, or equivalent as approved by the Division Commander.
- (e) Shorts shall be (5.11, Dark Navy, Style #73327 - Men/Style #63071 - Women) dark blue in color with cargo pockets, and constructed of a durable cotton blend, or equivalent as approved by the Division Commander. While standing, the shorts leg shall extend to no less than one inch (1") below nor more than four inches (4") above the kneecap. Shorts may not be worn while assigned primarily to administrative station duties.
- (f) Standard Military style or Low-quarter patrol boots will be worn with Class C pants. They must be black with a rounded toe design, capable of being shined. No decorative stitching, clasps, or buckles are allowed. Boot strings shall be black in color.
- (g) Low top black on black athletic shoes will be worn with shorts. Garish or excessive branding, logos or trim designs are not permitted. Black crew length, athletic socks will be worn. Final approval for a particular shoe design shall rest with the Chief of Police or his/her designee.
- (h) Excessively faded uniform shirts, pants, or shorts will not be permitted. The cargo pockets may not be loaded such that the pockets bulge significantly from the surface plain of the uniform.

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1001.2.2 ACCESSORIES AND INSIGNIA

Unless otherwise noted, each uniform shirt shall display the following:

- (a) Department-issued patch bearing the official insignia of the Hermosa Beach Police Department shall be displayed on each sleeve shoulder.
- (b) Each shirt will have a badge holder affixed to it, centered above the left chest pocket in line with the shirt crease, and positioned so that the bottom of the badge holder is approximately one inch (1") above the top of the shirt pocket.
- (c) A name tag will be worn centered on the right chest pocket, with the bottom of the tag parallel to and in line with the top of the pocket. The tag shall be two and one half inches (2 ½") in length and one-half inch (1/2") in height. It shall be polished silver with black engraved lettering, bearing the complete last name of the officer.
- (d) Sergeant chevrons will have a black background with three (3) stripes. Stripes shall be silver in color with a black outline, centered on the sleeves of the uniform. The top of the chevron shall be approximately one-half inch (1/2") below the shoulder patch.
- (e) Service stripes may be worn on the left sleeve of the long-sleeved uniform shirt, with the lower edge of the bottom service stripe approximately one and one-half inch (1 ½") above and parallel with the top edge of the sleeve cuff. The service stripes shall be of the same color scheme as that of the chevrons. Each stripe shall represent five (5) years of service as a full-time, compensated officer as defined in Penal Code section 830, et seq.
- (f) When wearing the Class "A" uniform, meritorious award pins, ribbons, medals, or other such insignia shall be worn centered above and parallel to the name tag or as directed by the Chief of Police or his/her designee.
- (g) When wearing the Class "B" uniform, meritorious award pins or other such insignia may be worn as directed by the Chief of Police or his/her designee.

Only City or department logos or markings shall be worn on uniform items. No employee shall wear or exhibit any insignia, patch, pin, medal, or bar for which they are not entitled. Final authority for the displaying of any such item shall rest with the Chief of Police.

Whenever specifications state an equivalent garment or item may be worn, such equivalency shall be judged on an individual case basis. The ultimate determination shall be made by the Chief of Police or his/her designee.

1001.2.3 LEATHER GEAR

Leather gear shall conform to these specifications:

1. Leather gear shall be basket weave design, black in color.
2. Leather gear shall be worn and secured in place so as not to deviate substantially from the horizontal plane.
3. The equipment belt (Sam Browne) shall be two inches (2") to two and one-quarter inches (2 ¼") wide.
4. Keepers may be single or double width, with a minimum of four on the belt.

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5. Holsters must feature a manual retention device, and be approved by the Range Master. The holster shall be worn for "strong side" drawing of the weapon. Officers may optionally wear a swivel-type holster. Such holster shall be purchased at the officer's expense.
6. Handcuff cases must be fully enclosed with flap (snap or Velcro closure), single or double cuff capacity. One or two cuff cases may be worn; placed on the backside of the belt.
7. Magazine holders may be fully enclosed with flap (snap or Velcro closure) or have an open top with a secure retention system. The magazine holders shall be worn on the side opposite the handgun. When wearing the Class A uniform, magazine holders shall be fully enclosed with a flap covering each magazine and placed near the front center of the belt.
8. The baton ring and/or Taser holster shall be placed on the side opposite the firearm.
9. In addition to the above-listed equipment, officers may wear the following additional items on their Sam Browne:
 1. Key rings, straps, or reels
 2. Radio holder
 3. Knife and knife case with flap (must match to style of gear worn)
 4. Flashlight holder
 5. Taser
 6. Pepper Spray Holder
 7. Tourniquet and holder

Note: As an alternative to the black leather basket weave utility belt, the black ballistic nylon or synthetic leather duty belt and accessories are approved for duty use; however, the three types of belt and equipment shall not be mixed unless approved by the Chief of Police or his/her designee.

1001.2.4 HATS AND HEADGEAR

Uniformed service headgear consists of the utility police "ball cap," service cover, and campaign hat.

Headgear will be worn as indicated and shall be worn complete and in good condition

A utility police "ball cap" is authorized for wear with the Class "B" and Class "C" uniform.. The cap shall be the current official department ball cap as approved by the Chief of Police. No other logos or insignias are permitted. Should the Department opt to redesign the cap and/or insignia, only the most recent Department-approved design will be worn.

A plain black knit watch cap or a black knit watch cap with the Hermosa Beach Police Department logo embroidered on the front fold. The watch cap may only be worn by personnel when warranted by cold weather. It must be worn tight with no excess material at the top of the head. The watch cap

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may be purchased at the officer's expense from an authorized department vendor. Supervisors have the discretion to disapprove the wearing of the watch cap at any time.

The uniform service cover (R6 Solid Pershing/LAPD Style or equivalent which is approved by the Division Commander) may be worn with either the Class "A" or Class "B" uniform. The service cover shall be navy blue in color, with a black brim/visor. An official Department-issued badge/insignia shall be affixed to the front of the cover.

The campaign hat may be worn with either the Class "A" or Class "B" uniform to protect against sun exposure or when assigned to honor guard duties. For uniformed patrol duty, the hat shall be dark blue/gray or navy blue in color and shall be constructed of the hard straw material. A metal Department-issued badge/insignia shall be affixed to the front of the hat. For honor guard or other ceremonial duty, the hat will be navy blue in color and constructed of soft-touch material. A metal Department-issued badge/insignia shall be affixed to the front of the hat. The hat shall also display a silver ceremonial braid, located directly atop the brim, snugly wrapped around the center portion of the head cover.

Other special headgear may be worn for Department duties and activities as required, upon authorization of the Chief of Police or his/her designee.

1001.2.5 OPTIONAL UNIFORM

A. Heavy Duty (BDU)

Upon hire, officers will be issued a BDU uniform. The BDU uniform may be worn when responding to mutual aid assignments (i.e. Area G deployments) or when approved by the Division Commander.

The BDU shall conform to the following standard:

- (a) The shirt may be long or short-sleeved (5.11 Tactical, Black, Style #72054 - Men/Style #62081 - Women) or short sleeved (5.11 Tactical, Black, Style #71339 - Men/ Style #61041 - Women), black in color, with only two (2) chest pockets. The chest pockets will have flap closures. The shirt will be a button-up front but may have a hidden zipper closure. The top button of the shirt is the only one that may be left unbuttoned. The material must have uniform thickness and texture.
- (b) The trousers shall be black in color and consist of the same material as the shirt (5.11 Tactical, Black, Style #74003 - Men/Style #64359 - Women).
- (c) A black crew neck undershirt shall be worn underneath the uniform shirt. A black turtleneck undershirt or "Dickie" may also be worn under the uniform shirt.
- (d) A Department-issued patch bearing the official insignia of the Hermosa Beach Police Department shall be displayed on each sleeve shoulder.
- (e) No metal pins or insignia are permitted on the BDU. A standard, cloth sew-on badge will be worn in lieu of the metal badge. The badge will be centered above the left chest pocket, with the bottom of the badge approximately one inch (1") above the top edge of the pocket. An embroidered serial number will be used in lieu of the metal name plate. The officer's serial number will be embroidered, centered on the right chest area

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of the shirt opposite the badge and above the shirt pocket, using white block lettering (minimum 3/8" to maximum 1/2" characters).

- (f) Rank designation shall be worn in a manner consistent with the guidelines established for the general police uniform. If worn, Command Staff shall wear embroidered or patch rank insignia on the shirt collar in lieu of metal pins.

The heavy-duty uniform must be worn properly pressed (no creases), with no significant color fading. Expandable pockets shall not be loaded such that the pockets bulge significantly from the surface plain of the uniform.

B. Motors

Officers assigned to the Traffic Division as Motorcycle Traffic Officers will be provided at the department's expense and authorized to wear the following:

- (a) Two (2) Pairs: Black Motoport Air Mesh Kevlar motorcycle pants with dark grey reflective leg strips or approved equivalent.
- (b) Two (2) Pairs: Black Motoport Patrol motorcycle shirts or approved equivalent.
- (c) One (1) Black Motoport Police Air Mesh Jacket with dark grey arm and back strips or approved equivalent.
- (d) One (1) Shoe Neo Tech full face modular helmet.
- (e) One (1) Pair of Sidi Canyon motorcycle boots, or approved equivalent.
- (f) One (1) Pair of approved black leather motorcycle gloves.

The above items may be substituted with prior approval. Substitution requests shall be made in writing or e-mail to the Traffic Sergeant explaining the reason for substitution request. The Traffic Sergeant will forward their recommendation to the Division Commander for approval

At the officer's discretion and expense, they are approved to wear the following:

- (a) An outer body armor carrier in black as described in this section under "Outer Vest Carrier".
- (b) A polo-style shirt in black as described in this section under Class "C" uniform.

1001.2.6 BODY ARMOR

The Department-issued body armor shall, at minimum, satisfy the requirements for ballistic threat level IIA. The body armor will minimally consist of front and back panels; wraparound side panels are recommended.

Officers may wear body armor exceeding the minimum requirements set forth in this chapter. Officers electing to wear other than Department-issued body armor must purchase said armor at their own expense. The appropriate Division Commander must approve the alternative armor chosen, prior to its purchase and use by the officer.

All officers working uniformed field operations assignments as their primary function (i.e. patrol, traffic enforcement, foot patrol, etc.) shall wear body armor. Officers working uniformed station

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duty are not required to wear body armor; however, its usage is encouraged. Officers wearing the Class "A" uniform for the purpose of honor guard or other ceremonial functions are not required to wear body armor.

Body armor must be worn by all officers engaged in pre-planned "high-risk" tactical duties (i.e. search warrant execution, drug "raids," etc.). This applies to both uniformed and plain-clothes police officers.

1001.2.7 OUTER CARRIER VEST

Officers may wear a Department approved outer carrier vest with the Class "C" uniform, BDU and Motor Uniform only. The carrier must be the same color as the uniform worn by the Officer. The outer vest carrier will be the BPS Tactical Patrol Duty Vest Cover, custom to HBPD specifications. The chest badge will be the Department-issued metal badge centered on the left chest area of the shirt. A regulation nameplate shall be worn at all times with the outer carrier vest. The nameplate shall display the employee's last name. The nameplate shall be worn equal distance and centered above the upper edge of the right pocket.. Nametape which is sewn-on or affixed with hook and loop material is not permitted on the outer vest carrier. The outer vest carrier shall not have any decorative centerline seems or buttons. The outer vest carrier is allowed to have the following pockets:

- (a) Two chest pockets with flap
- (b) Radio holder
- (c) Taser holder
- (d) Two or three magazine pouches; open top with a secure retention system or fully enclosed with a flap
- (e) Flashlight holder
- (f) OC spray holder
- (g) One small utility pocket (gloves, first-aid kit etc.)
- (h) Handcuff cases(s)

The pockets of the outer vest carrier must be arranged on the lower portion of the carrier near the waistline. The handcuff cases may be arranged on the back of the outer vest carrier. No other pockets are permitted unless approved by the Division Commander. It shall be maintained at all times in a clean and serviceable condition.

1001.3 POLICE SERVICE OFFICERS (PSO)

When on duty, the badge shall be displayed on the outermost garment in the place provided for the badge. When off duty, carrying and displaying badge prohibited and subject to discipline.

1001.3.1 GENERAL UNIFORM

This uniform consists of and shall conform to the following criteria:

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- (a) The shirt, long or short sleeve, may be a wash-and-wear, form-fitting, polyester and/or wool blend material. It shall be black in color, epaulet style, with two flap pockets on the chest. It shall have a button-up front; however, a hidden zipper closure may be added. The shirt must have military creases. The top button of the shirt may be left unbuttoned. The sleeves of the long sleeve shirt must be worn down and with the cuffs buttoned.
- (b) A crew neck undershirt is required when the uniform shirt is worn open-necked. The undershirt shall be plain black in color, crew neck style with a black neckband. The undershirt may be a T-shirt style or thermal wear style, long or short sleeve; but, at no time shall the undershirt sleeve extend below the uniform sleeve. At no time shall a stained, soiled, or faded undershirt be acceptable for wear with the uniform.
- (c) The uniform pant will be of the same color and consist of the same material as the uniform shirt. Back pockets will be plain with no flaps.
- (d) Ties will be worn as an option with the long sleeve shirt, or as directed by the Chief of Police or his/her designee. The authorized tie is black in color with a four-in-hand knot. The width of the tie shall be three (3) inches at its widest point and the bottom of the tie will not be more than three (3) inches above the belt. A clip-on tie conforming to the listed standards is authorized. An approved tie bar must be worn.
- (e) Socks, worn with low-top shoes, must be crew length, black with no pattern.
- (f) Low-quarter military style shoes or black on black soft-soled shoes, capable of being shined, may be worn. Shoes will be plain toe style, black in color with black strings. No decorative stitching, clasps, or buckles are allowed.
- (g) Military style boots, capable of being shined, may be worn. They must be black in color with a rounded toe design. No decorative stitching, clasps or buckles are allowed. Boot strings shall be black in color
Only City or department logos or markings shall be worn on uniform items. Applicable uniform accessories and insignia will be worn in accordance with the guidelines established for sworn police personnel.

1001.3.2 HATS AND HEADGEAR

A utility police "ball cap" is authorized for wear when working in the field, during inclement weather or to protect from sun exposure. The cap will not be worn at any other time without authorization from the Chief of Police or Division Commanders. The cap shall be the current official department ball cap as approved by the Chief of Police. No other logos or insignias are permitted. Should the Department opt to redesign the cap and/or insignia, only the most recent Department-approved design will be worn.

The determination of inclement weather will be at the discretion of the on-duty Watch Commander.

1001.3.3 OPTIONAL UNIFORM

Police Service Officers may wear the following uniform pieces, subject to the listed restrictions. Any optional uniform pieces must be purchased at the officer's expense

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- (a) The shirt shall be black, long sleeve (First Tactical, Black, Style #111015 - Men/ Style #121015 - Women) or short sleeve (First Tactical, Black, Style #112012 - Men/ Style #122012 - Women) performance polo style shirt, with collar, or equivalent which approved by the Division Commander. The shirt shall be free of branding or logos of any type. The top button of the shirt is the only one that may be left unbuttoned. A Department-issued patch bearing the official insignia of the Hermosa Beach Police Department shall be displayed on each sleeve shoulder. The chest badge will be a Department-issued cloth badge sewn and centered on the left chest area of the shirt. The officer's last name will be embroidered, centered on the right chest area of the shirt opposite of the badge, using white block lettering (minimum 3/8" to a maximum 1/2" characters). The polo shirt may be worn with either the standard uniform pant or the optional uniform shorts.
- (b) Light weight cargo pant (5.11, Black, Style #74369 - Men/Style #64386 - Women). shall be black in color, with cargo pockets, and constructed of a durable cotton blend material, or equivalent which is approved by the Division Commander.
- (c) Uniform shorts are only authorized to be worn during the months of daylight saving time of the second Sunday in March through the first Sunday in November. Uniform shorts will be (5.11, Black, Style #73327 - Men/Style#63071- Women) black, and may only be worn with the polo shirt. Shorts may not be worn with button style uniform shirt. While standing, the shorts leg shall extend to no less than one in (1") below nor more than four inches (4") above the kneecap. The shorts may worn with the polo shirt. Only black athletic shoes and black socks may be worn with the shorts. These optional uniform shorts will not be worn while conducting collateral duties outside in the public. This includes, but is not limited to Parades, Fourth of July, check-points, and so on.

1001.4 VOLUNTEERS IN POLICING (VIP)

The approved attire for Hermosa Beach VIP's is a polo type shirt with embroidery or screen printing identifying the wearer as a Police Volunteer, and black trousers. In times of inclement weather, VIP's may also wear a black windbreaker with white lettering in identifying them as Police Volunteer.

VIP's shall conform to department-approved dress consistent with their duty assignment.

- A. Uniforms authorized for VIP's shall be readily distinguishable from those worn by sworn officers. The approved attire for Hermosa Beach VIP's is a light grey, long sleeve (First Tactical Wolf Grey, Style #111503 - Men/Women or short sleeve (First Tactical, Wolf Grey, Style #112509 - Men/Women) performance polo style shirt, with collar, and black pants. The shirt shall be free of branding or logos of any type. The top button of the shirt is the only that may be left unbuttoned. "HBPD Volunteer" will be screen printed on the back of the shirt, positioned between the shoulder blades in block lettering. The block lettering will be 3" tall and black in color. The volunteer's last name will be embroidered on the right side of the chest in white stitching. If an undershirt is worn, it shall be black in color. In times of inclement weather, VIP's may also wear a black windbreaker with white lettering in identifying as Police Volunteer.
- B. No volunteer shall wear his or her uniform or identifiable parts of that uniform while off duty.

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1001.5 JACKETS AND COATS

Jackets and coats may be worn any time appropriate. If authorized, appropriate rank insignia shall be displayed in accordance with the guidelines pertaining to the general police uniform.

Members are authorized to wear a standard duty jacket (United Uniform Versa Soft Shell Jacket, Black or equivalent which is approved by the Division Commander. The jacket shall be free of any branding or logos of any time.. A Department-issued cloth badge must be displayed on the jacket, centered above the left chest pocket. The officer's last name shall be embroidered on the jacket. The officer's last name will be centered on the right chest area of the shirt opposite the badge, using white block lettering (minimum 3/8" to maximum 1/2". A Department-issued uniform patch bearing the official insignia of the Hermosa Beach Police Department shall be displayed on each sleeve shoulder.

Additionally, sworn police officers are authorized to wear a black hip-length leather jacket. The jacket will be hip length and styled similarly to the standard duty jacket. The jacket must contain a metal badge holder centered above the left front pocket. When worn, the jacket must display the officer's metal uniform badge. Department- issued uniform patches are not required on the leather jacket; however, officers may display them, if desired.

Members are authorized to wear a standard duty rain jacket during rainy weather (United Uniform Mfr. Ultimate Lightweight Reversible Raincoat ANSI 3, Black HiVis). The rain jacket must be a reversible shell style waterproof jacket with black on one side and hi-vis yellow on the reverse side. A Department-issued cloth badge must be displayed on the jacket, centered on the left chest.



HERMOSA BEACH POLICE DEPARTMENT

O3.05 PERIODIC INSPECTIONS

**Effective 10/27/2009
Updated**

PURPOSE

This policy describes the line-level supervisor's role in ensuring that Department employees, sworn and non-sworn, are adequately complying with the policies and procedures established in this chapter and recognizes the supervisor's need to conduct periodic inspections in order to perform this task.

SUPERVISOR RESPONSIBILITY

Supervisors are responsible for the appearance of personnel under their command and have the responsibility of inspection to ensure that:

- A. Uniforms are complete, neat, clean, and serviceable.
- B. Uniforms and equipment are properly worn and utilized.
- C. Uniforms, insignia, accessories, and equipment conform to Department standards.
- D. All leather is dyed, polished and shined, and in good condition.
- E. Any silver, brass, or other metallic pieces are clean, polished and shined, and free from excessive scratches or wear.
- F. Any nylon gear is clean, free from tears, and in serviceable condition.
- G. Uniforms are properly tailored, neither loose enough to be baggy nor tight enough to pull the material.
- H. Uniforms are in good condition, free from excessive mending, frayed material, missing buttons, fading, holes, or tearing.
- I. Any non-uniformed employee is properly adhering to the dress code appropriate for the assignment.
- J. All employees are properly adhering to the grooming standards appropriate for the assignment.

INSPECTION DATES

Periodic inspections to determine that the wearing and maintenance of uniforms and equipment is in conformance with the provisions of the chapter shall be conducted quarterly. These inspections shall be scheduled in concurrence with the patrol shift changes. Watch Commanders will be responsible for the daily personal appearance of the officers under their command, and it shall be their responsibility to enforce the provisions of this chapter.

Nothing in this section shall be construed to prohibit supervisory personnel from conducting additional inspections.

Refer to Policy A1.22 of this manual for specifics regarding conducting uniform and equipment inspections.

APPROVED:

A handwritten signature in black ink, appearing to read 'G. Savelli', written over the word 'APPROVED:'.

Greg Savelli
Chief of Police

Briefing Training

402.1 PURPOSE AND SCOPE

Briefing training is generally conducted at the beginning of the officer's assigned shift. Briefing provides an opportunity for important exchange between employees and supervisors. A supervisor generally will conduct Briefing; however officers may conduct Briefing for training purposes with supervisor approval.

Briefing should accomplish, at a minimum, the following basic tasks:

- (a) Briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles, and major investigations
- (b) Notifying officers of changes in schedules and assignments
- (c) Notifying officers of new General Orders or changes in General Orders
- (d) Reviewing recent incidents for training purposes
- (e) Providing training on a variety of subjects
- (f) New equipment/demonstrations
- (g) Legal updates
- (h) P.O.S.T. training videos (or other authorized training videos)

402.2 PREPARATION OF MATERIALS

The supervisor conducting Briefing is responsible for preparation of the materials necessary for a constructive briefing. Supervisors may delegate this responsibility to a subordinate officer in his or her absence or for training purposes.

402.3 RETENTION OF BRIEFING TRAINING RECORDS

Briefing training materials and a curriculum or summary shall be documented in the daily shift log or forwarded to the Training Sergeant for inclusion in training records, as appropriate.

402.4 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police October 27, 2009

December 4, 2023



HERMOSA BEACH POLICE DEPARTMENT

O3.07 PATROL STAFFING PROCEDURES

Effective 10/27/2009

Updated 4/7/2016

PURPOSE

This policy establishes the criteria and staffing levels needed to provide for continuous patrol coverage within the City of Hermosa Beach, and establishes the guidelines and criteria in determining the work hours, schedule and shift patrol reporting area assignments, and individual officer schedule and shift selection methods.

PATROL STAFFING REQUIREMENTS

The Patrol Division of this Department shall consist of two shift schedules. One shift shall consist of officers working from 0600 hrs until 1800 hrs (day shift). The other shift shall consist of officers working from 1800 hrs until 0600 hrs on the succeeding day (night shift). The Patrol Division shall continuously operate during all hours of the day for every day of the year, without any break in coverage.

Each patrol shift shall be minimally staffed to include at least two uniformed patrol officers, covering separate reporting ("beat") areas and supervised by at least one uniformed Watch Commander. Nothing in this section shall be construed to prevent the regular scheduling and/or assignment of additional uniformed officers to each shift or any portion thereof.

The establishment of this minimum staffing level neither indicates nor requires mandatory approval of time off for any officer when the scheduled staffing level is above that of the shift minimum. As per the Police Officers' and Sergeants' MOU, staffing levels are considered a management right.

The ability for officers to function at an acceptable level of performance and to avoid fatigue related injuries and accidents it is the department's policy to limit the total time an officer can work to 18 hours. If, due to exigent circumstances or emergencies, it is necessary to keep an officer longer than 18 hours, the watch commander will monitor the officers physical capability of continuing to work and allow the officer to take a break long enough to rest. The Operations Division Commander will be notified when this action is necessary and the reasons for keeping the officer longer than 18 hours. The officer will be allowed to go home at the earliest possible time based on coverage and needs of the department.

PATROL SHIFT SELECTION AND ROTATION

Officers assigned to the Patrol Division shall bid for and staff specific patrol shifts in accordance with Article 30 of the current Memorandum of Understanding (MOU) between the Police Officers' and Police Sergeants' Bargaining Group (HBPOA) and the City of Hermosa Beach.

There will be four (4) quarterly shift changes per twelve (12) month period. These shift changes shall begin on the first Sunday of the first month of each quarter. The quarters shall be as follows:

1. June, July, August
2. September, October, November
3. December, January, February
4. March, April, May

Patrol officers shall bid on a semi-annual basis for two consecutive quarters at a time.

For shift bidding purposes, the schedule will be posted on April 1 for the first and second quarters and on October 1 for the third and fourth quarters. The sign-up schedule will remain posted for thirty (30) days from the date of posting for the shift bidding. The Command Staff will then have thirty (30) days to finalize the schedule in advance of the schedule change. The Command Staff shall not alter the bidding schedule once the initial posting deadline has passed without first consulting with the affected officer(s) in order to seek a mutual agreement as to the schedule modification.

With the exception of probationary employees, patrol officers are not mandated to rotate between day and night shifts, or among scheduled days of the week. Bidding for shifts and days off shall be made on a seniority basis. The Operations Division commander shall have the authority to appoint probationary officers to specific shifts (without regard to days off) up to and until the completion of the officer's probationary period. Such reserved shift(s) shall be noted at the beginning of the shift bid (ie: shift will be deleted or held open) so as not to interfere with the officers' shift selection process.

REPORTING AREA ASSIGNMENT

At the beginning of the work shift, each officer will be assigned a specific beat area within the city and will be responsible for the adequate and appropriate traffic enforcement, patrol duties, service calls, and special assignments for that area. Generally, the shift officers will select their beat areas based on officer seniority; however, alternate methods for assigning beat areas are permitted. Exceptions to this practice will occur as deemed necessary by the Watch Commander. Regardless of beat area assignment, all patrol officers are permitted to patrol all areas of the city; however, each officer should dedicate the majority of their patrol time to enforcement activities within their assigned area.

Upon the conclusion of briefing, all patrol officers shall notify the Communication Center (dispatch) that they are "in service," via MDC or radio transmission.

Patrol officers shall remain in the field for the duration of their shift unless the officer has specific business at the station. Officers shall keep dispatch advised of their availability status while at the station and upon returning to the field.

Officers may return to the station approximately ten (10) minutes prior to their scheduled end of watch in order to prepare for the shift change. Officers are not to make themselves unavailable for duty until properly relieved or until instructed to do so by the Watch Commander.

Patrol units may not leave the city, except for traffic investigations or in pursuit of a criminal suspect, unless authorized by the Watch Commander. The Communication Center shall check with the Watch Commander prior to assigning any unit out of the city.

(CALEA 41.1.1 a-f)

APPROVED:

A handwritten signature in black ink, appearing to read 'Sharon Papa', with a long horizontal flourish extending to the right.

Sharon Papa
Chief of Police

Audio/Video Recording

424.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of all audio/video recording devices by members of this department while in the performance of their duties. Audio/video recording devices includes, but is not limited to mobile video systems, body-worn cameras, digital cameras, and/or fixed security cameras.

Audio and video recording of contacts between Department members and the public provides an objective record of events, and the use of a recording system assists Department members in the performance of their duties by providing a digital record of enforcement and investigations. A recording of an event or contact also enables the delivery of timely, relevant and appropriate training to maximize safety for our employees and improve the provision of services to the community.

424.1.1 DEFINITIONS

Definitions related to this policy include:

Activate - Any process that causes the recording system to transmit or store video or audio data in an active mode.

Body worn camera (BWC) - Any device that captures audio and video that is capable of being worn on an officer's person.

Digital media technician - Department member who is certified or trained in the operational use of all recording systems, duplicating methods, storage and retrieval methods and procedures, and who have a working knowledge of video forensics and evidentiary procedures.

Digital Evidence Management System (DEMS) - A management system designed to digitally collect, store, secure, disseminate and purge recorded media. The digital recordings are accessible to authorized personnel and maintain an audit trail of user activity.

Mobile Audio/Video (MAV) system - Any system that captures audio and video signals, is capable of installation in a vehicle, and includes at a minimum a camera, microphone, recorder, and monitor. An "in car camera system" is synonymous term for an MAV system.

Personally-owned recorder - A recording device, including but not limited to a cellular telephone, handheld video recorder, handheld voice recorder, that is used by the Department member during his/her shift, but not owned by the Department.

Recorded Media - Audio or video signals recorded or digitally stored on a storage device or portable media.

424.2 POLICY

It is the policy of the Department to use recording systems to more effectively fulfill the Department's mission by accurately capturing contacts between members of the Department and the public and to ensure these systems are used securely and efficiently.

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The Department has equipped patrol cars with MAV recording systems to provide records of events and assist officers. Additionally, the Department will assign BWCs to designated employees for use during the performance of their duties. Designated employees include sworn Police Officers and Community Service Officers.

At least annually, the Investigative/Administrative Services Division Commander will conduct a documented review of this policy to ensure it complies with current law and best practices.

424.3 COORDINATOR

The Chief of Police or the authorized designee shall appoint a member of the Department to coordinate the use and maintenance of portable audio/video recording devices and the storage of recordings, including (Penal Code § 832.18):

- (a) Establishing a system for downloading, storing and security of recordings.
- (b) Designating persons responsible for downloading recorded data.
- (c) Ensuring it is stored in a secure location with authorized controlled access.
- (d) Establishing a maintenance system to ensure availability of operable portable audio/video recording devices.
- (e) Establishing a system for tagging and categorizing data according to the type of incident captured.
- (f) Establishing a system to prevent tampering, deleting and copying recordings and ensure chain of custody integrity.
- (g) Working with counsel to ensure an appropriate retention schedule is being applied to recordings and associated documentation.
- (h) Maintaining logs of access and deletions of recordings.
- (i) Ordering, issuing, and retrieving all recording devices.
- (j) Erasing of media:
 - 1. Pursuant to a court order.
 - 2. In accordance with established records retention policies, including all other media deemed to be of no evidentiary value.
- (k) Assigning all recording devices an identification number prior to issuance to the field.
- (l) Maintaining a record of issued recording devices.
- (m) Ensuring that an adequate supply of recording media is available.
- (n) Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the Department evidence storage protocols and the records retention schedule.

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424.3.1 TRAINING

Employees, including supervisors, shall not use MAV/BWC recording systems unless they have successfully completed training in the proper use of such equipment. All introductory training for MAV/BWC shall be documented in the appropriate training file.

424.4 MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time, and any recording made while acting in an official capacity for this department, regardless of ownership of the device it was made on, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

424.5 MEMBER RESPONSIBILITIES

Prior to going into service, each uniformed member will equip him/herself to record audio and video in the field and will be responsible for ensuring that the recording systems are in good working order. At the start of each shift, members shall test the recording system's operation in accordance with manufacturer specifications and Department operating procedures and training. Additionally, all members shall ensure that all recording systems have sufficient memory and battery to last the duration of their shift.

If any recording systems are not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable. If it is discovered that a MAV is not functioning properly, the member shall select another vehicle (if available) and report the malfunctioning MAV to the Watch Commander, in accordance with the vehicle repair procedures set forth in this manual. If no other vehicle with a functioning MAV is available, the member shall note, via MDC, that the vehicle he/she is using is not equipped with a functioning MAV.

Uniformed members are required to wear portable recorders in a conspicuous manner or otherwise notify persons that they are being recorded, whenever reasonably practicable. BWC is to be forward facing and unobstructed by equipment, uniforms or safety gear.

Any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever reasonably practicable.

Members should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Members should include the reason for deactivation.

At the end of their shift, each member will ensure that the recordings system(s) are downloaded/downloading to their designated database(s). In the event a member works at a remote location and reports in only periodically, additional recording media may be issued. Only Hermosa Beach Police Department identified and labeled media with tracking numbers is to be used.

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If a member accidentally records a non-law enforcement related conversation or incident (e.g. bathroom break), he/she shall notify the Watch Commander. The Watch Commander will review the recording and forward the request to delete the recording to the Division Commander.

424.5.1 SUPERVISOR RESPONSIBILITIES

When an incident arises that requires the immediate retrieval of the recorded media (e.g. serious crime scenes, officer-involved shootings, Department-involved collisions), a supervisor shall respond to the scene and ensure that the recording is properly retrieved. Supervisors should take custody of a portable audio/video recording device as soon as practicable when the device may have captured an incident involving the use of force, an officer-involved shooting or death or other serious incident, and ensure the data is downloaded (Penal Code § 832.18). The media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media.

Supervisors should determine if vehicles with non-functioning MAV systems should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made, including notification of Dispatch.

424.6 ACTIVATION OF THE RECORDING DEVICES

This policy is not intended to describe every possible situation in which the recording device should be used, although there are many situations where its use is appropriate. Members should activate the recording devices any time the member believes it would be appropriate or valuable to record an incident.

The recording device should be activated in any of the following situations:

- (a) All field contacts involving actual or potential criminal conduct:
 1. Traffic stops (to include, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops)
 2. Priority responses
 3. Vehicle pursuits
 4. Suspicious vehicles
 5. Arrests
 6. Vehicle searches
 7. Physical or verbal confrontations or use of force
 8. Pedestrian checks
 9. DWI/DUI investigations including field sobriety tests
 10. Consensual encounters
 11. Crimes in progress
 12. Responding to an in-progress call
 13. At the request of a member of the public

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- (b) All enforcement and investigative contacts including:
 - 1. Stops and field interview (FI) situations
 - 2. Animal control situations
- (c) All self-initiated activity in which an officer would normally notify Dispatch
- (d) Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect:
 - 1. Domestic violence calls
 - 2. Disturbance of peace calls
 - 3. Offenses involving violence and weapons
- (e) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording
- (f) Any other circumstance where the officer believes that a recording of an incident would be appropriate

Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

424.6.1 CESSATION OF RECORDING

Once activated, the recording device(s) shall remain on continuously until the member reasonably believes that his/her direct participation in the incident is complete or the situation no longer fits the criteria for activation. At the member's discretion, he/she may pause the recording. Prior to pausing, members shall verbally specify on the recording device the reason for interrupting the recording. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

Members shall cease audio recording whenever necessary to ensure conversations are not recorded between a person in custody and the person's attorney, religious advisor or physician, unless there is explicit consent from all parties to the conversation (Penal Code § 636).

424.6.2 SURREPTITIOUS USE OF THE PORTABLE RECORDER

Members of the Department may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation (Penal Code § 633).

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Chief of Police or the authorized designee for the purpose of conducting a criminal or administrative investigation.

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424.6.3 EXPLOSIVE DEVICE

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

424.7 PROHIBITED USE OF RECORDING DEVICES

Members are prohibited from using department-issued recording devices for personal use, including any off-duty assignments or outside employment. Additionally, employees are prohibited from tampering, deleting or making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are also prohibited from using personally owned recording devices while on-duty without the express consent of the Division Commander. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements, and should notify the on-duty supervisor of such use as soon as reasonably practicable.

Recordings shall not be used by any member of the Department for the purpose of embarrassment, harassment or ridicule.

424.8 IDENTIFICATION AND PRESERVATION OF RECORDINGS

To assist with identifying and preserving data and recordings, members should download, tag or mark these in accordance with procedure and document the existence of the recording in any related case report.

A member should transfer, tag or mark recordings when the member reasonably believes:

- (a) The recording contains evidence relevant to potential criminal, civil or administrative matters or a potential claim against the officer or against the Department.
- (b) A complainant, victim or witness has requested non-disclosure.
- (c) A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.
- (d) Disclosure may be an unreasonable violation of someone's privacy.
- (e) Medical or mental health information is contained.
- (f) Disclosure may compromise an undercover officer or confidential informant.

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

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424.9 STORAGE AND RETENTION OF RECORDINGS

BWC recordings shall be stored in appropriate DEMS or computer server. Recordings of the following should be retained for a minimum of two years (Penal Code § 832.18):

- (a) Incidents involving use of force by an officer or an Officer-Involved Shooting;
- (b) Incidents that lead to the detention or arrest of an individual; and
- (c) Recordings relevant to a formal or informal complaint against an officer or the Hermosa Beach Police Department

Recordings containing evidence that may be relevant to a criminal prosecution should be retained for any additional period required by law for other evidence relevant to a criminal prosecution (Penal Code § 832.18).

All other recordings should be retained for a period consistent with the requirements of the organization's records retention schedule but in no event for a period less than 180 days.

Records or logs of access and deletion of recordings should be retained permanently (Penal Code § 832.18).

All jail monitoring systems, building security systems, and public safety camera system media will be labeled and stored in a designated secure area. All recording media that is not booked as evidence will be retained for a minimum of one year after which time it will be erased, destroyed or recycled in accordance with the established records retention schedule (Government Code § 34090.6).

424.9.1 RELEASE OF AUDIO/VIDEO RECORDINGS

All recorded media, recorded images and audio recordings are the property of the Department. Dissemination outside of the agency is strictly prohibited, except to the extent permitted or required by law.

Any MAV, BWC, and other known video or audio recordings of an incident shall not be publicly released during an ongoing investigation without the approval of the Chief of Police or their designee. Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy.

424.10 REVIEW OF RECORDED MEDIA FILES

After downloading and tagging the recorded media, members should review the recorded media from their MAV system or BWC as a resource to assist in the preparation of their written reports. In no case shall a member retain personal copies of recordings. Members should not rely on the fact that a recording was made and write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct report of meritorious conduct, or specific incidents that come to the attention of the Department.

Recorded files may also be reviewed:

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- (a) By any member of the Department who is conducting an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.
- (b) If a member is to be interviewed in the course of a personnel complaint, the involved member(s), including witness members, should be allowed, prior to being interviewed, to review a copy of the recording(s) of the incident of his/her involvement. The decision to allow member(s) to review recordings prior to an interview will be at the discretion of the investigator and/or Chief of Police.
- (c) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- (d) By media personnel with permission of the Chief of Police or the authorized designee.
- (e) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.
- (f) By Department personnel who request to review recordings for other purposes (e.g. court preparation) upon supervisory approval.
- (g) Recordings may be shown for training purposes. If an involved member objects to showing a recording, his/her objection will be submitted to the Division Commander to determine if the training value outweighs the member's objection.
- (h) Semi-annual audits of captured media should be conducted by authorized supervisors in January and July of every year. Supervisors must randomly review at least six (6) media files to ensure members are adhering to Departmental policies and procedures. Each review shall be documented on the Audio/Video Recordings (AVR) Request Form.

All recordings should be reviewed by the Custodian of Records prior to public release (see the Records Maintenance and Release Policy). Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

424.11 ISSUING AUTHORITY

	Effective Date	Updated Date
W. Paul LeBaron, Chief of Police	September 24, 2020	May 7, 2024

Audio/Video Recording

I. AUDIO VIDEO RECORDING SYSTEMS

- A. MAV
The MAV is a digital system; there is no external memory storage device in the patrol vehicle. The system includes the following:
 - 1. Forward-facing camera
 - 2. Rear-facing camera
 - 3. Viewing monitor, with control panel
- B. BWC
The Department will provide all maintenance, batteries, belt holders, and any other accessories necessary for the standard operation of the device.
- C. Handheld Recorder
The Department will provide digital cameras, and needed accessories, to sworn personnel for the purpose of collecting evidence.
- D. Fixed Security Cameras (Jail, Downtown)
The Department maintains fixed security cameras in the jail and in the downtown Pier Plaza area. The recordings from the fixed security cameras will be maintained on a dedicated server at one of the Police Department facilities.

II. TRAINING

- A. Training provisions will include classroom discussion, webinars, field application and evaluation by a supervisor or Field Training Officer (FTO). The training will consist of a review of the proper function and use of the audio/video recording devices, recommended times to employ the devices, and departmental policy and procedures as they pertain to the devices.
- B. A written record of the training provided will be completed by the trainer and maintained in the officer's training file.

III. EMPLOYEE RESPONSIBILITIES

If any portable recording system is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable.

If it is discovered that a MAV is not functioning properly, the officer shall select another vehicle (if available) and report the malfunctioning MAV to the Watch Commander, in accordance with the vehicle repair procedures set forth in this manual. If no other vehicle with a functioning MAV is available, the officer shall note, via MDC, that the vehicle he/she is using is not equipped with a functioning MAV.

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IV. SUPERVISOR RESPONSIBILITIES

Supervisors should determine if vehicles with non-functioning MAVs should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made and the supervisor should notify Dispatch.

V. ACTIVATION OF THE AUDIO/VIDEO RECORDING DEVICES

Officers shall activate audio/video recording devices any time the officer believes it would be appropriate or valuable to record an incident.

The MAV system can be activated manually. The MAV system is also designed to turn on automatically whenever the unit's emergency lights are activated. The system remains on until it is turned off manually. The system will also activate with any of the following triggers:

- Vehicle reaches 75 MPH
- Vehicle involved in a traffic collision
- Rifle or shotgun removed from the rack
- Siren activated
- Rear door opens

VI. CESSATION OF AUDIO/VIDEO RECORDING DEVICES

Per Policy, members may pause or mute recordings. Examples of when to pause or mute may include, but is not limited to:

- Discussing tactics
- Discussing confidential information with victims or witnesses
- Discussions with supervisors or training officers regarding performance

Prior to pausing, officers shall verbally specify on the recording device the reason for interrupting the recording.

VII. IDENTIFICATION AND PRESERVATION OF RECORDED MEDIA

If a member accidentally records an unauthorized conversation with other City members or non-law enforcement incident (e.g. bathroom break), that officer shall classify the recording as confidential, limiting access, and shall notify their supervisor. If the recording is classified as non-evidentiary, it will be deleted after 180 days.

VIII. STORAGE AND RETENTION OF RECORDED MEDIA

The contents of each vehicle's MAV will automatically download, via wireless connection, every time the vehicle is parked on or near the driveway to the rear of the police station. The information is stored on a dedicated server.

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RECORDED MEDIA RETENTION SCHEDULE:

TYPE OF RECORD	DESCRIPTION OF RECORD	LENGTH OF TIME FOR RETENTION
Non-evidentiary data	Data that does not necessarily have value to aid in an investigation or prosecution, such as data of an incident or encounter that does not lead to an arrest or citation, or data of general activities the officer might perform on duty.	180 Days
Evidentiary data	Data of an incident or encounter that could prove useful for investigative purposes, including, but not limited to, a crime, an arrest, or citation, a search, a use of force incident, or a confrontational encounter with a member of the public	2 Years
Evidentiary data (involved in criminal prosecution)	Exhibits introduced or filed in a criminal action, property unlawfully possessed and used in commission of a crime, photographic or digital records, and biological material	As otherwise required by law. (See CA Penal Code Sections 1417, et seq.)
Records or logs of access and deletion of data from body-worn cameras		Permanently
Routine video monitoring	Jail monitoring systems, building security recordings systems, and public safety camera system media	1 Year

IX. RELEASE OF RECORDED MEDIA

The following personnel are permitted to make copies of any audio/video recordings to an external storage medium:

- Chief of Police
- Police Captain
- Police Lieutenants
- Detective Sergeant
- Administrative Sergeant
- Detectives

Whenever a copy of recorded media is made, the reason for the copy shall be documented.

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If any other members need a copy of recorded media, they must submit their request in writing to their supervisor for approval. If approved, the supervisor will forward the request to the court liaison for processing. The court liaison will document any/all completed requests.

X. REVIEW OF RECORDED MEDIA

There will be semi-annual audits.

The Accreditation Manager will take the following steps to ensure the selected media files are random.

- First the Accreditation Manager will randomize dates within 6-months of the actual review date and select the first (6) days for review.
- Then, the Accreditation Manager will compile a list of recordings from those (6) days and randomize those media files.
- He/she will then select the first (6) recordings from that list.

The following procedures will be taken to randomly select both days and media files included in the review. The final list of selected files will be provided to the appropriate supervisor for media review.

Randomization Procedures:

1. Establish time period to be reviewed. It must be within 6-months of the actual review date.
Example:
Review Date 2/25/2017
Time frame 8/24/2016 to 2/24/2017
2. Populate Dates within time frame into an Excel Sheet in Column A.
3. In B1, Type in =RAND() and drag down to populate next to your listed dates
4. Select any cell in Column B and Select ZA on the DATA tab. Your date list will shuffle.
5. Retrieve list of Recordings from the first (6) dates on your randomized list (Column A)
6. Insert list of recordings (by System ID) into Sheet 2
7. In B1, Type in =RAND() and drag down to populate next to your listed recordings
8. Select any cell in Column B and Select ZA on the DATA tab. Your recordings list will shuffle.
9. Review recordings associated with first (6) System IDs
10. Complete an Audio/Video Recordings (AVR) Request Form for each recording and attach copies of the recordings to the memorandum detailing findings of review.



HERMOSA BEACH POLICE DEPARTMENT

03.09 HANDCUFFING AND RESTRAINTS

Effective 12/26/2019
Updated

PURPOSE AND SCOPE

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

POLICY

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

USE OF RESTRAINTS

Only members who have successfully completed Hermosa Beach Police Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

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

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

I. RESTRAINT DETAINEES

Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees

should continue only for as long as is reasonably necessary to ensure the safety of officers and others. When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

II. RESTRAINT OF PREGNANT PERSONS

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

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

III. RESTRAINT OF JUVENILES

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

IV. NOTIFICATIONS

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

APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

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

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

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

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

APPLICATION OF SPIT HOODS

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

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

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

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

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

APPLICATION OF AUXILIARY RESTRAINT DEVICES

Auxiliary restraint devices include "The Wrap", transport belts, waist or belly chains, transportation chains, leg irons, and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement,

comfort and mobility.

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

APPLICATION OF LEG RESTRAINT DEVICES

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

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

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

I. GUIDELINES FOR USE OF AUXILIARY RESTRAINT DEVICES/LEG RESTRAINTS

When applying leg restraints the following guidelines should be followed:

- (a) If practicable, officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.
- (b) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.
- (c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.
- (d) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.
- (e) The officer should look for signs of labored breathing and take appropriate

steps to relieve and minimize any obvious factors contributing to this condition.

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

REQUIRED DOCUMENTATION

If a person is restrained and released without an arrest, the officer should document the details of the detention and the need for handcuffs or other restraints. The documentation of the restraint without and arrest can be included in the incident history (CAD), FI Card, Daily Activity Log, etc.

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report. Officers should document the following information in reports, as appropriate, when restraints other than handcuffs are used on a person:

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

TRAINING

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

- (a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.
- (b) Response to complaints of pain by restrained persons.
- (c) Options for restraining those who may be pregnant without the use of leg irons, waist chains, or handcuffs behind the body.

- (d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.

APPROVED



Acting Chief of Police

Seat Belts

1011.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in department vehicles (Vehicle Code § 27315.5).

1011.1.1 DEFINITIONS

Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and Regulations set forth in 49 CFR 571.213.

1011.2 POLICY

It is the policy of the Hermosa Beach Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision.

1011.3 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including non-members, are also properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the member or the public. Members must be prepared to justify any deviation from this requirement.

1011.4 TRANSPORTING CHILDREN

Children under the age of 8 shall be transported in compliance with California's child restraint system requirements (Vehicle Code § 27360; Vehicle Code § 27363).

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side airbag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible. A child shall not be transported in a rear-facing child restraint system in the front seat in a vehicle that is equipped with an active frontal passenger airbag (Vehicle Code § 27363).

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1011.5 TRANSPORTING PERSONS IN CUSTODY

Persons who are in custody should be in a seated position and secured in the rear seat of any department vehicle with a restraint system or, when a restraint system is not available, by seat belts provided by the vehicle manufacturer. The restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

An incarcerated person in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

1011.6 INOPERABLE SEAT BELTS

Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief of Police.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

1011.7 VEHICLES MANUFACTURED WITHOUT SEAT BELTS

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

1011.8 VEHICLE AIRBAGS

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

1011.9 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police October 27, 2009

June 6, 2023

Ride-Along Policy

405.1 PURPOSE AND SCOPE

The Ride-Along Program provides an opportunity for citizens to experience the law enforcement function first hand. While the Hermosa Beach Police Department welcomes civilians to Ride-Along with police officers to facilitate a spirit of communication between the department and those that we serve, it should be understood that our department's resources are limited. This policy provides the requirements, approval process, and hours of operation for the Ride-Along Program.

405.1.1 ELIGIBILITY

The Hermosa Beach Police Department Ride-Along Program is offered to residents, applicants, students and those employed within the City. Other ride-along participants may be accepted with the approval of the Division Commander. Every attempt will be made to accommodate interested persons however any applicant may be disqualified without cause.

The following factors may be considered in disqualifying an applicant and are not limited to:

- Being under 15 years of age
- Prior criminal history
- Pending criminal action
- Pending lawsuit against the Department
- Denial by any supervisor

405.1.2 AVAILABILITY

The Ride-Along Program is available on most days of the week, with certain exceptions. The ride-along times are from 10:00 a.m. to 11:00 p.m. Exceptions to this schedule may be made as approved by the Chief of Police, or Division Commander. Minors are limited to four hours total time and may not ride after 2300 hours.

405.2 PROCEDURE TO REQUEST A RIDE-ALONG

Generally, ride-along requests will be scheduled by the Division Commander or their designee. The Watch Commander is responsible for ensuring that all ride-along participants read, understand and sign a ride-along waiver form. Information requested will include a valid ID or California driver's license, address, and telephone number. If the participant is under 18 years of age, a parent/guardian must be present to complete the Ride-Along Form.

The Division Commander or their designee will schedule a date, based on availability, at least one week after the date of application. If approved, a copy will be forwarded to the respective Watch Commander as soon as possible for his/her scheduling considerations.

If the ride-along is denied after the request has been made, a representative of the Department will contact the applicant and advise him/her of the denial.

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Ride-Along Policy

405.2.1 PROGRAM REQUIREMENTS

Once approved, civilian ride-alongs will be allowed to ride no more than once every six months. An exception would apply to the following: Cadets, Explorers, Volunteers, Chaplains, Reserves, police applicants, and all others with approval of the Division Commander.

An effort will be made to ensure that no more than one citizen will participate in a ride-along during any given time period. Normally, no more than one ride-along will be allowed in the officer's vehicle at a given time.

405.2.2 SUITABLE ATTIRE

Any person approved to ride along is required to be suitably dressed in collared shirt, blouse or jacket, slacks and shoes. Sandals, T-shirts, tank tops, shorts and ripped or torn blue jeans are not permitted. Attire with inappropriate language or logos will not be permitted. The Watch Commander or field supervisor may refuse a ride along to anyone not properly dressed.

405.2.3 PEACE OFFICER RIDE-ALONGS

Off-duty Peace Officers of this department or any other law enforcement agency will not be permitted to ride-along with on-duty officers without the expressed consent of the Division Commander. In the event that such a ride-along is permitted, the off-duty employee shall not be considered on-duty and shall not represent themselves as a peace officer or participate in any law enforcement activity except as emergency circumstances may require.

405.2.4 RIDE-ALONG CRIMINAL HISTORY CHECK

All Ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and a Department of Justice Automated Criminal History System check through CLETS prior to their approval as a ride-along with a law enforcement officer (provided that the ride-along is not an employee of the Hermosa Beach Police Department) (CLETS Policies, Practices and Procedures Manual § 1.6.1.F.2.).

405.3 OFFICER'S RESPONSIBILITY

The officer shall advise the dispatcher that a ride-along is present in the vehicle before going into service. Officers shall consider the safety of the ride-along at all times. Officers should use sound discretion when encountering a potentially dangerous situation, and if feasible, let the participant out of the vehicle in a well-lighted place of safety. The dispatcher will be advised of the situation and as soon as practical have another police unit respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

405.4 CONTROL OF RIDE-ALONG

The assigned employee shall maintain control over the ride-along at all times and instruct him/her in the conditions that necessarily limit their participation. These instructions should include:

- (a) The ride-along will follow the directions of the officer
- (b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects, or handling any police equipment

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HBPD Policy Manual

Ride-Along Policy

- (c) The officer may terminate the ride at any time and the officer may return the observer to their home or to the station if the ride-along interferes with the performance of the officer's duties
- (d) The Watch Commander has the authority to cancel any ride-along prior to or at any time during the shift
- (e) Ride-alongs may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety
- (f) Officers will not allow any ride-alongs to be present in any residences or situations that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other citizen
- (g) Under no circumstance shall a ride along be permitted to enter a private residence with an officer without the expressed consent of the resident or other authorized person

405.5 ISSUING AUTHORITY

Last updated by:

Acting Chief of Police, Milton
McKinnon

Effective Date

October 27, 2009

Updated Date

August 5, 2019

Administrative Communications

205.1 PURPOSE AND SCOPE

Administrative communications of this department are governed by the following policies.

205.2 MEMORANDUMS

Memorandums may be issued periodically by the Chief of Police or designee to announce and document all promotions, transfers, hiring of new personnel, separations, personnel and group commendations, or other changes in status.

205.3 CORRESPONDENCE

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

[Department Letterhead](#)

205.4 SURVEYS

All surveys made in the name of the Department shall be authorized by the Chief of Police or a Division Commander.

205.5 ACKNOWLEDGEMENT

Department members may be required to provide a signature acknowledging receipt of a document.

In the event an officer refuses to sign, acknowledging receipt of a document, the following procedure shall apply:

The supervisor shall inform the officer that providing a signature is an acknowledgement of receipt only and does not indicate agreement with the content of the document or surrender of rights. If the employee still refuses to sign the document the supervisor shall secure another department member to act as a witness and the supervisor will again ask the employee to sign. If the department member still refuses, the supervisor will write "REFUSED" on the bottom of the document. The supervisor and the witness will provide their signature, date, and time.

The supervisor shall create a memo to document the interaction including the exact words the member used in refusing to sign, including date and location of interaction.

205.6 ISSUING AUTHORITY

Last updated by:

Chief of Police, Greg Savelli

Effective Date

October 27, 2009

Attachments

Blank Letterhead PD.pdf



Hermosa Beach Police Department



540 Pier Avenue
Hermosa Beach, CA 90254



HERMOSA BEACH POLICE DEPARTMENT

O3.13 ADMINISTRATIVE REPORTING

Effective 10/27/2009

Updated 4/06/2010

PURPOSE

To establish the administrative reporting system for the Hermosa Beach Police Department and establish responsibility for formulating required reports.

POLICY

It is the policy of this Department to provide proper documentation and reporting of pertinent administrative/operational activities.

PROCEDURE

I. Types of Reports

- A. Reports can be required either based on specific incidents or according to an established time line. Numbers in parenthesis after a specific report indicate applicable CALEA standards.
- B. Some examples of reports that are based on specific incidents, that are documented by the supervisor on duty or the involved officer and forwarded to the Operations Lieutenant for review are:
 - 1. Pursuit reports. (41.2.2)
 - 2. Use of force reports. (1.3.6)
 - 3. Supervisors Report of Injury
- C. Many reports that are required based on a timeline are analytical reports that are utilized to assist the administration in budget justifications or for statistical comparisons.
- D. The Accreditation Manager, utilizing CALEA Accreditation Compliance Express (CACE) reports and the Time Sensitive Standards Report, will email all reports due for the month to the assigned persons.
- E. To guarantee that reports and reviews will be completed in a timely manner, the Accreditation Manager will use the following tracking procedures:
 - 1. The first week of every month he/she will notify all applicable personnel of any reports and reviews that are due.

2. The standard information page will be updated in CACE-L upon receipt of reports required by standard to reflect completion.
3. The Captain will be notified of any past due reports at the end of each month.

II. Time Sensitive Reports and Analysis

A. Daily Reports

1. Daily Activity Report
 - a. Electronically available
 - b. Prepared by the on duty Watch Commander
 - c. Used to note all activity of patrol shifts.
 - d. A copy placed on the shared drive and a copy placed in the briefing folder.
2. Shift Vehicle Inspection Report
 - a. Prepared by Officers on assigned vehicles.
 - b. Used to note damages, needed repairs and equipment needs in vehicles.
 - c. Forwarded to the Operations Lieutenant for action as needed.
3. Media Board
 - a. Prepared by Records personnel.
 - b. Provides public information on police activities.
 - c. Used by the media and public.
4. Daily Evaluation Reports
 - a. Prepared by Field Training Officers on trainees.
 - b. Used as a daily observation report to note progress.
 - c. Distributed to the FTO Sergeant and Operations Lieutenant.

B. Weekly Reports

1. Jail Safety and Sanitation Checklist
 - a. Prepared by the assigned PSO.
 - b. Used to document operating condition and identify deficiencies of jail facility.
 - c. Original is files in the Jail Inspection Log Book
 - d. Copy distributed to the Support Services Lieutenant and Accreditation files.

C. Monthly Reports

1. Revenue and Expenditure Status Reports (17.4.1)
 - a. Prepared by the Finance Department.
 - b. Used to track expenditures, encumbrances, and balances of all Department fiscal accounts.
 - c. Maintained in both computer & hard copy.
 - d. Distributed to the Chief's Secretary.
2. Monthly Leave Balance Totals
 - a. Prepared by the Personnel Department.
 - b. Used to track sick, vacation, holiday and compensatory time balances for all Department personnel.
 - c. Distributed to the Chief's Secretary.
3. Monthly Uniform Crime Report
 - a. Prepared by the Records Supervisor.
 - b. Used to document criminal activity/arrests that occur in the city.
 - c. Distributed to the City Manager, Chief of Police, DOJ and FBI.

D. Quarterly Reports

1. Critical Incident Equipment Inspection (46.1.8)
 - a. Performed by the Operations Division Lieutenant.
 - b. Used to note operational readiness of all equipment utilized by the department in the event of an unusual occurrence or disaster.
 - c. Distributed to Accreditation Files.
2. Performance Evaluation Report on Probationary Employees (35.1.3)
 - a. Prepared by employee's supervisor.
 - b. Used to determine suitability for current position.
 - c. Distributed to employee, Lieutenant in the individual's chain of command, Chief of Police and Personnel file.

E. Semi-annual Reports

1. Inspection of Evidence/Property Rooms (84.1.6 a)
 - a. Conducted by the Property and Evidence custodian.
 - b. Used to determine adherence to policies and procedures reference the control of property.
 - c. Distributed to Accreditation files.

2. Line Inspection Report (53.1.1)
 - a. Prepared by Shift Supervisors of each organizational component in January & July of each year.
 - b. Used to determine personnel grooming and appearance and condition of issued equipment, vehicles, and facilities.
 - c. Distributed to the Operations Lieutenant and Accreditation files.

F. Annual Reports

1. Review of Biased Based Profiling (1.2.9)
 - a. Prepared by the Chief of Police
 - b. Used to reveal trends that could indicate corrective training needs.
 - c. Distributed to the Accreditation files.
2. Update and Review of Attainment of Goals and Objectives (15.2.1)
 - a. Prepared by Supervisors of each organizational component.
 - b. Used to prepare department report and establish measurable objectives for the coming year.
 - c. Distributed to the Chief of Police who will prepare department report for inclusion in Department Annual Report.
3. Analysis of Use of Force Incidents (1.3.13)
 - a. Prepared by the Operations Lieutenant.
 - b. Used to reveal trends that could indicate training needs, equipment upgrades, and/or policy modifications.
 - c. Distributed to the Chief of Police and Accreditation files.
4. Review of Specialized Assignments (16.2.1)
 - a. Prepared by the Chief of Police
 - b. Used to determine whether each specialized assignment should be continued.
 - c. Distributed to Accreditation files.
5. Budget Recommendations/Supplemental Appropriation Requests(17.2.2)
 - a. Prepared by the Division Commanders.
 - b. Used to determine overall department needs and priorities for the budget cycle.
 - c. Distributed to the Chief of Police.
6. Review of Employee Grievances (25.1.3)
 - a. Prepared by the Chief of Police
 - b. Used to analyze trends and take steps to minimize causes.
 - c. Distributed to Accreditation files.

7. Analysis of Pursuit Reports (41.2.2)
 - a. Prepared by the Operations Lieutenant.
 - b. Used to reveal patterns or trends that indicate training needs and/or policy modifications.
 - c. Distributed to the Chief of Police and Accreditation files.

8. Statistical Summary of Internal Affairs Investigations (52.1.5)
 - a. Prepared by the Chief of Police.
 - b. Indicates allegations and findings of all Internal Affairs Investigations.
 - c. Published in the Annual Report and made available to the public and department employees.

9. Audit of Evidence and Property Rooms (84.1.6c)
 - a. Performed annually by a supervisor not connected with control of property.
 - b. Used to determine integrity of evidence/property control functions.
 - c. Distributed to the Chief of Police, Support Services Lieutenant, and Accreditation files.

10. Unannounced Inspection of Evidence and Property Rooms (84.1.6d)
 - a. Performed once a year by a supervisor designated by the Chief of Police.
 - b. Used to determine integrity of evidence/property control functions.
 - c. Distributed to the Chief of Police, Support Services Lieutenant, and Accreditation files.

11. Performance Evaluation Report on all Employees (35.1.2)
 - a. Prepared by employee's supervisor.
 - b. Used to determine if employees are qualified to carry out their assigned duties and provides necessary behavior modification information to the employee.
 - c. Distributed to employee, Lieutenant in the individual's chain of command, Chief of Police and Personnel file.

12. Department Annual Report
 - a. Prepared by the Chief of Police with information supplied by the organizational components.
 - b. Used to inform members of the Department and the community of activities and statistics for previous fiscal year.
 - c. Distributed to Department members.

G. Multiyear Reports

1. Staff Inspection Report (53.2.1)
 - a. Prepared by the command staff, or designee, every three years.
 - b. Purpose is to report findings of an in-depth review of all department components to ensure that administrative procedures are adhered to.
 - c. Distributed to the Chief of Police and Accreditation files.
2. Periodic Workload Assessment (16.1.2)
 - a. Prepared by the Operations Lieutenant every three years.
 - b. Used to reveal patterns or trends that indicate the appropriate personnel allocation to maximize the efficiency and effectiveness of the department.
 - c. Distributed to the Chief of Police and Accreditation files.
3. Multi-year Plan (15.1.3)
 - a. Prepared by the Administrative Captain and revised as needed.
 - b. Used to project long-range plans and trends beyond the current budget year. Used in budget process.
 - c. Distributed to Chief of Police and Accreditation files.
4. Crime Prevention Programs (45.1.1)
 - a. Prepared by the Community Lead Sergeant once every three years.
 - b. Used to evaluate the prevention programs effectiveness in addressing community perceptions.
 - c. Distributed to the Chief of Police, both Lieutenants and Accreditation files.
5. Recruitment Plan Review (31.2.2)
 - a. Reviewed and revised if needed by the Chief of Police
 - b. Used by the department to expand the pool for personnel recruitment
 - c. Distributed to all personnel in recruitment positions and the Accreditation Files.

(CALEA 11.4.1, 11.4.3)

APPROVED:



Greg Savelli
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

03.14 BIAS BASED POLICING

Effective 10/27/2009
Updated 11/05/2020

PURPOSE

This policy provides guidance to department members that affirms the Hermosa Beach Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

I. DEFINITIONS

Definitions related to this policy include:

Bias-based policing - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement (Penal Code § 13519.4).

POLICY

The Hermosa Beach Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

BIAS BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members shall, when reasonable to do so, intervene to prevent any biased-based actions by another member.

I. REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

SUPERVISORS RESPONSIBILITY

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
 - 1. Supervisors should document these discussions, in the prescribed manner.
- (b) Supervisors should periodically review MAV recordings, portable audio/video recordings, Mobile Digital Computer (MDC) data and any other available resource used to document contact between officers and the public to ensure compliance with the policy.
 - 1. Supervisors should document these periodic reviews.
 - 2. Recordings or data that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.

- (d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

The Professional Standards Unit Sergeant shall ensure that all data required by the California Department of Justice (DOJ) regarding complaints of racial bias against officers is collected and provided to the DOJ (Penal Code § 13012; Penal Code § 13020). See the Records Bureau Policy.

ADMINISTRATION

Each year, the Operations Division Commander or designee should review the efforts of the Department to provide fair and objective policing and submit an annual report, including public concerns, complaints and any corrective measures taken, to the Chief of Police.

The annual report should not contain any identifying information about any specific complaint, member of the public or officers. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

Supervisors should review the annual report and discuss the results with those they are assigned to supervise.

TRAINING

Training on fair and objective policing and review of this policy should be conducted as directed by the Professional Standards Unit.

- (a) All sworn members of this department will be scheduled to attend Peace Officer Standards and Training (POST)-approved training on the subject of bias-based policing.
- (b) Pending participation in such POST-approved training and at all times, all members of this department are encouraged to familiarize themselves with and consider racial and cultural differences among members of this community.
- (c) Each sworn member of this department who received initial bias-based policing training will thereafter be required to complete an approved refresher course every five years, or sooner if deemed necessary, in order to keep current with changing racial, identity and cultural trends (Penal Code § 13519.4(i)).

- (d) All sworn members will review this policy as part of the annual retraining program.

APPROVED:

A handwritten signature in black ink, appearing to read "Paul LeBaron". The signature is written in a cursive style with a long horizontal stroke at the end.

Paul LeBaron
Chief of Police

Firearms

306.1 PURPOSE AND SCOPE

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized to carry firearms.

306.2 POLICY

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

306.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Members shall only use firearms that are issued or approved by the Department and have been thoroughly inspected by the range staff. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that firearm on a range staff approved course of fire.

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

306.3.1 HANDGUNS

The authorized department-issued handgun is the Sig Sauer P320 .40 in both full and carry sizes.

Patrol officers shall carry at least two (2) spare loaded magazines for that handgun. Investigators and administrative personnel are not required to carry spare ammunition.

A duty handgun used for uniformed patrol must be a semi-automatic pistol (single action, striker-fire, or double action). Each magazine must have at least a six (6) round capacity. Its barrel must be at least 3.5 inches long, and it must conform to the ammunition requirements set forth in this policy.

A duty handgun used by investigators and administrative personnel must be a semi-automatic pistol (single action, striker-fire, or double action). It must have at least a five (5) round capacity, and it must conform to the ammunition requirements set forth in this policy.

The following additional handguns are approved for on-duty use:

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Colt	Kahr	Sig Sauer
Ceska Zbrojovka (CZ)	Kimber	Smith & Wesson
Beretta	Korth	Springfield Armory
Browning	Les Baer	Staccato / STI
Fabrique Nationale (FN)	Nighthawk Custom	Walther
Glock	Para Ordinance	Wilson Combat
Heckler & Koch	Ruger	

306.3.2 SHOTGUNS

The authorized department-issued shotgun is the Remington 870P 12 gauge pump shotgun and the 12 gauge Beretta 1301 semi-automatic shotgun.

Shotguns must be 12 gauge, they may be either pump action or semi-automatic, they must have at least a four (4) round capacity, their barrels must be at least 18 inches long, and they must conform to the ammunition requirements set forth in this policy.

All shotguns shall be checked in and out by a supervisor to each member at the beginning and end of their shift.

When not deployed, the shotgun shall be properly secured consistent with department training in a locking weapons rack in the patrol vehicle.

306.3.3 PATROL RIFLES

The authorized department-issued patrol rifle is the COLT AR-15 .223.

Every member shall satisfactorily complete a 16-hour minimum CA POST certified rifle course before they may carry a rifle in the course and scope of their duties.

All patrol rifles shall be checked in and out by a supervisor to each member at the beginning and end of their shift. When not deployed, the patrol rifle shall be properly secured consistent with department training in a locking weapons rack in the patrol vehicle.

Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include but are not limited to:

- (a) Situations where the member reasonably anticipates an armed encounter.
- (b) When a member is faced with a situation that may require accurate and effective fire at long range.
- (c) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- (d) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- (e) When a member reasonably believes that a suspect may be wearing body armor.

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- (f) When authorized or requested by a supervisor.
- (g) When needed to euthanize an animal.

Rifles shall be .223 caliber. They shall be semi-automatic and their barrels must be at least 16 inches long.

The following manufacturer's shotguns and rifles are authorized for duty use:

Barrett	Fabrique Nationale (FN)	Ruger
Benello	Federal Labs	Remington
Beretta	Heckler & Koch	Rock Island
Browning	Keltec	Sig Sauer
Bushmaster	Knight's Armament	Smith & Wesson
Ceska Zbrojovka (CZ)	LWRC International	Springfield
Colt	Mossberg	Wilson Combat
Daniel Defense, Inc.	Noveske Rifleworks	Winchester

306.3.4 PERSONALLY OWNED DUTY FIREARMS

Members may carry and deploy personally owned handguns, shotguns, and rifles, as long as the manufacture and physical characteristics conform to this policy. All ammunition used with personally owned firearms shall conform with this policy. Once approved, personally owned duty firearms are subject to the following restrictions:

- (a) The firearm shall be in good working order and on the department list of approved firearms.
- (b) The firearm shall be inspected by the range staff prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (c) Any modifications or accessories applied to the firearm must be approved by range staff; and members will be responsible for the cost and maintenance of any approved modifications or accessories.
- (d) Prior to carrying the firearm, members shall qualify under range staff supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.
- (e) Range staff will document and maintain record of the make, model, serial number, caliber, and any modifications or accessories applied to the firearm; as well as the member's qualification(s) with that firearm.
- (f) The Department will only provide 9mm, .40 S&W, and .45 ACP ammunition. Any other type of ammunition will be purchased at the member's expense.

306.3.5 AUTHORIZED SECONDARY HANDGUN

Members desiring to carry department or personally owned secondary handguns are subject to the following restrictions:

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- (a) The handgun shall be in good working order and on the department list of approved firearms.
- (b) Only one secondary handgun may be carried at a time.
- (c) The purchase of the handgun and ammunition shall be the responsibility of the member unless the handgun and ammunition are provided by the Department.
- (d) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (e) The handgun shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (f) Ammunition shall be the same as department issue. If the caliber of the handgun is other than department issue or the authorized designee shall approve the ammunition.
- (g) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.
- (h) The Rangemaster will document the make, model, serial number, and caliber of a secondary firearm and maintain a list of the information.

306.3.6 AUTHORIZED OFF-DUTY FIREARMS

The carrying of firearms by members while off-duty is permitted by the Chief of Police but may be rescinded should circumstances dictate (e.g., administrative leave). Members who choose to carry a firearm while off-duty, based on their authority as peace officers, will be required to meet the following guidelines:

- (a) The member may use his/her duty firearm or may use a personally owned firearm that is carried and inspected in accordance with the Personally Owned Duty Firearms requirements in this policy. A member carrying his/her duty firearm will be deemed to have complied with (c), (d) and (e) of this section.
 - 1. The purchase of the personally owned firearm shall be the responsibility of the member. The Department will only provide .45, .40, and 9mm ammunition for off-duty handguns.
- (b) Except during lawful activities such as hunting, or sport shooting, the firearm shall be carried concealed at all times and in such a manner as to prevent accidental unintentional cocking, discharge or loss of physical control.
- (c) It will be the responsibility of the member to submit the firearm to the Rangemaster for inspection prior to being personally carried. Thereafter the firearm shall be subject to periodic inspection by the Rangemaster.
- (d) Prior to carrying any off-duty firearm, the member shall demonstrate to the Rangemaster that he/she is proficient in handling and firing the firearm and that it will be carried in a safe manner.
- (e) The member will successfully qualify with the firearm prior to it being carried.

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- (f) The Rangemaster will document the make, model, serial number, and caliber of the off-duty firearm and maintain a list of the information.
- (g) If a member desires to use more than one firearm while off-duty, he/she may do so, as long as all requirements set forth in this policy for each firearm are met.
- (h) Members shall only carry department-authorized ammunition.
- (i) When armed, officers shall carry their badges and Hermosa Beach Police Department identification cards under circumstances requiring possession of such identification.

306.3.7 AMMUNITION

Members shall carry only department-authorized ammunition. Members shall be issued fresh duty ammunition in the specified quantity for all department-issued firearms annually. 9mm, .40 S&W, and .45 ACP is the only department-issued caliber ammunition. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the range staff when needed, in accordance with established policy.

Members carrying personally owned authorized firearms of a caliber differing from department-issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above, at their own expense.

.38 Special, .357 Sig., .357 Magnum, 10mm Auto, and .45 GAP is also approved for patrol. .380 ACP is approved for investigators and administrative personnel.

Full metal jacket, total metal jacket, armored piercing, and round nose lead or reloaded ammunition is prohibited.

Any type of ammunition other than what is issued by the Department must be individually approved by range staff.

The following ammunition manufacturers are authorized:

Barnes	Federal	Remington
Black Hills	Fiocchi	Sig Sauer
Buffalo Bore	Hornady	Speer
Cor-Bon	Nosler	Winchester

306.3.8 SHOTGUN AND RIFLE AMMUNITION

Members shall only use department-issued ammunition in department-issued shotguns, but they may use personally purchased ammunition in personally owned shotguns. Approved shotgun ammunition will be 00 buckshot, and rifled slugs. Birdshot may be used for training only.

Members shall only use department-issued ammunition in department-issued rifles, but they may use personally purchased ammunition in personally owned rifles. Members will be responsible for purchasing any ammunition not issued by the Department. Any type of ammunition used in a rifle other than what is issued by the Department must be individually approved by the range staff.

The following ammunition manufacturers are authorized for shotgun and rifle ammunition:

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Barnes	Nosler	Speer
Federal	Remington	Winchester
Hornady	Sig Sauer	

306.4 EQUIPMENT

Firearms carried on- or off-duty shall be maintained in a clean, serviceable condition by the member. Maintenance and repair of authorized personally owned firearms are the responsibility of the individual member.

306.4.1 REPAIRS OR MODIFICATIONS

Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the range staff.

Firearms that are the property of the Department will be repaired or modified only by range staff who is certified to repair that specific firearm.

Any repairs or modifications to the member's personally owned firearm shall be done at their expense and must be approved by the Range Master.

306.4.2 HOLSTERS

Patrol officers shall have a duty-handgun holster approved by range staff with at least a level two (2) retention. Investigators and administrative personnel may use holsters with a minimum of level one (1) holster.

Only department or Rangemaster-approved holsters shall be used and worn by members. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun.

306.4.3 TACTICAL LIGHTS

Tactical lights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Rangemaster. Once the approved tactical lights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

306.4.4 OPTICS OR LASER SIGHTS

Optics or laser sights may only be installed on a personally owned firearm carried on- or off-duty after they have been examined and approved by the range staff. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Once approved sights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

Members will bear all costs for a holster that accommodates optics or laser sights on a personally owned handgun.

Batteries shall be replaced when appropriate, and will be replaced at the expense of the member if the optic or laser is personally owned.

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Optics and/or lasers installed on duty handguns shall be zeroed at a minimum of 15 yards.

Removal and reattachment of the sight from the handgun will require the member to re-zero the optic or laser.

Except in an approved training situation, a member may only sight in on a target when the member would otherwise be justified in pointing a firearm at the target.

306.5 SAFE HANDLING, INSPECTION AND STORAGE

Members shall maintain the highest level of safety when handling firearms and shall consider the following:

- (a) Members shall not unnecessarily display or handle any firearm.
- (b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. While at the Department range, members shall not dry fire or practice quick draws except as instructed by the Rangemaster or other firearms training staff. This section does not prohibit members from safely practicing with their firearm while off-duty.
- (c) Members shall not clean, repair, load or unload a handgun anywhere in the Department, except where clearing barrels are present.
- (d) Shotguns or rifles removed from vehicles or the equipment storage room shall be loaded and unloaded in the parking lot and outside of the vehicle.
- (e) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location. Members providing access to the jail section to persons from outside agencies are responsible for ensuring firearms are not brought into the jail section.
- (f) Members shall not deploy any automatic firearm, or heavy caliber rifle (over .223 caliber) from the armory, except with approval of a supervisor.
- (g) Any firearm authorized by the Department to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly removed from service and secured in the armory for inspection and repair by a Rangemaster. Any firearm deemed in need of repair or service by the Rangemaster will be immediately removed from service. If the firearm is the member's primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.
- (h) Member shall follow current state and federal laws of registration when furnishing, lending, giving, or selling firearms.

306.5.1 INSPECTION AND STORAGE

Weapons shall be inspected regularly and upon access or possession by another person. Shotguns and rifles shall be inspected at the beginning of the shift by the member to whom the weapon is issued. The member shall ensure that the firearm is carried in the proper condition and

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loaded with approved ammunition. Inspection of the shotgun and rifle shall be done while standing outside of the patrol vehicle. All firearms shall be pointed in a safe direction or into clearing barrels.

Department issued and/or personally owned firearms may be safely stored in lockers at the end of the shift. Department-owned, non-issued firearms shall be stored in the appropriate equipment storage room. Handguns may remain loaded if they are secured in an appropriate holster. Shotguns and rifles shall be unloaded in a safe manner outside the building and then stored in the appropriate equipment storage room.

306.5.2 STORAGE AT HOME

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

306.5.3 STORAGE IN VEHICLES

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

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

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

306.5.4 ALCOHOL AND DRUGS

Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication, or has taken any combination thereof that would tend to adversely affect the member's senses or judgment.

306.6 FIREARMS TRAINING AND QUALIFICATIONS

All members who carry a firearm while on-duty are required to successfully qualify with their duty handgun at least every six (6) months. Members will qualify with off-duty, secondary firearms, shotguns, and patrol rifles at least once a year. Training and qualifications must be on an approved range course by a certified weapons instructor (Rangemaster).

At least annually, all members carrying a firearm should receive practical training designed to simulate field situations including low-light shooting.

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306.6.1 NON-CERTIFICATION OR NON-QUALIFICATION

If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status or scheduling conflict, that member shall submit a memorandum to his/her immediate supervisor prior to the end of the required training or qualification period.

Those who fail to meet minimum standards or qualify on their first shooting attempt shall be provided remedial training and will be subject to the following requirements:

- (a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.
- (b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.
- (c) No range credit will be given for the following:
 - 1. Unauthorized range make-up
 - 2. Failure to meet minimum standards or qualify after remedial training

Members who repeatedly fail to meet minimum standards will be removed from field assignment and may be subject to disciplinary action, up to and including termination.

306.7 FIREARM DISCHARGE

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

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

- (a) If on-duty at the time of the incident, the member shall file a written report with his/her Division Commander or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.
- (b) If off-duty at the time of the incident, the member shall file a written report or provide a recorded statement no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

306.7.1 DESTRUCTION OF ANIMALS

Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, TASER® device, oleoresin capsicum (OC) spray, animal

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control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed, becomes impractical, or if the animal reasonably appears to pose an imminent threat to human safety.

306.7.2 INJURED ANIMALS

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

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

306.7.3 WARNING AND OTHER SHOTS

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

306.8 RANGE STAFF DUTIES

The range will be under the exclusive control of the range staff. All members attending will follow the directions of the range staff. The range staff will maintain a roster of all members attending the range.

The range shall remain operational and accessible to department members during hours established by the Department.

The range staff has the responsibility of making periodic inspection, at least once a year, of all duty firearms carried by members of this department to verify proper operation. Additionally, the range staff will inspect all department owned weapons on an annual basis. The range staff has the authority to deem any department-issued or personally owned firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm and it will not be returned to service until inspected and approved by the range staff.

The range staff has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on at least a yearly basis, can demonstrate proficiency in the care, cleaning and safety of all firearms the member is authorized to carry.

The range staff shall complete and document the training courses provided. Documentation shall include the qualifications of each instructor who provides the training, a description of the training provided and, on a form that has been approved by the Department, a list of each member who completes the training. The range staff should keep accurate records of all training shoots, qualifications, repairs, maintenance or other records as directed by the Range Program Manager

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(Captain or Lieutenant). All firearms training will be documented and the Department's Range Master will maintain a record of each officer's firearms training and proficiency as prescribed by the Records Retention Schedule.

306.9 FLYING WHILE ARMED

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

- (a) Officers wishing to fly while armed must be flying in an official capacity, not for training, vacation or pleasure, and must have a need to have the firearm accessible, as determined by the Department based on the law and published TSA rules.
- (b) Officers must carry their Hermosa Beach Police Department identification card, bearing the officer's name, a full-face photograph, identification number, the officer's signature and the signature of the Chief of Police or the official seal of the Department and must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver license, passport).
- (c) The Hermosa Beach Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the Hermosa Beach Police Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.
- (d) An official letter signed by the Chief of Police authorizing armed travel may also accompany the officer. The letter should outline the officer's need to fly armed, detail his/her itinerary, and include that the officer has completed the mandatory TSA training for a law enforcement officer flying while armed.
- (e) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.
- (f) It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier's check-in counter.
- (g) Any officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.
- (h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.
- (i) Officers should try to resolve any problems associated with flying armed through the flight captain, ground security manager, TSA representative or other management representative of the air carrier.

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

306.10 CARRYING FIREARMS OUT OF STATE


Qualified, active, full-time officers of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

- (a) The officer shall carry his/her Hermosa Beach Police Department identification card whenever carrying such firearm.
- (b) The officer is not the subject of any current disciplinary action.
- (c) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
- (d) The officer will remain subject to this and all other department policies (including qualifying and training).

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

Active law enforcement officers from other states are subject to all requirements set forth in 18 USC § 926B.

306.11 ISSUING AUTHORITY

	Effective Date	Updated Date
		
W. Paul LeBaron, Chief of Police	June, 3, 2009	June 6, 2023



HERMOSA BEACH POLICE DEPARTMENT

O3.16 USE OF FORCE

Effective 10/27/2009

Updated 12/23/2020

PURPOSE AND SCOPE

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

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

I. DEFINITIONS

Definitions related to this policy include:

Deadly force - Any force that creates a substantial risk of causing death or serious bodily injury, including but not limited to the discharge of a firearm (Penal Code §835a and Government Code § 7286(a)).

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

Force - The application of physical techniques or tactics, chemical agents or weapons to another person who is engaged in active resistance, assaultive/high risk behavior, or actions that could cause serious bodily injury or death.

It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed or restrained. It is not a use of force when a person engages in passive resistance and refuses to comply with officers' orders but allows him/herself to be searched, escorted, handcuffed or restrained.

Reasonable Belief: The facts or circumstances the officer knows, or should know, are such to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

Serious bodily injury - A serious impairment of physical condition, including but not limited to the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement (Penal Code § 243(f)(4)).

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

POLICY

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

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

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

I. DUTY TO INTERCEDE

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

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

II. FAIR AND UNBIASED USE OF FORCE

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

III. DUTY TO REPORT EXCESSIVE FORCE

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

USE OF FORCE

Officers shall use only that amount of force that reasonably appears necessary given the facts and totality of the circumstances known or perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose (Penal Code § 835a).
(CALEA 4.1.1)

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably

appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

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

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

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

Any employee whose actions or use of force in an official capacity results in death or serious physical injury, will be removed from line-duty assignment, pending an administrative review. (CALEA 4.2.3)

I. USE OF FORCE TO EFFECT AN ARREST

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

II. FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

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

- (a) The apparent immediacy and severity of the threat to officers or others (Penal Code § 835a).
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time. (Penal Code § 835a).
- (c) Officer/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).

- (d) The conduct of the involved officer leading up to the use of force (Penal Code § 835a).
- (e) The effects of suspected drugs or alcohol.
- (f) The individual's apparent mental state or capacity (Penal Code §835a).
- (g) The individual's apparent ability to understand and comply with officer commands (Penal Code §835a)
- (h) Proximity of weapons or dangerous improvised devices.
- (i) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
- (j) The availability of other reasonable and feasible options and their possible effectiveness (Penal Code §835a).
- (k) Seriousness of the suspected offense or reason for contact with the individual prior to and at the time force is used.
- (l) Training and experience of the officer.
- (m) Potential for injury to officers, suspects, bystanders and others.
- (n) Whether the person appears to be resisting, attempting to evade arrest by flight or is attacking the officer.
- (o) The risk and reasonably foreseeable consequences of escape.
- (p) The apparent need for immediate control of the subject or a prompt resolution of the situation.
- (q) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (r) Prior contacts with the subject or awareness of any propensity for violence.
- (s) Any other exigent circumstances.

III. PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the person can comply with the direction or orders of the officer.

- (c) Whether the person has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

IV. RESTRICTIONS ON THE USE OF CAROTID CONTROL HOLD

Officers of this department are not authorized to use a carotid restraint hold. A carotid restraint means a vascular neck restraint or any similar restraint, hold, or other defensive tactic in which pressure is applied to the sides of a person's neck that involves a substantial risk of restricting blood flow and may render the person unconscious in order to subdue or control the person (Government Code § 7286.5).

V. USE OF FORCE TO SEIZE EVIDENCE

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

VI. ALTERNATIVE TACTICS – DE-ESCALATION

As time and circumstances reasonably permit, and when community and officer safety would not be compromised, officers should consider actions that may increase officer safety and may decrease the need for using force:

- a) Summoning additional resources that are able to respond in a reasonably timely manner.
- b) Formulating a plan with responding officers before entering an unstable situation that does not reasonably appear to require immediate intervention.
- c) Employing other tactics that do not unreasonably increase officer jeopardy.

In addition, when reasonable, officers should evaluate the totality of circumstances presented at the time in each situation and, when feasible, consider and utilize reasonably available alternative tactics and techniques that may persuade an individual to voluntarily comply or may mitigate the need to use a higher level of force to resolve the situation before applying force (Government Code § 7286(b)(1)). Such alternatives may include but are not limited to:

- a) Attempts to de-escalate a situation.
- b) If reasonably available, the use of crisis intervention techniques by properly trained personnel.

VII. RESTRICTIONS ON THE USE OF A CHOKE HOLD

Officers of this department are not authorized to use a choke hold. A choke hold means any defensive tactic or force option in which direct pressure is applied to a person's trachea or windpipe (Government Code § 7286.5).

DEADLY FORCE APPLICATIONS

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

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

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

- (a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury to the officer or another person.
- (b) An officer may use deadly force to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended.

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

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

(CALEA 4.1.2)

I. SHOOTING AT OR FROM MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective and may involve additional considerations and risks. When feasible, officers should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the

imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others. (Government Code § 7286(b)).

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

II. DISPLAYING OF FIREARMS

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

- a) If the officer does not initially perceive a threat but reasonably believes that the potential for such threat exists, firearms should generally be kept in the low-ready or other position not directed toward an individual.
- b) If the officer reasonably believes that a threat exists based on the totality of circumstances presented at the time (e.g., high-risk stop, tactical entry, armed encounter), firearms may be directed toward such imminent threat until the officer no longer perceives such threat.

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

REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. The required report(s) will be completed by the involved officers and reviewed by a supervisor prior to the end of shift. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure or law.

Complaints of injury when force has not been used shall be documented in the arrest/incident report. Any allegation that an officer has caused injury to a subject shall be reviewed by the Operations Division Commander to determine if a Use of Force Report is warranted.
(CALEA 4.2.2)

All reported uses of force will be reviewed by the Operations Division Commander to determine whether:

- Department rules, policy, or procedures were violated.
- The relevant policy was clearly understandable and effective to cover the situation.
- Department training is currently adequate.

(CALEA 4.2.4)

See the Report Preparation Policy for additional circumstances that may require documentation.

I. NOTIFICATION TO SUPERVISORS

Supervisory notification shall be made as soon as practicable following the application of force including, but not limited to, any of the following circumstances:

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

II. REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

Statistical data regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury is to be reported to the California Department of Justice as required by Government Code § 12525.2. See the Records Bureau policy.

MEDICAL CONSIDERATION

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

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

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

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification

shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

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

SUPERVISOR RESPONSIBILITY

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

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.
- (c) When possible, separately obtain a recorded interview with the subject upon whom force was applied. If this interview is conducted without the person having voluntarily waived his/her *Miranda* rights, the following shall apply:
 1. The content of the interview should not be summarized or included in any related criminal charges.
 2. The fact that a recorded interview was conducted should be documented in a property or other report.
 3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
- (g) Determine if there is any indication that the subject may pursue civil litigation.
 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim to their Division Commander.

- (h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.

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

I. WATCH COMMANDER RESPONSIBILITY

The Watch Commander shall review each use of force by any personnel within his/her command to ensure compliance with this policy.

TRAINING

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

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

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

- a) Guidelines regarding vulnerable populations, including but not limited to children, elderly persons, pregnant individuals, and individuals with physical, mental, and developmental disabilities.
- b) Training courses required by and consistent with POST guidelines set forth in Penal Code § 13519.10.

USE OF FORCE ANALYSIS

At least annually, the Operations Division Commander should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects or case numbers, and should include:

- (a) The identification of any trends in the use of force by members.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.
(CALEA 4.2.4)

USE OF FORCE COMPLAINTS

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

POLICY REVIEW

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

POLICY AVAILABILITY

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

PUBLIC RECORDS REQUESTS

Requests for public records involving an officer's personnel records shall be processed in accordance with Penal Code § 832.7 and the Personnel Records and Records Maintenance and Release policies (Government Code § 7286(b)).

APPROVED:



Paul LeBaron
Chief of Police

Officer-Involved Shootings and Deaths

305.1 PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured or dies as the result of an officer-involved shooting or dies as a result of another action of an officer.

In other incidents not covered by this policy, the Chief of Police may decide that the investigation will follow the process provided in this policy.

305.2 POLICY

The policy of the Hermosa Beach Police Department is to ensure that officer-involved shootings and deaths are investigated in a thorough, fair and impartial manner.

305.3 TYPES OF INVESTIGATIONS

Officer-involved shootings and deaths involve several separate investigations. The investigations may include:

- A criminal investigation of the suspect's actions.
- A criminal investigation of the involved officer's actions.
- An administrative investigation as to policy compliance by involved officers.
- A civil investigation to determine potential liability.

305.4 CONTROL OF INVESTIGATIONS

Investigators from surrounding agencies may be assigned to work on the criminal investigation of officer-involved shootings and deaths. This may include at least one investigator from the agency that employs the involved officer.

Jurisdiction is determined by the location of the shooting or death and the agency employing the involved officer. The following scenarios outline the jurisdictional responsibilities for investigating officer-involved shootings and deaths.

305.4.1 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS

The investigation of any possible criminal conduct by the suspect is controlled by the agency in whose jurisdiction the suspect's crime occurred. For example, the Hermosa Beach Police Department would control the investigation if the suspect's crime occurred in Hermosa Beach.

If multiple crimes have been committed in multiple jurisdictions, identification of the agency that will control the investigation may be reached in the same way as with any other crime. The investigation may be conducted by the agency in control of the criminal investigation of the involved officer, at the discretion of the Chief of Police and with concurrence from the other agency.

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305.4.2 CRIMINAL INVESTIGATION OF OFFICER ACTIONS

The control of the criminal investigation into the involved officer's conduct during the incident will be determined by the employing agency's protocol. When an officer from this department is involved, the criminal investigation will be handled according to the Criminal Investigation section of this policy.

Requests made of this department to investigate a shooting or death involving an outside agency's officer shall be referred to the Chief of Police or the authorized designee for approval.

305.4.3 ADMINISTRATIVE AND CIVIL INVESTIGATION

Regardless of where the incident occurs, the administrative and civil investigation of each involved officer is controlled by the respective employing agency.

305.5 INVESTIGATION PROCESS

The following procedures are guidelines used in the investigation of an officer-involved shooting or death.

305.5.1 UNINVOLVED OFFICER RESPONSIBILITIES

Upon arrival at the scene of an officer-involved shooting, the first uninvolved HBPD officer will be the officer-in-charge and will assume the responsibilities of a supervisor until properly relieved. This officer should, as appropriate:

- (a) Secure the scene and identify and eliminate hazards for all those involved.
- (b) Take reasonable steps to obtain emergency medical attention for injured individuals.
- (c) Request additional resources from the Department or other agencies.
- (d) Coordinate a perimeter or pursuit of suspects.
- (e) Check for injured persons and evacuate as needed.
- (f) Brief the supervisor upon arrival.

305.5.2 SUPERVISOR RESPONSIBILITIES

Upon arrival at the scene, the first uninvolved HBPD supervisor should ensure completion of the duties as outlined above, plus:

- (a) Attempt to obtain a brief overview of the situation from any uninvolved officers.
 1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.
- (b) If necessary, the supervisor may administratively order any HBPD officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.
 1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident scene, identity of known or potential witnesses and any other pertinent information.

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2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.
- (c) Provide all available information to the Watch Commander and Dispatch. If feasible, sensitive information should be communicated over secure networks.
 - (d) Take command of and secure the incident scene with additional HBPD members until properly relieved by another supervisor or other assigned personnel or investigator.
 - (e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.
 1. Each involved HBPD officer should be given an administrative order not to discuss the incident with other involved officers or HBPD members pending further direction from a supervisor.
 2. When an involved officer's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that he/she is provided with a comparable replacement weapon or transported by other officers.

305.5.3 WATCH COMMANDER RESPONSIBILITIES

Upon learning of an officer-involved shooting or death, the Watch Commander shall be responsible for coordinating all aspects of the incident until he/she is relieved by the Chief of Police or a Division Commander.

All outside inquiries about the incident shall be directed to the Watch Commander.

305.5.4 NOTIFICATIONS

The following person(s) shall be notified as soon as practicable:

- Chief of Police
- Investigative Services Division Commander
- Outside agency investigator (if appropriate)
- Professional Standards Unit supervisor
- Human Resources/Risk Management
- Psychological/peer support personnel
- Chaplain
- Coroner (if necessary)
- Involved officer's agency representative (if requested)
- Public Information Officer

305.5.5 INVOLVED OFFICERS

The following shall be considered for the involved officer:

- (a) Any request for legal or union representation will be accommodated.

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1. Involved HBPD officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.
 2. Requests from involved non-HBPD officers should be referred to their employing agency.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (c) Discussions with agency representatives/employee groups will be privileged only as to the discussion of non-criminal information (Government Code § 3303(i)).
- (d) A licensed psychotherapist shall be provided by the Department to each involved HBPD officer. A licensed psychotherapist may also be provided to any other affected HBPD members, upon request.
1. Interviews with a licensed psychotherapist will be considered privileged.
 2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
 3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
- (e) Communications between the involved officer and a peer support member are addressed in the Wellness Program Policy.

Care should be taken to preserve the integrity of any physical evidence present on the involved officer's equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it.

Each involved HBPD officer shall be given reasonable paid administrative leave following an officer-involved shooting or death. It shall be the responsibility of the Watch Commander to make schedule adjustments to accommodate such leave.

305.5.6 NOTIFICATION TO DEPARTMENT OF JUSTICE

The California Department of Justice (DOJ) is required to investigate an officer-involved shooting resulting in the death of an unarmed civilian. The Watch Commander should promptly notify the DOJ in all incidents involving an officer-involved shooting resulting in the death of an unarmed civilian, including where it is undetermined if the civilian was unarmed.

For purposes of notification, "unarmed civilian" means anyone who is not in possession of a deadly weapon (Government Code § 12525.3).

305.6 CRIMINAL INVESTIGATION

The District Attorney's Office is responsible for the criminal investigation into the circumstances of any officer-involved shooting or death.

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If available, investigative personnel from this department may be assigned to partner with investigators from outside agencies or the District Attorney's Office to avoid duplicating efforts in related criminal investigations.

Once public safety issues have been addressed, criminal investigators should be given the opportunity to obtain a voluntary statement from involved officers and to complete their interviews. The following shall be considered for the involved officer:

- (a) HBPD supervisors and Professional Standards Unit personnel should not participate directly in any voluntary interview of HBPD officers. This will not prohibit such personnel from monitoring interviews or providing the criminal investigators with topics for inquiry.
- (b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of the officer's choosing or an attorney prior to speaking with criminal investigators. However, in order to maintain the integrity of each involved officer's statement, involved officers shall not consult or meet with a representative or an attorney collectively or in groups prior to being interviewed.
- (c) If any involved officer is physically, emotionally, or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.
- (d) Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation, including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

305.6.1 REPORTS BY INVOLVED HBPD OFFICERS

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

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

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

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

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305.6.2 INVESTIGATIVE PERSONNEL

Once notified of an officer-involved shooting or death, it shall be the responsibility of the designated Detective Bureau supervisor to assign appropriate investigative personnel to handle the investigation of related crimes. Department investigators will be assigned to work with investigators from the District Attorney's Office and may be assigned to separately handle the investigation of any related crimes not being investigated by the District Attorney's Office.

All related department reports, except administrative and/or privileged reports, will be forwarded to the designated Detective Bureau supervisor for approval. Privileged reports shall be maintained exclusively by members who are authorized such access. Administrative reports will be forwarded to the appropriate Division Commander.

305.6.3 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an officer-involved shooting or death may become unavailable or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available personnel for the following:

- (a) Identification of all persons present at the scene and in the immediate area.
 - 1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
 - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department.
 - 1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.
- (c) Promptly contacting the suspect's known family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to the incident.

305.7 ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with an officer-involved shooting or death, this department will conduct an internal administrative investigation of HBPD officers to determine

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conformance with department policy. The investigation will be conducted under the supervision of the Professional Standards Unit and will be considered a confidential officer personnel file.

Interviews of members shall be subject to department policies and applicable laws (see the Personnel Complaints Policy).

- (a) Any officer involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.
- (b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.
 1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his/her prior statement before proceeding with any subsequent interviews.
- (c) In the event that an involved officer has elected to not provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.
 1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
 2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed (Government Code § 3303(i)).
 3. Administrative interviews should be recorded by the investigator. The officer may also record the interview (Government Code § 3303(g)).
 4. The officer shall be informed of the nature of the investigation. If an officer refuses to answer questions, he/she should be given his/her *Lybarger* or *Garrity* rights and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.
 5. The Professional Standards Unit shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.
 6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be reviewed as to whether there was compliance with the Use of Force Policy.

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7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

305.8 CIVIL LIABILITY RESPONSE

A member of this department may be assigned to work exclusively under the direction of the legal counsel for the Department to assist in the preparation of materials deemed necessary in anticipation of potential civil litigation.

All materials generated in this capacity shall be considered attorney work product and may not be used for any other purpose. The civil liability response is not intended to interfere with any other investigation but shall be given reasonable access to all other investigations.

305.9 AUDIO AND VIDEO RECORDINGS

Only with prior approval of the Chief of Police or their designee, may an officer involved in a use of force resulting in serious physical injury, a shooting, or death, be permitted to review available Mobile Audio/Video (MAV), body-worn video, or other video or audio recordings prior to providing a recorded statement or completing reports.

Any MAV, body-worn and other known video or audio recordings of an incident shall not be publicly released during an ongoing investigation without the approval of the Chief of Police or their designee.

305.10 DEBRIEFING

Following an officer-involved shooting or death, the Hermosa Beach Police Department should conduct both a Critical Incident Stress Debriefing and a tactical debriefing. See the Wellness Program Policy for guidance on Critical Incident Stress Debriefings.

305.10.1 TACTICAL DEBRIEFING

A tactical debriefing should take place to identify any training or areas of policy that need improvement. The Chief of Police should identify the appropriate participants. This debriefing should not be conducted until all involved members have provided recorded or formal statements to criminal and/or administrative investigators.

305.11 MEDIA RELATIONS

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

The Department shall not subject any involved HBPD officer to visits by the media (Government Code § 3303(e)). No involved HBPD officer shall make any comment to the media unless he/she is authorized by the Chief of Police or a Division Commander. Department members receiving inquiries regarding officer-involved shootings or deaths occurring in other jurisdictions shall refrain

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from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

305.12 REPORTING

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

305.13 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police October 27, 2009

June 6, 2023



HERMOSA BEACH POLICE DEPARTMENT

O3.17 LESS LETHAL WEAPONS PROCEDURES (Supersedes General Order No. 4 & 14)

**Effective 10/27/2009
Updated 04/16/2015**

PURPOSE

Consistent with this department's philosophy of using the minimum amount of force to control a violent person(s), the Chief of Police has authorized the use of less lethal weapons to subdue or incapacitate an offender or subject using electronic control devices, substances, or projectiles.

POLICY

It is the policy of this Department that only those weapons authorized by the Range Master for use by officers will be carried. Only department personnel receiving training and demonstrating proficiency in less lethal weapons will be authorized to carry these weapons. Less lethal control devices may be employed when a decision has been made to restrain or arrest a violent, threatening, non-compliant, or suicidal subject.

PROCEDURE

- I. Chemical Agents:
 - A. Department employees must complete an approved chemical agent, Oleoresin Capsicum (O.C.), training class conducted by a certified instructor before being authorized to carry any chemical agent. Only Department issued Oleoresin Capsicum may be carried by officers.
 - B. O. C. training is conducted during the POST Basic Police Academy as part of the regular curriculum. Completion of the Academy certifies that officers are qualified to carry Oleoresin Capsicum spray. All training will be documented. In-service training of all less lethal weapons shall occur at least every two years.
 - C. Chemical agents shall be used only for the protection of persons and property, and in accordance with:
 1. The department's policy
 2. State statute.
 - D. In utilizing a chemical agent, the following factors should be considered:
 1. Wind direction;
 2. Potential effect on others;

3. Physical/mental condition of the suspect.
- E. O.C. Spray is generally most effective when sprayed from four to twelve feet from the suspect. Closer employment can result in a washing out effect where the chemical carrier cannot evaporate, rendering the spray less effective.
- F. Chemical agents may be used when an officer or other person is in immediate danger of physical attack, or the use of physical force is necessary and justifiable.
1. Chemical agents shall never be used indiscriminately.
 2. Chemical agents may be used when there is a credible threat of violence coupled with a present ability to cause injury to an officer or any other person.
 3. Chemical agents may be used when the officer determines that the force is reasonable to affect an arrest, to prevent escape, or to overcome resistance.
 4. Chemical agents may be used to disperse crowds who are in violation of 404 P.C. (Riot) and 408 P.C. (Rout) and have refused to comply with a lawful order to disperse, in violation of 409 P.C.
 5. Chemical agents shall not be used once the suspect's violent activity is no longer likely to cause injury, property damage, or escape.
- G. Use of O.C .Spray by CSO's (**Supersedes General Order No. 14**)
1. Community Services Officers shall have the option of carrying Department issued Oleoresin Capsicum (O/C) aerosol chemical agent in canister form when on duty.
 2. Community Services Officers shall be certified to carry O/C by completing a Department approved course of instruction. The chemical agent will be carried in the issued nylon or leather carrier and routinely inspected by a supervisor for leaks or other unsafe conditions.
 3. Community Services Officers may deploy O/C to defend themselves against attack from dogs or other dangerous animals they encounter while performing their duties.
 4. Community Services Officers may deploy O/C to defend themselves against attack from violent persons. Verbal threats made by a person are insufficient grounds for its use without the present ability to carry out the threats.
 5. The on-duty Community Services Field Supervisor and the on-duty Police Watch Commander shall be notified as soon as reasonably possible of the use of the O/C chemical agent. Each use of this chemical agent by a Community Services Officer shall be reported in a

written memo that is to be forwarded to the Division Commander. The memo shall explain the circumstances under which the O/C was used and the effects of its use. If the O/C was used to defend against an attack from a violent person, the memo shall include whether or not the person was arrested.

6. It will be the responsibility of the arresting officer to document in the arrest report, the time and circumstances when the face was flushed. If flushing is not accomplished, the arrest report must state the reason for failure to do so.

H. First Aid for Chemical Agents

1. Whenever possible the suspect shall be placed in an upright seated position.
2. While the suspect is in the vehicle the windows to the police vehicle shall remain open, unless the suspect continues to be physically uncooperative.
3. As soon as practicable, the suspect's affected area should be flushed with large volumes of water. The officer shall continuously monitor the suspect until such time that the suspect is not experiencing difficulty in breathing.
4. Paramedics may be called for medical assessment if the officer determines there is a need.

I. Discharge Reporting - Any use of chemical agent shall be reported to the shift supervisor as soon as practical. A Use of Force report must be filed in every instance by the officer(s) or employee using a chemical agent before the termination of the tour of duty in which the incident occurred.

1. This report shall include:
 - a. Circumstances of the incident, actions justifying use.
 - b. Persons known to be contaminated by chemical agent.
 - c. Witnesses to incident.
 - d. Medical aid rendered.
2. This information can be included in the police crime report in most circumstances.

II. Impact Weapons

- A. Only Department issued or authorized impact weapons may be carried on duty. The following impact weapons are authorized for use by the Hermosa Beach Police Department:

1. Straight Baton
2. Side Handle Baton
3. Expandable Baton
4. Riot Baton
5. Sap

The regulation sap shall be the Gonzales model 415 black sap or similar sap weighing no more than 23 ounces. It is approved and may be purchased and used by officers as an optional impact instrument.

B. Required Training

1. All police officers must meet the statutory requirements for the use of impact weapons before being authorized to carry the weapon and complete an impact weapon/baton update class every two years. The training must be taught by a POST certified Impact Weapons Instructor.
2. Officers shall carry the type(s) of impact weapon(s) for which they have received an authorized course of training. The authorized course may be taught by an outside agency or by a departmentally approved in-house impact weapons instructor.
3. The training must be documented and maintained in Department training files.

C. Use of Impact Weapons

1. Officers are no longer required to carry an impact weapon on their person as long as they are carrying the department approved TASER, but must have a baton available in their vehicle.
2. Detectives and any other officer working a plain clothes or undercover assignment may carry the sap.
3. Officers are authorized to use only the techniques taught by a POST certified Impact Weapons Instructor, during impact weapons training.
4. Areas of the body to avoid: strikes above the shoulder (to the head and neck area) are prohibited unless circumstances justify the use of deadly force. The use of the baton/sap, as an impact instrument, to the spine, solar plexus, groin, or kidneys is to be avoided; however, an officer may utilize impact strikes to the above areas if, in the officer's judgment, it is a reasonable option.

D. Injuries

1. Any injured persons will be given medical attention as soon as possible.
2. Medical treatment:
 - a. Persons struck with an impact weapon shall be treated by paramedics or at a designated treatment hospital as soon as practicable after the incident.
 - b. Persons should be medically cleared prior to being booked into Jail.

E. Photographs for evidentiary purposes of all areas of the body struck by the baton will be taken following the initial medical treatment.

F. Reporting Use of Impact Weapons

1. The use of impact weapons will be reported and reviewed as with other 'use of force' incidents. Such incidents will be reported on the Use of Force Report form.
2. Whenever an officer inflicts injury by use of an impact weapon, in addition to the Use of Force Report, a narrative describing the circumstances of the incident is required. For the purposes of this report, a detailed crime report will satisfy this requirement.

III. 12 Gauge Bean Bag Weapon/Gas-Projectile Launcher

A. The Department is committed to reducing the potential for violent confrontations with offenders we encounter. Less-lethal munitions, when used reasonably, are less likely to result in death or serious physical injury

B. Less-lethal munitions are justified and may be used to compel an individual to cease his/her actions when such munitions present a reasonable option for resolving the situation. Officers are not required or compelled to use less-lethal munitions in lieu of other reasonable tactics. Officers may need to respond with reasonable deadly force options if the officer(s) involved determine that safe deployment of less-lethal munitions cannot be accomplished. The safety of hostages, innocent third-party citizens, and officers, takes priority over the safety of subjects engaged in criminal or suicidal behavior.

C. Examples of Circumstances Appropriate for Deployment of the 12 Gauge Bean Bag Weapon/Gas-Projectile Launcher:

1. An offender is armed with a weapon and the tactical circumstances allow for the safe application of less-lethal munitions.

2. A violent offender armed with a weapon that is not a firearm (e.g. baseball bat, sword, crow bar, shovel, etc.)
3. Civil disturbances where the offender is engaged in riotous behavior, or is throwing rocks, bottles, or other dangerous projectiles at civilians or officers.
4. A suspect is armed with a knife or similar weapon.
5. The suspect has made credible threats to harm him/herself or others.

D. Deployment Considerations – The following factors should be considered before discharging less-lethal projectiles:

1. The severity of the crime or incident.
2. The offender's capability to pose an immediate threat to the safety of officers or others.
3. The offender is actively resisting arrest or attempting to evade arrest by flight.
4. The credibility of the subject's threats as evaluated by officers present, as well as the subject's physical capacity and capabilities.
5. The type and proximity of the weapons available to the subject.
6. The officer's versus the subject's physical factors.
7. The reasonableness of other force options versus the offender's threat.
8. Distance and angle to the targets on the offender.
9. Type of munitions employed.
10. Type and thickness of the subject's clothing.
11. The subject's actions dictate the need for an immediate threat response and the use of less-lethal munitions appears appropriate.

E. Shot Placement

1. The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. Less-lethal munition projectiles will be delivered to suspect target areas based on the circumstances, the established safety priorities, and the level of force reasonable to conclude the incident.
 - a. The intentional placement of shots to the extremities, lower abdomen, and the buttocks will be considered when incapacitation is reasonable and a minimal potential for injury is an appropriate response. These targets carry a low risk of serious injury with a low potential for immediate incapacitation.
 - b. The intentional placement of shots to the front torso, back, and groin will be considered when incapacitation is reasonable and a

potential for increased injury is reasonable given the circumstances as they appeared to the officer(s). These targets carry a higher risk of serious injury with a higher potential for immediate incapacitation.

- c. The intentional placement of shots to the head, neck, or spine will be considered when incapacitation is reasonable and a high potential for injury is an appropriate response. These targets carry a very high risk of serious injury with a high potential for immediate incapacitation and should only be utilized when deadly force would be authorized.
 2. The potential for causing death or serious physical injury with such projectiles is a reality. This potential is greatly reduced when impacts to the head and neck are avoided, and when appropriate medical examination is provided in cases where a suspect is struck in an area that might conceal a closed injury, including such areas as the chest, back, thoracic and abdominal cavities, and the groin.
- F. Safety Considerations in the Deployment of Less-Lethal Munitions
1. Generally this system will not be deployed in the field without a cover officer utilizing firearms loaded with conventional, Department-issued ammunitions, except in circumstances where it is not practicable.
 2. The cover officer will be responsible for protecting the officer employing less-lethal munitions from assault that would cause a reasonable officer to be in fear of imminent death or serious bodily injury based on the circumstances at the time.
- G. Department Authorized Less-Lethal Firearm and Munitions
1. This Department shall utilize a distinctively marked 12 gauge shotgun that is dedicated for deployment of a bean bag round.
 2. The bean bag will be .09 pounds, filled with small lead shot.
 3. The velocity will be 300 feet per second, and it will have a normal operating range of 10 to 25 yards.
 4. Gas-Projectile ammunition authorized by the Range Master.
- H. Only qualified Department personnel shall use the 12 Gauge Bean Bag Weapon and Gas-Projectile Launcher. To be qualified officers must complete department training in the use of these weapons and show proficiency in their use at least every two years. Training will be conducted by a certified firearms instructor and will be documented in agency training files.
- I. The 12 gauge bean bag weapon will be carried in the locked trunk of the police vehicle, in a distinctively marked case, and it must be inspected at the

beginning of each shift, utilizing the same procedure as the standard shotgun. When stored in the police station, it shall be secured in a locked gun locker.

- J. Only less-lethal munitions will be loaded in these shotguns.
- K. The gas-projectile launcher will be stored in the gun locker and only deployed when authorized by the Operations Division Commander.
- L. Personnel encountering a situation which may require the use of the weapon, when feasible, will immediately notify the Watch Commander. The weapon can be deployed before the arrival of the Watch Commander if the situation dictates such deployment.
- M. Medical treatment:
 - 1. Persons struck with less-lethal projectiles shall be treated by paramedics or at a designated treatment hospital as soon as practicable after the incident.
 - 2. Persons should be medically cleared prior to being booked into Jail.
 - 3. Photographs for evidentiary purposes of all areas of the body struck by the projectile(s) will be taken following the initial medical treatment.
- N. Reporting Use of Less-Lethal Munitions
 - 1. The use of less-lethal munitions will be reported and reviewed as with other use of force incidents.
 - 2. In addition to reporting circumstances of the use on the Use of Force Report form, a Supervisor's Deployment Report for Less-Lethal Weapons will be completed and submitted to the Operations Lieutenant.
- O. All damaged, inoperative, and/or expended less-lethal control devices, including casings, shall be turned over to the Watch Commander for disposition. In those cases where the offender or subject is injured, all weapons, expended casings, or items deemed to have an evidentiary value will be preserved and processed as evidence.
- P. The Range Master will inspect the shotguns and launchers regularly. All normal maintenance, charging, or cleaning of less-lethal shotguns/launchers shall remain the responsibility of the Department Range Master.

IV. Pepperball Oleoresin Capsicum Launcher

- A. The Hermosa Beach Police Department authorizes the use of the Less-lethal Pepperball Oleoresin Capsicum Launcher (POC), PP3-R375 tactical projectiles. This is in keeping with the Department's commitment to reducing the potential for violent confrontations with offenders we encounter.

B. The Pepperball Oleoresin Capsicum Launcher (POC) tactical projectiles will be defined as:

1. SA200 Launcher system or equivalent
2. PP3-R375 tactical projectile with Oleoresin Capsicum agent or equivalent

C. Training:

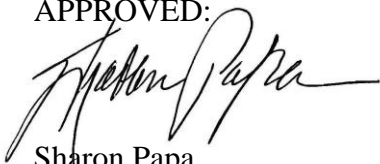
1. All Personnel who have successfully completed an approved course of training by department training staff shall be authorized to use the POC units.
2. Officers will be required to participate in an annual re-certification process.
3. The Department shall maintain at least one (1) certified trainer in each of these less-lethal instruments.
4. The training program for these instruments shall be included within all course instruction under the supervision of the Department Rangemaster or Firearms Instructor(s) and all training will be documented in department training files.

D. Procedures

1. Situation Factors: Before discharging less-lethal projectiles from a POC, the officer should consider the following factors:
 - a. Severity of the crime or incident
 - b. Subject's capability to pose an immediate threat to the safety of the officer or others
 - c. If the subject is actively resisting arrest or attempting to evade arrest by flight.
 - d. The credibility of the subject's threat as evaluated by the officer's present and physical capacity/capability.
 - e. The proximity of weapons available to the subject,
 - f. The officer's versus the subject's physical factors (i.e., age, size, relative strength, skill level, injury/exhaustion, the number of officer (s) versus subject (s),
 - g. The availability of the force options and their possible effectiveness,
 - h. Distance and angle to target,
 - i. Type and thickness of subject's clothing,

4. When the POC is in service it shall be carried with fully loaded hopper and a round chambered.
- H. Whenever possible, the use or the impending use of a POC instrument shall be done when there is a second or more officer(s) at the scene.
1. To assure that a secondary use of force option, including lethal force can be immediately employed if the Less-Lethal option fails or is ineffective, or the scenario changes and the use of Lethal Force becomes the more appropriate option;
 2. To assure that other personnel are available to restrain and secure an individual who has been neutralized by a Less-Lethal Force instrument.
 3. To facilitate immediate first aid needs for the subject;
 4. To assure an immediate assessment of all persons in the area so that unintended third parties were not secondary recipients of Less-Lethal Force Option(s).
- I. Medical treatment:
1. Persons struck with less-lethal projectiles shall be treated by paramedics or at a designated treatment hospital as soon as practicable after the incident.
 2. Persons should be medically cleared prior to being booked into Jail.
 3. Photographs for evidentiary purposes of all areas of the body struck by the projectile(s) will be taken following the initial medical treatment.
- J. A Use of Force Report will be completed and the on-duty watch commander shall review each use of POC devices by personnel under their supervision and forward the report to the Operations Lieutenant.
- K. At the conclusion of the watch, the Less-Lethal Instruments shall be removed from the vehicle and unloaded. The Less-Lethal Instruments will be stored in the gun safe when not being used by the current shift.
- V. See Policy 304 - Conducted Energy Devices

APPROVED:



Sharon Papa
Chief of Police

Conducted Energy Device

304.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the conducted energy device (CED).

304.2 POLICY

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

304.3 ISSUANCE AND CARRYING TASER DEVICES

Only members who have successfully completed department-approved training may be issued and carry the TASER device.

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

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

Members carrying the TASER device should perform a spark test prior to every shift.

Officers who carry the TASER device while in uniform shall carry it in a weak-side holster on the side opposite the duty weapon (Penal Code § 13660).

- (a) All TASER devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
- (b) Whenever practicable, officers should carry two or more cartridges on their person when carrying the TASER device.
- (c) Officers shall be responsible for ensuring that the issued TASER device is properly maintained and in good working order.
- (d) Officers should not hold a firearm and the TASER device at the same time.

304.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the TASER device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.
- (b) Provide other officers and individuals with a warning that the TASER device may be deployed.

Conducted Energy Device

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

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

304.5 USE OF THE TASER DEVICE

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

304.5.1 APPLICATION OF THE TASER DEVICE

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

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

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

304.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

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

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (d) Individuals who are handcuffed or otherwise restrained.

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- (e) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
- (f) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

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

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

304.5.3 TARGETING CONSIDERATIONS

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

304.5.4 MULTIPLE APPLICATIONS OF THE TASER DEVICE

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

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

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

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

304.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers shall notify a supervisor of all TASER device discharges. Confetti tags should be collected and the expended cartridge, along with both probes and wire, should be submitted into evidence.

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The cartridge serial number should be noted and documented on the evidence paperwork. The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

304.5.6 DANGEROUS ANIMALS

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

304.5.7 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department TASER devices while off-duty.

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

304.6 DOCUMENTATION

Officers shall document all TASER device discharges. Intentional discharges shall be documented in the related arrest/crime/use of force report. Unintentional discharges shall be documented with an incident report. Notification shall also be made to a supervisor in compliance with the Use of Force Policy.

304.6.1 TASER DEVICE DISCHARGE - USE OF FORCE REPORT

Use of force reports involving a TASER discharge should include the following: :

- (a) The type and brand of TASER device and cartridge and cartridge serial number.
- (b) Date, time and location of the incident.
- (c) Whether any display, laser or arc deterred a subject and gained compliance.
- (d) The number of TASER device activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.
- (e) The range at which the TASER device was used.
- (f) The type of mode used (probe or drive-stun).
- (g) Location of any probe impact.
- (h) Location of contact in drive-stun mode.
- (i) Description of where missed probes went.
- (j) Whether medical care was provided to the subject.
- (k) Whether the subject sustained any injuries.
- (l) Whether any officers sustained any injuries.

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The Training Sergeant should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The Training Sergeant should also conduct audits of data downloads and reconcile TASER device report forms with recorded activations.

304.6.2 REPORTS

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

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

304.7 MEDICAL TREATMENT

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

All persons who have been struck by TASER device probes or who have been subjected to the electric discharge of the device (drive-stun) shall be medically assessed by paramedics or other qualified medical personnel prior to booking.

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

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

304.8 SUPERVISOR RESPONSIBILITIES

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

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

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304.9 TRAINING

Personnel who are authorized to carry the TASER device shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the TASER device as a part of their assignment for a period of six months or more shall be recertified by a department-approved CED (TASER device) instructor prior to again carrying or using the device. The department-approved CED (TASER) device instructor will conduct remedial training for those unable to qualify prior to the officer resuming their official duties.

Proficiency training for personnel who have been issued TASER devices should occur every year. A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the CED (TASER) instructor. All training and proficiency for TASER devices will be documented in the officer's training file.

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

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


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

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

The CED (TASER) instructor should ensure that all training includes:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Performing weak-hand draws or cross-draws to reduce the possibility of unintentionally drawing and firing a firearm.
- (d) Target area considerations, to include techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin.
- (e) Handcuffing a subject during the application of the TASER device and transitioning to other force options.
- (f) De-escalation techniques.
- (g) Restraint techniques that do not impair respiration following the application of the TASER device.

304.10 ISSUING AUTHORITY

	Effective Date	Updated Date
W. Paul LeBaron, Chief of Police	October 27, 2009	June 6, 2023



HERMOSA BEACH POLICE DEPARTMENT

03.18 PRISONER TRANSPORTATION

Effective 10/27/2009
Updated

PURPOSE

This policy establishes procedures to ensure that prisoners are transported in manner that will maximize their safety and the safety of the transporting officer(s).

PRISONER DEFINITION

For the purpose of this policy, the term “prisoner” shall be defined as any person arrested or detained pursuant to a criminal investigation, or any person otherwise taken into police custody for a non-criminal incident (WIC 5150 hold, protective custody, etc.).

SEARCHING PRISONERS AND TRANSPORT VEHICLES

Please see Policy 901.3 - Custodial Searches.

A “pat-down” search must be performed; however, more comprehensive searches may be performed, if deemed appropriate. Outer clothing such as jackets, hats, or shoes may be removed during the search. Please see Policy 901.6 - Custodial Searches.

Please see Policy 901.3 - Custodial Searches.

Please see Policy 703 - Vehicle Use.

TRANSPORT OPERATIONS

All prisoners should be transported in vehicles equipped with safety cages. [Refer to section S2.19 in this manual (Police Vehicle Specifications)]. Prisoners must be handcuffed and properly seated in the prisoner cage. Prisoners should be properly secured with a seatbelt.

Multiple prisoners may be transported in the same vehicle; however, male and female prisoners shall not be transported in the same vehicle without Watch Commander approval.

If the prisoner is the opposite sex of the transporting officer, the officer shall:

1. Prior to transport, advise dispatch of current location, destination, and starting mileage.
2. Advise dispatch of the ending mileage upon arrival at the destination.

Supervisor approval will be required prior to transporting any prisoner in a vehicle not equipped with a safety cage, subject to the following restrictions:

- a. Only one prisoner at a time may be transported in the vehicle.
- b. The prisoner will be properly handcuffed, with their hands behind their back.
- c. The prisoner will be properly secured with a seat belt.
- d. If transported by a single officer, the prisoner shall be seated in the front passenger seat.
- e. If transported by two officers, the prisoner shall be seated in the passenger-side rear seat, with the second officer seated adjacent to him/her.

Prisoners shall be supervised by the transporting officer at all times during transit.

Two officers should be used when transporting any prisoner for an extended distance. The transporting officer(s) shall make reasonable accommodations to insure the prisoner's comfort. Restraints may be modified or adjusted as needed; however, officer and prisoner safety concerns shall not be compromised.

(CALEA 70.1.3; 70.2.1) [70.4.1 and 70.4.2 by reference]

PRISONER COMMUNICATION

The prisoner should not be allowed to communicate with other persons immediately before and during that time while he/she is being transported. If deemed necessary, however, the transporting officer may allow the prisoner to communicate with others on a limited basis.
(CALEA 70.1.5)

INTERRUPTION OF TRANSPORT

When transporting a prisoner, the transporting officer shall not respond to calls for service regardless of the circumstances. The only exception is when the transporting officer witnesses an emergency situation requiring immediate action necessary to protect life and property, and only when both of the following conditions apply:

- a. The emergency presents a clear and grave risk to the third party.
- b. Action by the transporting officer presents a minimal risk to the prisoner.

In all other cases, the officer shall advise dispatch to respond other officers to the scene or notify the appropriate agency if the incident is outside of the city of Hermosa Beach.

Stops should not be made while transporting a prisoner from the Hermosa Beach jail to another custody facility. However, stops may become necessary when the prisoner is to be transported an extended distance.

- a. When stopping for fuel, the prisoner shall remain in the vehicle, in view of the transporting officer(s) at all times.
- b. Meal breaks will only be permitted if there are two transporting officers. One officer will remain with the prisoner while the other obtains the food. Prisoner restraints may be modified to allow the prisoner to eat; however, the prisoner shall not be completely freed of restraint.
- c. The prisoner will be afforded the opportunity to use the restroom. An officer of the same sex must accompany the prisoner to the restroom. Prisoner restraints may be modified; however, the prisoner shall not be completely freed of restraint.

(CALEA 70.1.4)

PRISONER ESCAPE

If a prisoner being transported escapes within the city limits, the transporting officer shall immediately notify dispatch of his/her location and the circumstances of the escape. The transporting officer shall make every effort to regain custody of the prisoner. This may include requesting additional officers to establish a containment perimeter and initiating a local and/or regional crime broadcast.

If the escape occurs outside of the city limits, the transporting officer shall immediately advise dispatch to notify the appropriate agency of jurisdiction.

The transporting officer will submit a written report to the Watch Commander detailing the circumstances of the escape. A copy of this report shall be forwarded to the appropriate Division Commander and to the Chief of Police. (CALEA 70.1.7)

TRANSPORTING PROCEDURES

Upon arrival at any custody facility, the transporting officer(s) shall secure all weapons in their appropriate holding locations prior to taking custody of the prisoner(s) or before removing the prisoner(s) from the vehicle.

When transporting a prisoner from one agency or custody facility to another, the transporting officer must confirm the identity of the prisoner. The holding facility must positively identify the prisoner to be transported to the transporting officer. Identification will be confirmed through a valid government-issued identification card (with photograph) or live-scan fingerprinting.

(CALEA 70.5.1 a)

The holding facility shall provide the transporting officer with all necessary documents pertaining to the prisoner. Such documents shall include the booking records and numbers assigned, and any other property or documentation specific to the prisoner.

(CALEA 70.5.1 b)

The transporting officer shall inquire as to any special handling considerations prior to taking custody of the prisoner. The holding facility shall provide the transporting officer with a written report of any special handling considerations, such as escape or suicide potential. Such information shall accompany the prisoner during transport.

(CALEA 70.5.1 c)

For prisoners brought to the Hermosa Beach jail:

- A. Restraining devices will be removed only when directed to do so by the station jailer or when the officer is sure that the prisoner is properly controlled and secure.
- B. If the prisoner was an outside agency pickup, the proper documentation will be transported with the prisoner and submitted to the station jailer.
- C. A local booking approval form will be completed and submitted to the station jailer.
- D. The jailer will be advised if the prisoner has any known medical or mental condition or physical disability.
- E. The jailer and Watch Commander will be advised if the prisoner is an escape risk or requires any other special handling consideration.
- F. The transporting officer shall be responsible for removing all cash and property from the prisoner. US currency shall be secured in a money envelope and placed and sealed in a clear plastic bag along with the prisoner's other property. (Excess or bulk prisoner property will be booked into the station evidence locker.)

For prisoners transported to court or another custody facility:

- A. Restraining devices will be removed only when directed to do so by the receiving facility.

- B. The prisoner's property and documentation will be transported with the prisoner and submitted to the proper person(s) at the receiving facility. These documents will include any applicable forms and reports (e.g.: prisoner transmittal, PCD, warrant abstract, etc.).
 - C. The jailer will be advised if the prisoner has any known medical or mental condition or physical disability.
 - D. The jailer will be advised if the prisoner is an escape risk or requires any other special handling consideration.
 - E. The transporting officer will obtain documents from the receiving facility confirming transfer of custody.
- (CALEA 70.1.6; 70.1.8; 70.5.1)

SPECIAL TRANSPORT SITUATIONS

If a prisoner becomes sick or complains of injury prior to transport, the officer shall notify the field supervisor (if applicable) or the Watch Commander. If the injury or illness appears serious, the officer shall request paramedic response. The officer shall render any necessary first aid until the paramedics arrive.

Once on scene, the supervisor shall evaluate the prisoner's medical situation and the circumstances of the detention. The supervisor may authorize the prisoner's release from custody if it is determined that continued detention is no longer necessary in light of the prisoner's medical situation.

If the injury or illness requires emergency medical treatment and the prisoner is to remain in custody, the prisoner shall be transported by paramedics to the hospital. An officer will accompany the prisoner to the hospital. If the prisoner is to be admitted to the hospital, the officer will immediately notify the Watch Commander and will utilize the following procedures to ensure control of the prisoner:

- a. Have the prisoner released from custody, if possible and appropriate.
- b. If the prisoner is to remain in police custody, the medical facility should be requested to put the prisoner in as secure and private room as possible.
- c. The prisoner should be kept under observation at all times.
- d. Restraining devices shall be used at all times, subject to modification as needed by medical personnel.

For long term admissions, appropriate staffing measures will be implemented to ensure continued prisoner supervision. This may include continued physical presence by Hermosa Beach Police officers. For prisoners admitted to Harbor-UCLA Medical Center, control may be relinquished to the on-site Los Angeles County Police. Once released from treatment, the physician shall provide written instructions pertaining to the prisoner's future treatment and medication, if any, prior to transport to the appropriate custody facility.

If the injury or illness does not require emergency medical treatment, the transporting officer must take the prisoner to a medical facility in order to obtain an “O.K. to book” authorization from an evaluating physician prior to transporting and booking the prisoner into a custody facility, including the court lockup facility.

Prisoners taken into custody for psychiatric evaluation (WIC 5150 holds) will be taken to either Harbor-UCLA Medical Center or the nearest authorized hospital. The prisoner will remain in the transporting officer’s custody until the intake process has been completed and he/she is turned over to the facility staff.

Prisoners who have physical disabilities requiring ambulatory assistance (wheelchair, crutches, etc.) dictate special care and attention. If the handicap is such that the prisoner can be safely transported in a police vehicle, then the transporting officer may do so. If special transportation is required, the prisoner should be transported by a city-approved ambulance service, accompanied by the transporting officer.

- a. Watch Commander approval is required prior to transporting the prisoner.
- b. Medical clearance to book must be obtained from a qualified physician.
- c. Arrangements should be made to transfer the prisoner to the Los Angeles County Jail as soon as possible.

(CALEA 70.3.1; 70.3.2)

PRISONER ATTENDENCE AT PUBLIC OR PRIVATE FUNCTIONS

The Hermosa Beach jail provides for short-term prisoner housing only. Therefore, the Hermosa Beach Police Department will not provide prisoner transportation for any special function (e.g.: funerals, visiting critically ill persons, reading of wills). The Los Angeles County Sheriff’s Department is responsible for transporting long-term prisoners to special events.

(CALEA 70.3.3)

APPROVED:



Greg Savelli
Chief of Police

Handcuffing and Restraints

302.1 PURPOSE AND SCOPE

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

302.2 POLICY

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

302.3 USE OF RESTRAINTS

Only members who have successfully completed Hermosa Beach Police Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

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

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

302.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to ensure the safety of officers and others. When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

302.3.2 RESTRAINT OF PREGNANT PERSONS

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

No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized

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determination that such restraints are necessary for the safety of the arrestee, officers, or others (Penal Code § 3407; Penal Code § 6030).

302.3.3 RESTRAINT OF JUVENILES

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

302.3.4 NOTIFICATIONS

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

302.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

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

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

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

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

302.5 APPLICATION OF SPIT HOODS

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

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

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and so that the restrained person can breathe normally. Officers should provide assistance during the movement of a restrained person due to the potential for impairing or

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distorting that person's vision. Officers should avoid comingling those wearing spit hoods with other detainees.

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

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

302.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES

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

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

302.7 APPLICATION OF LEG RESTRAINT DEVICES

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

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

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

302.7.1 GUIDELINES FOR USE OF AUXILIARY RESTRAINT DEVICES/ LEG RESTRAINTS

When applying leg restraints, the following guidelines should be followed:

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

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- (c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.
- (d) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.
- (e) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
- (f) When transported by emergency medical services, the restrained person should be accompanied by an officer. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration).

302.8 REQUIRED DOCUMENTATION

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

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

302.9 TRAINING

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

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

302.10 ISSUING AUTHORITY



Effective Date

Updated Date

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Handcuffing and Restraints

W. Paul LeBaron, Chief of Police October 27, 2009

May 7, 2024

Officer Response to Calls

308.1 PURPOSE AND SCOPE

This policy provides for the safe and appropriate response to emergency and non-emergency situations whether dispatched or self-initiated.

308.2 RESPONSE TO CALLS

Officers dispatched "Code-3" shall consider the call an emergency response and proceed immediately. Officers responding Code-3 shall continuously operate emergency lighting equipment, including at minimum a steady forward facing red light, and shall sound the siren as reasonably necessary pursuant to Vehicle Code § 21055.

Responding with emergency light(s) and siren does not relieve the officer of the duty to continue to drive with due regard for the safety of all persons. The use of any other warning equipment without a red light and siren does not provide any exemption from the Vehicle Code.

Officers should only respond Code-3 when so dispatched or when circumstances reasonably indicate an emergency response is required. Officers not authorized to respond Code-3 shall observe all traffic laws and proceed without the use of emergency lights and siren.

308.3 REQUESTING EMERGENCY ASSISTANCE

Requests for emergency assistance should be limited to those situations where the involved personnel reasonably believe that there is an immediate threat to the safety of officers, or assistance is needed to prevent imminent serious harm to a citizen. In any event, where a situation has stabilized and emergency response is not required, the requesting officer shall immediately notify Dispatch.

If circumstances permit, the requesting officer should give the following information:

- The unit number
- The location
- The reason for the request and type of emergency
- The number of units required

308.3.1 NUMBER OF UNITS ASSIGNED

Normally, only one unit should respond to an emergency call Code-3 unless the Watch Commander or the field supervisor authorizes an additional unit(s).

308.4 INITIATING CODE 3 RESPONSE

If an officer believes a Code-3 response to any call is appropriate, the officer shall immediately notify Dispatch. Generally, only one unit should respond Code-3 to any situation. Should another officer believe a Code-3 response is appropriate, Dispatch shall be notified and the Watch

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Commander or field supervisor will make a determination as to whether one or more officers driving Code-3 is appropriate.

308.5 RESPONSIBILITIES OF RESPONDING OFFICERS

Officers shall exercise sound judgment and care with due regard for life and property when responding to an emergency call. Officers shall reduce speed at all street intersections to such a degree that they shall have complete control of the vehicle.

The decision to continue a Code-3 response is at the discretion of the officer. If, in the officer's judgment, the roadway conditions or traffic congestion does not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of red lights and siren at the legal speed limit. In such an event, the officer should immediately notify Dispatch. An officer shall also discontinue the Code-3 response when directed by a supervisor.

Upon receiving authorization or determining a Code-3 response is appropriate, an officer shall immediately give the location from which he/she is responding.

308.6 SUPERVISORY RESPONSIBILITIES

Upon being notified that a Code-3 response has been initiated, the Watch Commander or the field supervisor shall verify the following:

- (a) The proper response has been initiated
- (b) No more than those units reasonably necessary under the circumstances are involved in the response
- (c) Affected outside jurisdictions are being notified as practical

The field supervisor shall monitor the response until it has been stabilized or terminated and assert control by directing units into or out of the response if necessary. If, in the supervisor's judgment, the circumstances require additional units to be assigned a Code-3 response, the supervisor may do so.

It is the supervisor's responsibility to terminate a Code-3 response that, in his/her judgment is inappropriate due to the circumstances.

When making the decision to authorize a Code-3 response, the Watch Commander or the field supervisor should consider the following:

- The type of call
- The necessity of a timely response
- Traffic and roadway conditions
- The location of the responding units

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308.7 FAILURE OF EMERGENCY EQUIPMENT

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the Code-3 response and respond accordingly. In all cases, the officer shall notify the Watch Commander, field supervisor, or Dispatch of the equipment failure so that another unit may be assigned to the emergency response.

308.8 ISSUING AUTHORITY

	Effective Date	Updated Date
		
W. Paul LeBaron, Chief of Police	October 27, 2009	December 20, 2023



HERMOSA BEACH POLICE DEPARTMENT

O3.20 VEHICLE PURSUITS

Effective 7/01/2008

Updated 12/21/2020

PURPOSE AND SCOPE

This policy provides guidelines for vehicle pursuits in order to protect the safety of involved officers, the public, and fleeing suspects.

(CALEA 41.2.2a)

POLICY

It is the policy of this department to balance the importance of apprehending suspects who unlawfully flee from law enforcement against the risks associated with vehicle pursuits.

I. DEFINITIONS

Pursuit Intervention - An attempt to stop the suspect's ability to continue to flee in a vehicle through tactical application of technology, the PIT (known as Pursuit Intervention Technique or Precision Immobilization Technique), or ramming.

Pursuit Intervention Technique (PIT) - A low-speed tactic intentionally applied to cause the suspect vehicle to spin out and terminate the pursuit.

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

Terminate - To discontinue a pursuit or stop chasing fleeing vehicles.

Trail - Following the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing vehicle will maintain sufficient distance from the pursuit vehicles so as to clearly indicate an absence of participation in the pursuit

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

OFFICER RESPONSIBILITIES

Vehicle pursuits shall only be conducted using authorized police department emergency vehicles that are equipped with and displaying emergency lighting and sirens as required by Vehicle Code § 21055. Officers are responsible for continuously driving with due regard and caution for the safety of all persons and property (Vehicle Code § 21056).

(CALEA 41.2.2b)

I. WHEN TO INITIATE A PURSUIT

Officers are authorized to initiate a pursuit when the officer reasonably believes that a violent or dangerous suspect, who has been given appropriate signal to stop by a law enforcement officer, is attempting to evade arrest or detention by fleeing in a vehicle or when an immediate and articulable threat to human life exists. Officers shall not initiate a vehicle pursuit when the only known offense(s) is an infraction.

Officers should not initiate a pursuit for non-violent offenses such as property crimes and auto theft (10851 VC) regardless of the crime classification.

Factors that should be considered in deciding whether to initiate a pursuit include:

- (a) The seriousness of the known or reasonably suspected crime and its relationship to community safety.
- (b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists and others.
- (c) The safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g. school zones) and the speed of the pursuit relative to these factors.
- (d) The pursuing officers' familiarity with the area of the pursuit, the quality of radio communications between the pursuing units and the dispatcher/supervisor and the driving capabilities of the pursuing officers under the conditions of the pursuit.
- (e) Whether weather, traffic and road conditions unreasonably increase the danger of the pursuit when weighed against the risk of the suspect's escape
- (f) Whether the identity of the suspect has been verified and whether there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.
- (g) The performance capabilities of the vehicles used in the pursuit in relation to the speeds and other conditions of the pursuit.
- (h) Emergency lighting and siren limitations on unmarked police department vehicles that may reduce visibility of the vehicle, such as visor or dash-mounted

lights, concealable or temporary emergency lighting equipment, and concealed or obstructed siren positioning.

- (i) Suspect and officer vehicle speeds.
- (j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).
- (k) Availability of other resources such as air support or vehicle locator or deactivation technology.
(CALEA 41.2.2a)

II. WHEN TO TERMINATE A PURSUIT

Pursuits should be terminated whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect's escape.

The factors listed in this policy on when to initiate a pursuit will apply equally to the decision to terminate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves, and the public when electing to continue a pursuit.

In addition to the factors that govern when to initiate a pursuit, other factors should be considered in deciding whether to terminate a pursuit, including:

- (a) The distance between the pursuing vehicle and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time and/ or distance.
- (b) The pursued vehicle's location is no longer definitely known.
- (c) The pursuing vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
- (d) The pursuing vehicle's emergency lighting equipment or siren becomes partially or completely inoperable.
- (e) Hazards to uninvolved bystanders or motorists.
- (f) The danger that the continued pursuit poses to the public, the officers, or the suspect, balanced against the risk of allowing the suspect to remain at large.
- (g) The identity of the suspect is known, and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit.

- (h) Pursuit is terminated by a supervisor.
(CALEA 41.2.2g)

III. SPEED LIMITS

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

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

- (a) Pursuit speeds have become unreasonably unsafe for the surrounding conditions.
- (b) Pursuit speeds have exceeded the driving ability of the officer.
- (c) Pursuit speeds are beyond the capabilities of the pursuit vehicle thus making its operation unsafe.
(CALEA 41.2.2a)

PURSUING UNITS

Pursuit units should be limited to three vehicles (two units and a supervisor); however, the number of units involved will vary with the circumstances. An officer or supervisor may request additional units to join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the suspects. All other officers should stay out of the pursuit but should remain alert to its progress and location. Any officer who drops out of a pursuit may then, if necessary, proceed to the termination point at legal speeds, following the appropriate rules of the road.
(CALEA 41.2.2d)

I. MOTORCYCLE OFFICERS

When involved in a pursuit, police department motorcycles should be replaced by marked four-wheel emergency vehicles as soon as practicable.
(CALEA 41.2.2d)

II. VEHICLES WITHOUT EMERGENCY EQUIPMENT

Officers operating vehicles not equipped with red light and siren are prohibited from initiating or joining in any pursuit.
(CALEA 41.2.2d)

III. PRIMARY UNIT RESPONSIBILITIES

The initial pursuing unit will be designated as the primary pursuit unit and will be responsible for the conduct of the pursuit unless the officer is unable to remain reasonably close to the suspect's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspects without unreasonable danger to any person.

The primary unit should notify dispatcher commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated and as soon as practicable provide information including, but not limited to:

- (a) The location and direction of travel and estimated speed of the suspect's vehicle.
- (b) The description of the suspect's vehicle including the license plate number, if known.
- (c) The reason for the pursuit
- (d) Known or suspected weapons. Threat of force, violence, injuries, hostages or other unusual hazards.
- (e) The suspected number of occupants and identity or description
- (f) The weather, road, and traffic conditions.
- (g) The need for any additional resources or equipment,
- (h) The identity of other law enforcement agencies involved in the pursuit
- (i) Request notification to the on-duty Watch Commander.

Unless relieved by a supervisor or secondary unit, the officer in the primary unit is responsible for the broadcasting of the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary pursuing officer should, as soon as practicable, relinquish the responsibility of broadcasting the progress of the pursuit to a secondary unit or air support joining the pursuit to minimize distractions and allow the primary pursuing officer to concentrate foremost on safe pursuit tactics.

(CALEA 41.2.2b)

IV. SECONDARY UNIT RESPONSIBILITIES

The second officer in the pursuit will be designated as the secondary unit and is responsible for:

- a) The officer in the secondary unit should immediately notify the dispatcher of entry into the pursuit as soon as reasonably practicable.
- b) Remaining a safe distance behind the primary unit unless directed to assume the role of primary pursuit vehicle, or if the primary pursuit vehicle is unable to continue the pursuit.
- c) Broadcasting the progress, updating known or critical information, and providing changes in the pursuit, unless the situation indicates otherwise.
- d) Identifying the need for additional resources or equipment as appropriate.
- e) Serving as backup to the primary pursuing officer once the suspect has been stopped.

(CALEA 41.2.2c)

V. PURSUIT DRIVING

The decision to use specific driving tactics requires the same assessment of the factors the officer considered when determining whether to initiate and/or terminate a pursuit. The following are tactics for units involved in the pursuit:

- (a) Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to maneuvers by the fleeing vehicle.
- (b) Because intersections can present increased risks, the following tactics should be considered:
 - 1. Available units not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
 - 2. Pursuing units should exercise due regard and caution when proceeding through controlled intersections.
- (c) As a general rule, officers should not pursue a vehicle driving left of center (wrong way) against traffic. In the event that the pursued vehicle does so, the following tactics should be considered:
 - 1. Requesting assistance from available air support.
 - 2. Maintain visual contact with the pursued vehicle by paralleling it on the correct side of the roadway.
 - 3. Request other units to observe exits available to the suspects.
- (d) Notify the California Highway Patrol (CHP) and/or other law enforcement agency if it appears that the pursuit may enter its jurisdiction.
- (e) Officers involved in a pursuit should not attempt to pass other units unless the situation indicates otherwise, or they are requested to do so by the primary unit and with a clear understanding of the maneuver process between the involved units.

VII. PURSUIT TRAILING

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

VIII. AIR SUPPORT ASSISTANCE

When available, air support assistance should be requested. An air support unit may consist of a police helicopter or an unmanned aircraft system (UAV or drone). Once the air unit has established visual contact with the pursued vehicle, the unit should assume control over the pursuit. The primary and secondary ground units, or involved supervisor, will maintain operational control but should consider whether the participation of air support warrants the continued close proximity and/or involvement of ground units in the pursuit.

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

IX. UNITS NOT INVOLVED IN THE PURSUIT

There should be no paralleling of the pursuit route. Officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Officers should remain in their assigned area and should not become involved with the pursuit unless directed otherwise by a supervisor.

The primary and secondary units should be the only units operating under emergency conditions (red light and siren) unless other units are assigned to the pursuit

SUPERVISORY CONTROL AND RESPONSIBILITIES

Available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department.

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

- (a) Immediately notifying involved unit and the dispatcher of supervisory presence and ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit
- (b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.
- (c) Exercising management and control of the pursuit even if not engaged in it.
- (d) Ensuring that no more than the required number of units are involved in the pursuit under the guidelines set forth in this policy.
- (e) Directing that the pursuit be terminated if, in the supervisor's judgment, it is unreasonable to continue the pursuit under the guidelines of this policy.

- (f) Ensuring that assistance from air support, canines, or additional resources is requested if available and appropriate.
- (g) Ensuring that the proper radio channel is being used.
- (h) Ensuring that the Watch Commander is notified of the pursuit as soon as practicable
- (i) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this department.
- (j) Controlling and managing Hermosa Beach Police Department units when a pursuit enters another jurisdiction.
- (k) Preparing a post-pursuit review and documentation of the pursuit
- (l) Supervisors should initiate follow up or additional review when appropriate
(CALEA 41.2.2f)

I. WATCH COMMANDER RESPONSIBILITIES

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

The Watch Commander shall review all pertinent reports for content and forward to the Division Commander.
(CALEA 41.2.2f)

DISPATCH

If the pursuit is confined within the City limits, radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or dispatcher. If the pursuit leaves the jurisdiction of this department or such is imminent, the Communications Center should coordinate for all involved units to be able to communicate

I. COMMUNICATION CENTER RESPONSIBILITIES

Upon notification or becoming aware that a pursuit has been initiated, the dispatcher is responsible for:

- (a) Clearing the radio channel of non-emergency traffic
- (b) Coordinating pursuit communications of the involved units and personnel.
- (c) Broadcasting pursuit updates as well as other pertinent information as necessary

- (d) Ensuring that a field supervisor is notified of the pursuit.
- (e) Notify the Watch Commander as soon as practicable.
- (f) Assigning an incident number and logging all pursuit activities
(CALEA 41.2.2e)

II. LOSS OF PURSUED VEHICLE

When the pursued vehicle is lost, the primary unit should broadcast pertinent information to assist other units in locating suspects. The primary unit or supervisor will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

INTERJURISDICTIONAL CONSIDERATIONS

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

I. ASSUMPTION OF PURSUIT BY ANOTHER AGENCY/JURISDICTION

Officers will relinquish control of the pursuit when another agency has assumed the pursuit, unless the continued assistance of the Hermosa Beach Police Department is requested by the agency assuming the pursuit. Upon relinquishing control the pursuit, the involved officers may proceed, with supervisory approval, to the termination point of the pursuit to assist in the investigation.

The supervisor should coordinate such assistance with the assuming agency and obtain any information that is necessary for any reports. Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific.

(CALEA 41.2.2h)

II. PURSUITS EXTENDING INTO THIS JURISDICTION

The agency that initiates a pursuit is responsible for conducting the pursuit. Units from this department should not join a pursuit unless specifically requested to do so by the pursuing agency and with approval from a supervisor. The involved officer(s) and Watch Commander should assess if the outside agency pursuit meets our criteria for initiating or continuing the pursuit. If the pursuit does not meet our criteria, such as a pursuit for a non-violent crime, officers shall not join or continue in the pursuit. If a pursuit from an outside agency meets our criteria, and with the request by the pursuing agency and approval from a supervisor, officers(s) may join the pursuit.

If an outside agency is involved in a pursuit with a single unit, a supervisor may authorize units from this department to join the pursuit until sufficient units from the initiating agency join the pursuit or until additional information is provided allowing withdrawal of the pursuit. Under this circumstance, the outside agency pursuit must still meet our criteria for initiating or continuing in a pursuit. If time permits, officers should advise the Dispatcher and/or Watch Commander that they are joining the pursuit. Supervisory control and responsibilities included herein, including when to terminate a pursuit, will apply to outside agency pursuits.

When a request is made for this department to assist or take over a pursuit that has entered the jurisdiction of Hermosa Beach Police Department, the supervisor should consider:

- (a) The public's safety within this jurisdiction
- (b) The safety of the pursuing officers.
- (c) Whether the circumstances are serious enough to continue the pursuit and if the reason for the pursuit meets our criteria
- (d) Whether there is adequate staffing to continue the pursuit
- (e) The ability to maintain the pursuit

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

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

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

(CALEA 41.2.2h)

WHEN PURSUIT INTERVENTION IS AUTHORIZED

Whenever practicable, an officer shall seek approval from a supervisor before employing any intervention to stop the pursued vehicle. In deciding whether to use intervention tactics, officers/supervisors should balance the risks of allowing the pursuit to continue with the potential hazards to the public arising from the use of each tactic, the officers, and persons in or on the pursued vehicle to determine which, if any, intervention tactic may be reasonable.

III. USE OF FIREARMS

An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle (see the Use of Force Policy).

(CALEA 41.2.3 a, b)

IV. INTERVENTION STANDARDS

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

- a) The PIT should only be used after giving consideration to the following:
 1. The technique should only be used by officers who have received training in the technique, including speed restrictions.
 2. Supervisory approval should be obtained before using the technique.
 3. The need to immediately stop the suspect vehicle reasonably appears to outweigh the risks of injury or death to occupants of the suspect vehicle, officers, or other members of the public.
 4. It reasonably appears the technique will terminate or prevent the pursuit.
- b) Ramming a fleeing vehicle should only be done after giving consideration to the following:
 1. Supervisory approval should be obtained before using the technique.
 2. The need to immediately stop the suspect vehicle reasonably appears to substantially outweigh the risks of injury or death to occupants of the suspect vehicle, officers, or other members of the public.
 3. It reasonably appears the technique will terminate or prevent the pursuit.
 4. Ramming may be used only under circumstances when deadly force would be authorized. Ramming must meet the criteria for deadly force applications discussed in Policy O3.16 – Use of Force.
 5. Ramming may be used when all other reasonable alternatives have been exhausted or reasonably appear ineffective.

V. CAPTURE OF SUSPECTS

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force, which reasonably appears necessary under the circumstances, to accomplish a

legitimate law enforcement purpose. Unless relieved by a supervisor, the primary officer should coordinate efforts to apprehend the suspects following the pursuit. Officers should consider safety of the public and the involved officers when formulating plans for setting up perimeters or for containing and capturing the suspects.

REPORTING REQUIREMENTS

All appropriate reports should be completed to comply with applicable laws, policies, and procedures

- a) The primary officer should complete appropriate crime/arrest reports.
- b) The Watch Commander shall ensure that an Allied Agency Vehicle Pursuit Report (form CHP 187A) is filed with the CHP not later than 30 days following the pursuit (Vehicle Code § 14602.1). The primary officer should complete as much of the required information on the form as is known and forward the report to the Watch Commander for review and distribution.
- c) After first obtaining the available information, the involved, or if unavailable on-duty, field supervisor shall promptly complete a Supervisor's Log or interoffice memorandum, briefly summarizing the pursuit to the Chief of Police or authorized designee. This log or memorandum should include, at a minimum:
 1. Date and time of pursuit
 2. Initial reason and circumstances surrounding the pursuit
 3. Length of pursuit in distance and time, including the starting and termination points
 4. Involved units and officers
 5. Disposition (arrest, citation), including arrestee information if applicable
 6. Injuries and/or property damage
 7. Medical treatment
 8. Name of supervisor at scene
 9. A preliminary determination whether the pursuit appears to be in compliance with this policy and whether additional review or follow-up is warranted
 10. Method of terminating pursuit (terminated by officer, pursuit intervention, unforced stop, collision, etc.
 11. Upon conclusion of each pursuit, the involved officer(s) shall complete a Vehicle Report/Service Request for each department vehicle involved in the pursuit. The words "Vehicle used in pursuit" shall be clearly written in the narrative section of the form. Mechanics should inspect the vehicle as soon as

possible if the reporting officer does not suspect any damage to the vehicle. Any vehicle that is suspected to have suffered mechanical failure or damage during/arising from the pursuit shall be immediately removed from service pending inspection.
(CALEA 41.2.2 i; 41.2.3 e)

I. REGULAR AND PERIODIC PURSUIT TRAINING

The Training Sergeant shall make available to all officers initial and supplementary Police Officer Standard Training (POST) training on pursuits required by Penal Code § 13519.8, and no less than annual training addressing:

- a) this policy
- b) the importance of vehicle safety and protecting the public
- c) the need to balance the known offense and the need for immediate capture against the risks to officers and others (Vehicle Code § 17004.7(d)).

II. POLICY REVIEW

Officers of this department shall certify in writing that they have received, read and understand this policy initially, upon any amendments, and whenever training on this policy is provided. The POST attestation form, or an equivalent form, may be used to document the compliance and should be retained in the member's training file.

At the beginning of each calendar year, the Operations Division Commander will complete a documented review of the pursuit policy and reporting procedures, and an analysis of the pursuits conducted the previous calendar year. The completed analysis will then be forwarded to the Administrative Captain for review, with a copy to the Accreditation Manager.
(CALEA 41.2.2 j/k)

APPLICATION VEHICLE PURSUIT POLICY

This policy is expressly written and adopted pursuant to the provisions of Vehicle Code § 17004.7, with additional input from the POST Vehicle Pursuit Guidelines.

APPROVED BY:



Paul LeBaron
Chief of Police

Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE

The ultimate goal of traffic law enforcement is to reduce traffic collisions. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on accident data, enforcement activity records, traffic volume, and traffic conditions. This department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in accident situations, but also in terms of traffic-related needs.

500.2 TRAFFIC OFFICER DEPLOYMENT

Several factors are considered in the development of deployment schedules for officers of the Hermosa Beach Police Department. Information provided by the California Statewide Integrated Traffic Reporting System (SWITRS) is a valuable resource for traffic accident occurrences and therefore officer deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All officers assigned to patrol or traffic enforcement functions will emphasize enforcement of accident causing violations during high accident hours and at locations of occurrence. All officers will take directed enforcement action on request, and random enforcement action when appropriate against violators as a matter of routine. All officers shall maintain high visibility while working general enforcement, especially at high accident locations.

Other factors to be considered for deployment are requests from the public, construction zones or special events.

500.3 ENFORCEMENT

Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas and the number of arrests or citations issued by any officer shall not be used as the sole criterion for evaluating officer overall performance (Vehicle Code § 41603). The visibility and quality of an officer's work effort will be commensurate with the philosophy of this policy.

500.3.1 WARNINGS

Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations.

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500.3.2 CITATIONS

Citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at a minimum:

- (a) Explanation of the violation or charge
- (b) Court appearance procedure including the optional or mandatory appearance by the motorist
- (c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court

500.3.3 PHYSICAL ARREST

Physical arrest can be made on a number of criminal traffic offenses outlined in the Vehicle Code or Penal Code. These physical arrest cases usually deal with, but are not limited to:

- (a) Vehicular manslaughter
- (b) Felony and misdemeanor driving under the influence of alcohol/drugs
- (c) Felony or misdemeanor hit-and-run
- (d) Refusal to sign notice to appear
- (e) Any other misdemeanor at the discretion of the officer, such as reckless driving with extenuating circumstances

500.4 SUSPENDED OR REVOKED DRIVERS LICENSES

If an officer contacts a traffic violator for driving on a suspended or revoked license, the officer may issue a traffic citation pursuant to Vehicle Code § 14601.

If a computer check of a traffic violator's license status reveals a suspended or revoked driver license and the traffic violator still has his or her license in possession, the license shall be seized by the officer. The officer shall verbally advise the traffic violator of the suspension or revocation and issue the citation. The officer will be responsible for filling out the Verbal Notice form (DMV form DL-310) and causing that form and license to be forwarded to the Department of Motor Vehicles.

500.5 HIGH-VISIBILITY VESTS

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members who may be exposed to hazards presented by passing traffic, maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601; 8 CCR 1598).

Although intended primarily for use while performing traffic related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the member.

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Traffic Function and Responsibility

500.5.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, accident investigations, lane closures and while at disaster scenes, or anytime high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used any time a plainclothes officer might benefit from being readily identified as a member of law enforcement.

500.5.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS

A high-visibility vest will be issued to each patrol officer. Before going into service, each officer shall ensure they have a serviceable high-visibility vest.

A spare supply of high-visibility vests will be maintained in the equipment room for replacement of damaged or unserviceable vests. The Training Sergeant should be promptly notified whenever the supply of vests in the equipment room needs replenishing.

500.6 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police October 27, 2009

March 12, 2024

Vehicle Towing and Release

503.1 PURPOSE AND SCOPE

This policy provides the procedures for towing a vehicle by or at the direction of the Hermosa Beach Police Department. Nothing in this policy shall require the Department to tow a vehicle.

503.2 STORAGE AND IMPOUNDS

When circumstances permit, for example when towing a vehicle for parking or registration violations, the handling employee should, prior to having the vehicle towed, make a good faith effort to notify the owner of the vehicle that it is subject to removal. This may be accomplished by personal contact, telephone or by leaving a notice attached to the vehicle at least 24 hours prior to removal. If a vehicle presents a hazard, such as being abandoned on the roadway, it may be towed immediately.

The responsibilities of those employees towing, storing or impounding a vehicle are listed below.

503.2.1 VEHICLE STORAGE REPORT

Department members requesting towing, storage, or impound of a vehicle shall complete CHP Form 180 and accurately record the mileage and a description of property within the vehicle (Vehicle Code § 22850). A copy of the storage report should be given to the tow truck operator, and the original shall be submitted to the Records Bureau as soon as practicable after the vehicle is stored.

503.2.2 REMOVAL FROM TRAFFIC COLLISION SCENES

When a vehicle has been involved in a traffic collision and must be removed from the scene, the officer shall have the driver select a towing company, if possible, and shall relay the request for the specified towing company to the dispatcher. When there is no preferred company requested, the Officer should request the City's contractual towing company as the first option; if unavailable, another company may be utilized.

If the owner is incapacitated, or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in a collision, the officer shall request the dispatcher to call the official towing garage for the City of Hermosa Beach. The officer will then store the vehicle using a CHP Form 180.

503.2.3 STORAGE AT ARREST SCENES

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping by storing the arrestee's vehicle subject to the exceptions described below. The vehicle, however, shall be stored whenever it is needed for the furtherance of the investigation or prosecution of the case, or when the community caretaker doctrine would reasonably suggest that the vehicle should be stored (e.g., traffic hazard, high-crime area).

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The following are examples of situations where consideration should be given to leaving a vehicle at the scene in lieu of storing, provided the vehicle can be lawfully parked and left in a reasonably secured and safe condition:

- Traffic-related warrant arrest.
- Situations where the vehicle was not used to further the offense for which the driver was arrested.
- Whenever the licensed owner of the vehicle is present, willing, and able to take control of any vehicle not involved in criminal activity.
- Whenever the vehicle otherwise does not need to be stored and the owner requests that it be left at the scene. In such cases, the owner shall be informed that the Department will not be responsible for theft or damages.

503.2.4 IMPOUNDMENT AT SOBRIETY CHECKPOINTS

Whenever a driver is stopped at a sobriety checkpoint and the only violation is that the operator is driving without a valid driver's license, the officer shall make a reasonable attempt to identify the registered owner of the vehicle (Vehicle Code § 2814.2). The officer shall release the vehicle to the registered owner if the person is a licensed driver, or to another licensed driver authorized by the registered owner, provided the vehicle is claimed prior to the conclusion of the checkpoint operation.

If the vehicle is released at the checkpoint, the officer shall list on his/her copy of the notice to appear the name and driver's license number of the person to whom the vehicle is released.

When a vehicle cannot be released at the checkpoint, it shall be towed (Vehicle Code § 22651(p)). When a vehicle is removed at the checkpoint, it shall be released during the normal business hours of the storage facility to the registered owner or his/her agent upon presentation of a valid driver's license and current vehicle registration.

503.2.5 DRIVING A NON-CITY VEHICLE

Vehicles which have been towed by or at the direction of the Department should not be driven by police personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or to comply with posted signs.

503.2.6 DISPATCHER'S RESPONSIBILITIES

Upon receiving a request for towing, the dispatcher shall promptly telephone the specified authorized towing service. The officer shall be advised when the request has been made and the towing service has been dispatched.

503.2.7 RECORDS BUREAU RESPONSIBILITY

Records personnel shall promptly enter pertinent data from the completed storage form (CHP Form 180) into the Stolen Vehicle System and return the form to the Watch Commander for approval (Vehicle Code § 22651.5(b); Vehicle Code § 22851.3(b); Vehicle Code § 22854.5).

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Approved storage forms shall be promptly placed into the auto-file so that they are immediately available for release or review should inquiries be made.

Within 48 hours, excluding weekends and holidays, of the storage of any such vehicle it shall be the responsibility of the Records Bureau to determine the names and addresses of any individuals having an interest in the vehicle through DMV or CLETS computers. Notice shall be sent to all such individuals by mail as applicable and as provided in Vehicle Code § 22851.3(d), Vehicle Code § 22852(a), Vehicle Code § 14602.6(a)(2). The notice shall include the following (Vehicle Code § 22852(b)):

- (a) The name, address, and telephone number of this Department.
- (b) The location of the place of storage and description of the vehicle, which shall include, if available, the name or make, the manufacturer, the license plate number, and the mileage.
- (c) The authority and purpose for the removal of the vehicle.
- (d) A statement that, in order to receive their post-storage hearing, the owners, or their agents, shall request the hearing in person, in writing, or by telephone within 10 days of the date appearing on the notice.

503.3 TOWING SERVICES

The City of Hermosa Beach periodically selects a firm to act as the official tow service and awards a contract to that firm. This firm will be used in the following situations:

- (a) When it is necessary to safeguard a vehicle due to the inability of the owner or operator to take the required action.
- (b) When a vehicle is being held as evidence in connection with an investigation.
- (c) When it is otherwise necessary to store a motor vehicle. This would include situations involving the recovery of stolen or abandoned vehicles, and the removal of vehicles obstructing traffic in violation of state or local regulations.

503.4 VEHICLE INVENTORY

All property in a stored or impounded vehicle shall be inventoried and listed on the vehicle storage form. This includes the trunk and any compartments or containers, even if closed and/or locked. Members conducting inventory searches should be as thorough and accurate as practical in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner's property while in police custody, to provide for the safety of officers, and to protect the Department against fraudulent claims of lost, stolen, or damaged property.

503.5 SECURITY OF VEHICLES AND PROPERTY

Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, officers should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g., cash, jewelry, cell phone, prescriptions) that are not considered evidence or contraband.

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If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft, or damage, personnel conducting the search shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property from such hazards.

503.6 RELEASE OF VEHICLE

The Department will maintain a listed, 24-hour telephone number to provide information regarding impoundment of vehicles and the right of the registered owner to request a storage hearing. Releases for towed vehicles will be made available during regular, non-emergency business hours (Vehicle Code § 14602.6).

- (a) Vehicles removed pursuant to Vehicle Code § 22850 shall be released after proof of current registration is provided by the owner or the person in control of the vehicle and after all applicable fees are paid (Vehicle Code § 22850.3; Vehicle Code § 22850.5).
- (b) Vehicles removed that require payment of parking fines or proof of valid driver's license shall only be released upon presentation of proof of compliance, proof of payment, completion of affidavit, and payment of applicable fees related to the removal (Vehicle Code § 22651 et seq., Vehicle Code § 22652 et seq., Vehicle Code § 22850.3; Vehicle Code § 22850.5).
- (c) A vehicle removed pursuant to Vehicle Code § 14602.6(a) shall be released to the registered owner or his/her agent with proof of current registration, proof of a valid driver's license, and applicable fees paid prior to the end of the 30-day impoundment period under any of the following circumstances:
 - 1. The vehicle was stolen.
 - 2. If the driver reinstates his/her driver's license or acquires a license and provides proof of proper insurance.
 - 3. Any other circumstance as set forth in Vehicle Code § 14602.6.
 - 4. When there is no remaining community caretaking need to continue impound of the vehicle or the continued impound would not otherwise comply with the Fourth Amendment.
- (d) An autonomous vehicle removed under authority of Vehicle Code § 22651(o)(1)(D) shall be released to the registered owner or person in control of the autonomous vehicle if the requirements of Vehicle Code § 22651(o)(3)(B) are met.

Personnel whose duties include releasing towed vehicles should consult the Vehicle Code under which the vehicle was towed or impounded for any specific requirements prior to release.

Employees who suspect that a vehicle was impounded in error should promptly advise a supervisor. Supervisors should approve, when appropriate, the release of the vehicle without requiring the registered owner or his/her agent to request a hearing, as described in the Vehicle Impound Hearings Policy.

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503.7 TOWING FOR EXPIRED REGISTRATION

Prior to a member removing a vehicle that is found to have expired registration for more than six months, the member shall verify that no current registration exists with the Department of Motor Vehicles (DMV). If current registration exists with the DMV, the vehicle shall not be removed (Vehicle Code § 22651(o)(1)(A)).

503.8 ISSUING AUTHORITY

	Effective Date	Updated Date
 W. Paul LeBaron, Chief of Police	October 27, 2009	March 12, 2024

Vehicle Impound Hearings

504.1 PURPOSE AND SCOPE

This policy establishes a procedure for the requirement to provide vehicle storage or impound hearings pursuant to Vehicle Code § 22852.

504.2 STORED OR IMPOUND HEARING

When a vehicle is stored or impounded by any member of the Hermosa Beach Police Department, a hearing will be conducted upon the request of the registered or legal owner of the vehicle or his/her agent (Vehicle Code § 22650(a); Vehicle Code § 22852(a)).

The hearing shall be conducted within 48 hours of the request, excluding weekends and holidays. The hearing officer must be a person other than the person who directed the storage or impound of the vehicle (Vehicle Code § 22852(c)).

504.2.1 HEARING PROCEDURES

The vehicle storage hearing is an informal process to evaluate the validity of an order to store or impound a vehicle. The employee who caused the storage or removal of the vehicle does not need to be present for this hearing.

All requests for a hearing on a stored or impounded vehicle shall be submitted in person, in writing or by telephone within 10 days of the date appearing on the notice (Vehicle Code § 22852(b)). The Traffic Sergeant will generally serve as the hearing officer. If the Traffic Sergeant is not available, the on-duty Sergeant, Watch Commander or Community Services Officer Supervisor may serve as the hearing officer. The person requesting the hearing may record the hearing at his/her own expense.

The failure of either the registered or legal owner or interested person or his/her agent to request a hearing in a timely manner or to attend a scheduled hearing shall be considered a waiver of and satisfaction of the post-storage hearing requirement (Vehicle Code § 22851.3(e)(2); Vehicle Code § 22852(d)). If the registered or legal owner requests a hearing after the ten-day period, the Department will conduct a hearing when available.

Any relevant evidence may be submitted and reviewed by the hearing officer to determine if reasonable grounds have been established for the storage or impound of the vehicle. The initial burden of proof established by a preponderance of the evidence that the storage/impound was based on probable cause rests with the Department.

After consideration of all information, the hearing officer shall determine the validity of the storage or impound of the vehicle in question and then render a decision. The hearing officer shall also consider any mitigating circumstances attendant to the storage that reasonably would warrant the release of the vehicle or a modification or reduction of the period the vehicle is impounded (Vehicle Code § 14602.6(b); Vehicle Code § 14602.8(b)).

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Vehicle Impound Hearings

Aside from those mitigating circumstances enumerated in the Vehicle Code, the registered owner's lack of actual knowledge that the driver to whom the vehicle was loaned was not validly licensed may constitute a mitigating circumstance under Vehicle Code § 14602.6(b) or 14602.8(b), warranting release of the vehicle. This mitigating circumstance exception is not limited to situations where the owner made a reasonable inquiry as to the licensed status of the driver before lending the vehicle.

The legislative intent and this department's policy is to prevent unlicensed driving pursuant to Vehicle Code §14602.6. If this purpose is not furthered by the continued impoundment of a vehicle, release is most often appropriate.

- (a) If a decision is made that reasonable grounds for storage or impound have been established, the hearing officer shall advise the inquiring party of the decision and that the inquiring party may pursue further civil remedies if desired.
 - 1. If mitigating circumstances are found to be relevant, the hearing officer shall make reasonable adjustments to the impound period, storage or assessment of fees as warranted.
- (b) If a decision is made that reasonable grounds for storage or impound have not been established or sufficient mitigating circumstances exist, the vehicle in storage shall be released immediately. Towing and storage fees will be paid at the Department's expense (Vehicle Code § 22852(e)).
- (c) If a decision is made that reasonable grounds for storage have not been established or sufficient mitigating circumstances exist, and the vehicle has been released with fees having been paid, the receipt for such fees will be forwarded with a letter to the appropriate Division Commander. The hearing officer will recommend to the appropriate Division Commander that the fees paid by the registered or legal owner of the vehicle in question or their agent be reimbursed by the City.

504.3 ISSUING AUTHORITY



W. Paul LeBaron, Chief of Police

Effective Date

March 12, 2024



HERMOSA BEACH POLICE DEPARTMENT

O3.22 TRAFFIC DIRECTION AND CONTROL

Effective 10/27/2009

Updated 11/1/2015

PURPOSE

This policy establishes the guidelines and procedures for the provision of traffic engineering, traffic direction and control, and other traffic services in order to facilitate the safe and efficient movement of vehicular and pedestrian traffic.

TRAFFIC ENGINEERING

The City of Hermosa Beach, through the office of the Director of Public Works, contracts with a private firm for traffic engineering services. Information regarding the specific traffic engineering firm may be obtained via the Public Works Department. The contracted traffic engineering firm is responsible for the completion of traffic surveys and studies and for the collection and compilation of traffic data.

The Public Works Department is responsible for receiving input regarding traffic engineering issues and provides for review to the traffic engineering firm:

- A. Reports and recommendations for the use of traffic control devices.
- B. Reports for engineering improvements.

The Public Works Department will receive input from the Traffic Bureau regarding traffic engineering issues. Such input will consist of:

- A. Analysis of traffic collision and enforcement data.
 - 1. Annual summary of traffic collisions reports
 - 2. Annual SWITRS report
 - B. Complaints or suggestions concerning traffic engineering deficiencies reported via the Police Department.
 - 1. Officer observations
 - 2. Citizen complaints or suggestions
 - C. Complaints or suggestions concerning traffic engineering deficiencies reported directly by the public via:
 - 1. In-person comments
 - 2. Public discussion at City Council, Planning, and Public Works Commission meetings
- (CALEA 61.3.1a,b)

TRAFFIC DIRECTION AND CONTROL

The Department shall be responsible for facilitating the safe and efficient movement of both vehicular and pedestrian traffic. Uniformed employees of the Department will provide, on an as-needed basis, manual traffic control to alleviate traffic congestion under special circumstances, such as:

- A. Traffic collision scenes.
- B. Special events (races, parades, etc.)
- C. Signal light failures.
- D. Stalled vehicles.
- E. Temporary roadway obstructions.
- F. Inclement weather conditions (flooding, road washout, etc.).
- G. Other emergency conditions (fire, haz/mat, etc.)

MANUAL TRAFFIC DIRECTION

All personnel engaged in manual traffic direction and control will use Department-issued safety devices to enhance officer safety and driver recognition response. All personnel shall wear a reflective safety vest or jacket at all times when controlling traffic and exposed to vehicular traffic.

(CALEA 61.3.2g)

Employees assigned to manual traffic control will utilize uniform traffic control signals and gestures. The signals can be either hand signals or whistle signals, or a combination of both.

When using hand signals, eye contact should be made with the drivers being signaled.

Stop signal – Basic signal to stop is an upraised hand at the end of an extended arm raised above shoulder level, with the palm of the raised hand clearly facing the approaching driver for whom the signal is intended.

Starting signal – The signal for a stopped vehicle to start moving begins at the shoulder level, with the officer extending his/her arm toward the stopped vehicle (pointing) and:

1. waving the car onward by bending the arm at the elbow and drawing the forearm towards the chest (for forward movement), or
2. drawing the arm back towards the chest and then extending it (pointing) in the desired movement direction while making the come-along signal (forward movement) with the other hand.

When ready, the officer turns and faces the opposing traffic and delivers the same signal(s).

(CALEA 61.3.2b)

Pull up signal – The signal to pull up to a position, indicated by the officer directing traffic at an intersection, is usually reserved for turning traffic facing opposing vehicle or pedestrian traffic. It is started by the officer pointing to the position at which the driver should pull

his/her stopped or slowly approaching vehicle. It is completed by monitoring the driver forward to the desired position. If possible, keep the pointing hand and arm in position to hold the vehicle until conditions are safe for the turning movement.

Turning traffic – Once it is safe for the motorist to complete the turn, the opposing traffic should be stopped (using the standard stop signal) and motioning the turning vehicle to complete its turn by making a come-along signal with the other hand.

Note: Right turning traffic requires little traffic direction unless the turning movement is crossing a heavily-traveled crosswalk or has to merge into heavy vehicle traffic. Natural gaps in traffic, when available, are best used for turning traffic.

When using whistle signals:

Stop – A single, long blast.

Start – Two short blasts.

Emergency Stop – Three or more short blasts.

MANUAL OPERATION OF TRAFFIC CONTROL SIGNALS

Officers who are properly trained in the operation of traffic control signals may be used to manually operate signal lights under certain conditions and circumstances such as, but not limited to, the following:

1. Signal malfunction.
 2. Special events.
 3. Facilitating traffic flow.
- (CALEA 61.3.2b)

The Public Works Department shall be notified as soon as possible regarding any signal malfunction.

TEMPORARY TRAFFIC CONTROL DEVICES

Temporary traffic control devices may be utilized when traffic signals are inoperable, during special events, or in any other circumstance deemed necessary by the Watch Commander. If needed, additional roadway flares are available at the police station. Other temporary traffic control devices and signage are located at the City Yard and may be accessed at any time.

Any temporary traffic control devices must be removed from the roadway as soon as practical after the incident necessitating their placement has concluded.

(CALEA 61.3.2f)

TRAFFIC DIRECTION AND CONTROL PROCEDURES

Traffic Collision – Uniformed police officers have the primary responsibility for the direction and control of traffic at the collision scene. Community service and police service officers may be utilized to assist in diverting traffic away from the scene.

(CALEA 61.3.2a)

Fire Scene – The primary responsibility of police units at a fire scene is to control vehicle and pedestrian traffic in order to allow for unimpeded movement of Fire Department vehicles and personnel responding to the fire. Uniformed police officers have the primary responsibility for the direction and control of traffic. Officers may close roads as necessary to facilitate the movement of emergency vehicles into and at the fire scene. Community service officers may be utilized to assist in diverting traffic away from the scene. Officers will continue to direct and control traffic until the incident has concluded or until the Fire Department advises they are no longer needed.

Hazardous Material/Critical Incident – Officers, in coordination with the Fire Department, shall establish a containment area around the scene and divert all non-essential vehicle and pedestrian traffic away from the area. Community service officers may be utilized to assist in diverting traffic away from the area. Officers will continue to direct and control traffic until the incident has concluded or until the Fire Department advises they are no longer needed.
(CALEA 61.3.2c)

Adverse Road/Weather Conditions – Officers will direct traffic in emergency situations created by adverse road and weather conditions (roadway collapse, trees down, etc.). Officers may close roads as necessary in order to prevent vehicles and pedestrians from entering the affected area. Community service officers may be utilized to assist in diverting traffic away from the scene. Officers must continue to manually control traffic until the problem is resolved or until temporary traffic control signs and devices are put in place. In the case of downed power lines, officers shall adhere to the Hazardous Material/Critical Incident procedure.

Road Hazard – Road hazards may consist of, but not be limited to:

1. Defects or debris in the roadway.
2. Visually obstructed or defective traffic control devices and signs.
3. Inadequate or defective roadway lighting.

Officers observing any road hazard shall immediately advise dispatch of the problem. Dispatch will then forward the information to the City Public Works Department, or to Caltrans if the problem involves traffic control devices or signage along Pacific Coast Highway (State Route 1). If the problem constitutes an immediate hazard, Public Works or Caltrans shall be immediately notified of the defect. If traffic direction and control is needed, officers shall adhere to the Adverse Road/Weather Conditions procedure.
(CALEA 61.4.2)

SPECIAL EVENTS

The Operations Division Commander shall be responsible for establishing the traffic control plan for special events (parades, July 4th deployment, etc.). The Division Commander or his/her designee shall coordinate with the Fire Department, Public Works, and any other City departments in order to secure the appropriate resources and personnel needed for the event. The Division Commander shall prepare an action plan for the event and distribute it to the appropriate supervisors and department heads at least one week prior to the event.

POLICE ESCORTS

The Department will not provide emergency escorts to vehicles not equipped with emergency lighting. In the event of a medical emergency, a paramedic unit will be requested. In a life-saving situation, an officer may transport with his/her vehicle only with supervisor approval.

Non-emergency escorts for parades, oversized loads, or other special events may be provided with the approval of the Operations Division Commander. Persons or organizations requesting escorts must possess the appropriate permits and authorization as required by the City. The Department shall have the authority to review all such requests prior to final approval. The Department will be responsible for the planning and coordinating of all requested escorts.

(CALEA 61.3.2a,b; 61.3.3)

MOTORIST ASSISTANCE

Officers will stop and render aid to stranded motorists whenever possible. Should an officer not be able to stop, the officer will notify dispatch of the stranded motorist. Dispatch will send an available officer to check on the motorist. If the motorist is outside city jurisdiction, dispatch shall forward the information to the appropriate agency.

If a motorist is stranded due to a medical emergency, the officer shall immediately summon paramedics and render first aid as appropriate.

If a fire emergency exists, the officer shall immediately summon the fire department and insure that the motorist and any passengers are removed from the vehicle. Officers may attempt to extinguish small fires.

Should a motorist be stranded in a hazardous location, the officer will stay with the person until help arrives. The officer, if possible, will move the stranded vehicle to a more safe location. Police vehicles equipped with push bars may be used to push vehicles that present an immediate hazard from the roadway. The motorist's consent must be obtained prior to pushing the vehicle. If a vehicle creates a traffic hazard and cannot be moved, the officer shall provide appropriate traffic control until the hazard is removed.

Officers may assist motorists with minor repairs such as obtaining fuel or changing a tire, but should avoid getting involved to the point where they cannot leave the location to respond to higher-priority calls for service. Officers may also assist motorists by forwarding any request for telephonic assistance (request for vehicle tow, contact family member, etc.) through dispatch.

Prior to leaving the scene, officers will see that the motorist and any passengers are in a place of safety and instruct them to remain in the safe area until assistance arrives. The officer will check back after a reasonable amount of time in order to insure that the assistance did arrive. Officers should not leave the scene of a vehicle that is creating a hazard without taking appropriate steps to protect the vehicle, either by moving it or placing appropriate warning markers around it.

(CALEA 61.4.1a,b,c,d)

Transporting civilians may only be done with supervisor approval. If possible, alternative means of transportation should be obtained. Officers who transport civilians shall advise dispatch of the starting point and destination. If the civilian is of the opposite sex of the transporting officer(s), starting and ending mileage shall be given to dispatch.

SCHOOL CROSSING GUARDS

The Hermosa Beach Police Department contracts with All City Management Services to provide adult school crossing guards at designated school/pedestrian crossings throughout the city.

The Crossing Guard locations are based on a Safe Routes to School plan to identify and recommend locations for students to cross at an adult supervised intersection. The routes are given to students and their parents at the beginning of each school year to keep students on main streets and allow for the safest route to school. The Public Works Department paints specific crosswalks along the route yellow to distinguish them as school cross walks. The placement of Crossing Guards is based on the level of traffic and number of students anticipated using an intersection to get to school.

Each year the placement of crossing guards is reviewed by the Operations Division Lieutenant based on a school survey showing where the students live and the route they would take. Also taken into consideration are traffic volume surveys conducted by Public Works and collision records. The review will be completed in March of each year so recommendations for any changes can be made for the start of the next school year, and for any budget changes in the next fiscal year.

VEHICLE STORAGE AND IMPOUND PROCEDURES

Please see Policy 503 - Vehicle Towing and Storage.

TRAFFIC SAFETY MATERIALS

The Department will support traffic enforcement efforts by providing the general public with traffic safety educational materials in order to increase public awareness to any traffic safety programs or changes in traffic laws. These items may be prepared by either private or public entities. Examples include: National Safety Council brochures discussing air bag safety, AAA brochures describing financial penalties associated with DUI convictions, and CHP-issued pamphlets regarding changes in traffic laws. Traffic safety information brochures will be placed in the police station lobby and may also be distributed to other public buildings such as the library, Community Center, and other City offices.

(CALEA 61.4.4)

APPROVED:



Sharon Papa
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

03.23 TRAFFIC COLLISION INVESTIGATION

Effective 10/27/2009
Updated

PURPOSE

This policy establishes the guidelines and criteria for the reporting of traffic collisions occurring within the city of Hermosa Beach.

TRAFFIC COLLISION RESPONSE

It shall be the policy of this Department that officers will be dispatched to all reports of traffic collisions occurring within the city. When available, the Communications Center (dispatch) shall assign a traffic officer as the primary unit on any traffic collision report. If no traffic officer is available, dispatch shall respond the appropriate area car as the primary unit. Reports of traffic collisions involving one or more of the following conditions shall have priority response over other non-emergency calls:

- a. Death or injury to any involved party
- b. Hit and run collisions
- c. Suspected DUI driver
- d. Hazardous materials involved
- e. Disturbances between the involved parties
- f. Collision involves a City or other publicly-owned vehicle and/or damage to City or other publicly-owned property
- g. Collision causing severe traffic congestion
- h. Collisions where towing assistance is necessary to remove the disabled vehicle(s) from the roadway.

Officers responding to a traffic collision involving one or more of the above conditions shall provide or call for any necessary emergency services. The primary investigating officer shall conduct the investigation and direct the collection of evidence. Assisting officers will restore the normal flow of traffic when it does not interfere with the investigation and when conditions are safe to do so. Collisions involving property damage only may be reported at the station.

(CALEA 61.2.1 a-f)

REPORT FORMAT

The procedures outlined in this policy shall remain consistent with the suggested guidelines of the Statewide Integrated Traffic Reporting System (SWITRS), the reporting format as provided by the California Highway Patrol (CHP), and the laws of the State of California. This will remain the Department standard so that appropriate assessment of trends and factors

of traffic collisions can serve in the development of effective traffic education and enforcement programs designed to reduce traffic collisions, injuries, and deaths.

To facilitate this, traffic collision reports shall be documented in accordance with the criteria and guidelines contained in the CHP Collision Investigation Manual (CIM), using one of the authorized CHP/SWITRS formats:

- A. **CHP 555 – Traffic Collision Report.** More commonly referred to as the “long form” traffic collision report, the criteria and instructions for the completion of this report is found in Chapters 2 – 6 of the CIM.

- B. **CHP 555-03 – Traffic Collision Report (Property Damage Only).** More commonly known as the “short form” traffic collision report, this form may be used to document any traffic collision provided all of the following conditions apply:
 - 1. No more than two vehicles involved.
 - 2. No reports of injuries, or reported injuries consist solely of “complaint of pain” with no other indications of more serious injury.
 - 3. Prosecution of any party is not anticipated.

The instructions for the completion of the Property Damage Only report are found in Chapter 9 of the CIM.

TRAFFIC COLLISION REPORTING

Death and Injury – A traffic collision report (CHP 555) shall be completed. A Factual Diagram must be completed for any report involving death or potentially life-threatening injury. A Factual Diagram may be completed for any other serious injury. Investigative assistance can be provided, with Watch Commander approval, from the CHP Multidisciplinary Accident Investigation Team (MAIT) for any fatal or serious injury traffic collision, subject to the criteria for MAIT assistance established in the CIM. The Watch Commander may also seek investigative assistance from any other outside agency if deemed warranted.

(CALEA 61.2.2a)

DUI Arrest – A traffic collision report (CHP 555) shall be completed when any driver is arrested for DUI, regardless of the “at fault” determination of the arrested driver. This shall be completed in addition to any other arrest or criminal reports associated with the incident.

Hit and Run – A traffic collision report shall be taken whenever the victim requests a report, regardless of damage. The investigating officer may use the CHP 555-03 report form in cases where the evidence (or lack thereof) indicates prosecution of the suspect is unlikely.

(CALEA 61.2.2b)

Property Damage Only – A traffic collision report is not required for collisions resulting in moderate or less damage, pursuant to the guidelines established in the CIM and when both vehicles can be safely driven from the scene. In instances where a report is not taken, the investigating officer shall complete a Hermosa Beach Police Department Traffic Collision Information Card, in triplicate, and assist the involved parties in the collection of the

appropriate information. Once the Traffic Collision Information Card is completed, the officer shall provide each involved party with a copy of the completed card. The remaining copy may be retained by the officer; however, no copies will be retained by the Department.

Private Property – A traffic collision report is not required for non-injury traffic collisions, including “complaint of pain” only injuries where there are no other indications of more serious injury, when the prosecution of any party is not anticipated. A traffic collision report is required for all other cases. In cases where a report is not required, the officer should complete a Traffic Collision Information Card and provide each party with a copy of the completed card.

Hazardous Materials – A traffic collision report (CHP 555) will be completed for any accident resulting in the release and/or spillage of hazardous materials, excluding routine spillage such as cooling system and/or fuel system leakage. The report will include the following:

1. Type of hazardous material(s) involved.
2. Additional agency response and action(s).
3. Any medical attention required.

Counter Report – A counter report is a property damage only collision reported by an involved party at the police station. Counter reports are to be completed by the reporting party with the assistance of an officer. Counter reports are not processed into the SWITRS database files. The assisting officer will advise the reporting party that no follow-up investigation will be conducted on any counter report.

ON SCENE RESPONSIBILITIES

The first officer arriving on scene should:

1. Safely position their patrol vehicle. If needed, position the vehicle so that other traffic is safely diverted away from the immediate area of the collision.
2. Identify the involved parties, check for injuries, and request additional help, if needed (paramedics, officers, tow services, etc.).
3. If necessary, render basic first aid until relieved by paramedics or other rescue personnel.
4. Protect the scene and identify potential hazards (fire, fuel spill, hazardous materials, etc.).
5. Take precautions to prevent further collisions by means of additional traffic control measures, if needed (road flares, cones, traffic control officers, etc.).
6. Determine if a crime is involved (hit and run, intentional act, etc.) and initiate a crime broadcast, if necessary.
7. Preserve evidence.
8. Interview involved parties.
9. Locate and interview any witnesses.
10. If appropriate, expedite the removal of vehicles and debris from the roadway in order to return normal traffic flow as soon as possible.

Additional officers arriving at the collision scene will assist the first arriving officer with the performance of the above-listed duties.

(CALEA 61.2.3 a, b, c, d, e, f)

The primary investigating officer will be in charge of the collision scene and investigation. He/she should delegate assignments and responsibilities to the assisting officer(s) as deemed warranted in order to efficiently complete the investigation in timely manner.

(CALEA 61.2.3a)

TRAFFIC DIRECTION AND CONTROL

Traffic direction and control will be determined by the primary investigating officer. Flares, cones, or portable signs will be deployed as needed. Additional traffic control equipment may be obtained from either the police station (flares) or City Yard (cones, signs, etc.). All personnel engaged in traffic control shall wear a reflective safety vest when controlling traffic and exposed to vehicular traffic. (Refer to Policy O3.22 – Traffic Direction and Control.)

Should traffic control be needed for an extended period of time, the field supervisor (if available) or the Watch Commander will arrange for sufficient rotation and relief of those officers who must remain at a traffic control point. Food and water will be provided as needed.

VEHICLE FIRES AND HAZARDOUS MATERIAL SPILLS

The fire department shall be summoned to the scene of any traffic collision where a fire is present or there appears to be a significant fire risk. Officers on the scene will keep the public away from the area. Officers may use fire extinguishers to put out small fires.

Any officer arriving at the scene of a traffic collision shall request the assistance of the fire department if the officer suspects that any hazardous material has been spilled. All officers responding to the scene of a traffic collision where a hazardous material spill has been reported shall do the following:

1. If possible, approach the scene from an upwind direction.
2. Attempt to identify the hazardous material type (e.g., driver information, hazardous material placard, etc.).
3. Isolate the hazard area and evacuate non-essential personnel.
4. Coordinate traffic control and routing around the affected area.

Once on scene, the Fire Chief or his/her designee shall assume command of the incident according to the Unified Command protocol. The Fire Chief will remain in command of the incident until the hazardous material issue has been resolved.

(CALEA 61.2.3c)

CONTROL OF PERSONAL PROPERTY

The personnel investigating a traffic collision shall be mindful of the possibility for theft of the involved parties' personal property while conducting the collision investigation.

If the owner of any personal property is incapacitated or otherwise unable to take possession of the property, the investigating officer will attempt to locate a person willing and able to take possession of the property, if authorized by the property owner. If no such person is available, the officer may take possession of the property and book the item(s) into the station evidence locker for safekeeping. If the vehicle is impounded or stored for safekeeping, the officer must complete a Vehicle Report (CHP 180) in accordance with the Department policy regarding vehicle impounds. Items of notable value may be removed from the vehicle and booked directly into the station evidence locker for safekeeping.

(CALEA 61.2.3f)

COLLISION SCENE INVESTIGATION

The investigating officer must gather information concerning the collision for the subsequent use in completing any necessary report forms. Information may include:

- a. Interviewing involved parties and witnesses, including contact addresses and telephone numbers.
- b. Examining and recording vehicle positioning and damage.
- c. Examining and recording roadway and/or other property damage.
- d. Taking measurements as appropriate.
- e. Collecting physical and/or photographic evidence.

Any evidence collected or photographs taken shall be booked into the station evidence locker in accordance with Department procedures. Any such action shall be noted in the collision report.

COLLISION INVESTIGATION FOLLOW-UP

Officers assigned to the Traffic Division will be responsible for conducting the follow-up investigations for all hit-and-run traffic collisions. Officers from the Traffic Division will also conduct the follow-up investigation to any other traffic collision report requiring such information. The investigating officer is responsible for contacting any off-scene witnesses or other involved parties and collecting any other off-scene data. Such data may include, but is not limited to:

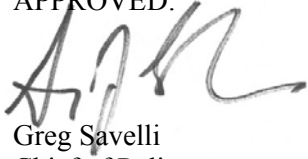
1. Medical and physician reports.
2. Blood tests and other laboratory reports.
3. Vehicle mechanical inspections.

Reconstruction and skid analysis will be conducted on a case-by-case basis. Subject to Watch Commander approval, the investigating officer may seek expert and/or technical assistance from other agencies, such as the CHP.

Upon completion of an investigation, the investigating officer will compile the information and prepare a case investigation summary. If criminal activity is suspected, the investigating officer will submit the summary and any other necessary reports to the appropriate prosecutor's office for criminal filing consideration.

(CALEA 61.2.4)

APPROVED:

A handwritten signature in black ink, appearing to read 'G. Savelli', written over the printed name.

Greg Savelli
Chief of Police

Disabled Vehicles

507.1 PURPOSE AND SCOPE

Vehicle Code § 20018 provides that all law enforcement agencies having responsibility for traffic enforcement may develop and adopt a written policy to provide assistance to motorists in disabled vehicles within their primary jurisdiction.

507.2 OFFICER RESPONSIBILITY

When an on-duty officer observes a disabled vehicle on the roadway, the officer should make a reasonable effort to provide assistance. If that officer is assigned to a call of higher priority, the dispatcher should be advised of the location of the disabled vehicle and the need for assistance. The dispatcher should then assign another available officer to respond for assistance as soon as practical.

507.3 EXTENT OF ASSISTANCE

In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by department personnel will be contingent on the time of day, the location, the availability of department resources, and the vulnerability of the disabled motorist.

507.3.1 MECHANICAL REPAIRS

Department personnel shall not make mechanical repairs to a disabled vehicle. The use of push bumpers to relocate vehicles to a position of safety is not considered a mechanical repair.

Officers may assist motorists with minor repairs such as obtaining fuel or changing a tire, but should avoid getting involved to the point where they cannot leave the locations to respond to higher-priority calls for service. Officers may also assist motorists by forwarding any request for telephonic assistance (Request for vehicle tow, contact family member, etc.) through dispatch.

507.3.2 RELOCATION OF DISABLED VEHICLES

The relocation of disabled vehicles by members of this department by pushing or pulling a vehicle should only occur when the conditions reasonably indicate that immediate movement is necessary to reduce a hazard presented by the disabled vehicle.

507.3.3 RELOCATION OF DISABLED MOTORIST

The relocation of a disabled motorist should only occur with the person's consent and should be suggested when conditions reasonably indicate that immediate movement is necessary to mitigate a potential hazard. Transporting disabled motorists may only be done with supervisor approval. If possible, alternative means of transportation should be obtained. The department member may stay with the disabled motorist or transport him/her to a safe area to await pickup.

507.4 PUBLIC ACCESS TO THIS POLICY

This written policy is available upon request.

Hermosa Beach Police Department

HBPD Policy Manual

Disabled Vehicles

507.5 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police October 27, 2009

December 4, 2023



HERMOSA BEACH POLICE DEPARTMENT

O3.24 IMPAIRED DRIVING

Effective 10/27/2009

Updated 12/26/2019

PURPOSE AND SCOPE

This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI).

POLICY

The Hermosa Beach Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of California's impaired driving laws.

INVESTIGATIONS

Officers should not enforce DUI laws to the exclusion of their other duties unless specifically assigned to DUI enforcement. All officers are expected to enforce these laws with due diligence.

The Traffic Sergeant will develop and maintain, in consultation with the prosecuting attorney, report forms with appropriate checklists to assist investigating officers in documenting relevant information and maximizing efficiency. Any DUI investigation will be documented using these forms. Information documented elsewhere on the form does not need to be duplicated in the report narrative. Information that should be documented includes, at a minimum:

- a) The field sobriety tests (FSTs) administered and the results.
- b) The officer's observations that indicate impairment on the part of the individual, and the officer's health-related inquiries that may help to identify any serious health concerns (e.g., diabetic shock).
- c) Sources of additional information (e.g., reporting party, witnesses) and their observations.
- d) Information about any audio and/or video recording of the individual's driving or subsequent actions.
- e) The location and time frame of the individual's vehicle operation and how this was determined.
- (f) Any prior related convictions in California or another jurisdiction.

FIELD TESTS

The Traffic Sergeant should identify standardized FSTs and any approved alternate tests for officers to use when investigating violations of DUI laws.

CHEMICAL TESTS

A person implies consent to a chemical test or tests, and to providing the associated chemical sample, under any of the following (Vehicle Code § 23612):

- a) The person is arrested for driving a vehicle while under the influence, pursuant to Vehicle Code § 23152.
- b) The person is under 21 years of age and is arrested by an officer having reasonable cause to believe that the person's blood alcohol content is 0.05 or more (Vehicle Code § 23140).
- c) The person is under 21 years of age and detained by an officer having reasonable cause to believe that the person was driving a vehicle while having a blood alcohol content of 0.01 or more (Vehicle Code § 23136).
- d) The person was operating a vehicle while under the influence and proximately caused bodily injury to another person (Vehicle Code § 23153).

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the officer should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

I. STATUTORY NOTIFICATIONS

Officers requesting that a person submit to chemical testing shall provide the person with the mandatory warning pursuant to Vehicle Code § 23612(a)(1)(D) and Vehicle Code § 23612(a)(4).

II. PRELIMINARY ALCOHOLS SCREENING

Officers may use a preliminary alcohol screening (PAS) test to assist in establishing reasonable cause to believe a person is DUI. The officer shall advise the person that the PAS test is being requested to assist in determining whether the person is under the influence of alcohol or drugs, or a combination of the two. Unless the person is under the age of 21, he/she shall be advised that the PAS test is voluntary. The officer shall also advise the person that submitting to a PAS test does not satisfy his/her obligation to submit to a chemical test as otherwise required by law (Vehicle Code § 23612).

III. PRELIMINARY ALCOHOL SCREENING FOR A PERSON UNDER AGE 21

If an officer lawfully detains a person under 21 years of age who is driving a motor vehicle and the officer has reasonable cause to believe that the person has a blood alcohol content of 0.01 or more, the officer shall request that the person take a PAS test to determine the

presence of alcohol in the person, if a PAS test device is immediately available. If a PAS test device is not immediately available, the officer may request the person to submit to chemical testing of his/her blood, breath or urine, conducted pursuant to Vehicle Code § 23612 (Vehicle Code § 13388).

If the person refuses to take or fails to complete the PAS test or other chemical test, or if the result of either test reveals a blood alcohol content of 0.01 or more, the officer shall proceed to serve the person with a notice of order of suspension pursuant to this policy (Vehicle Code § 13388).

IV. CHOICE OF TESTS

Officers shall respect a viable choice of chemical test made by an arrestee, as provided for by law (e.g., breath will not be acceptable for suspected narcotics influence).

A person arrested for DUI has the choice of whether the test is of his/her blood or breath, and the officer shall advise the person that he/she has that choice. If the person arrested either is incapable, or states that he/she is incapable, of completing the chosen test, the person shall submit to the remaining test.

If the person chooses to submit to a breath test and there is reasonable cause to believe that the person is under the influence of a drug or the combined influence of alcohol and any drug, the officer may also request that the person submit to a blood test. If the person is incapable of completing a blood test, the person shall submit to and complete a urine test (Vehicle Code § 23612(a)(2)(C)).

V. BREATH SAMPLES

The Traffic Sergeant should ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested, and that a record of such service and testing is properly maintained.

Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Traffic Sergeant.

When the arrested person chooses a breath test, the handling officer shall advise the person that the breath-testing equipment does not retain a sample, and the person may, if desired, provide a blood or urine specimen, which will be retained to facilitate subsequent verification testing (Vehicle Code § 23614).

The officer should also require the person to submit to a blood test if the officer has a clear indication that a blood test will reveal evidence of any drug or the combined influence of an alcoholic beverage and any drug. Evidence of the officer's belief shall be included in the officer's report (Vehicle Code § 23612(a)(2)(C)).

VI. BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples (Vehicle Code § 23158). The blood draw should be witnessed by the assigned officer. No officer, even if properly certified, should perform this task.

Officers should inform an arrestee that if he/she chooses to provide a blood sample, a separate sample can be collected for alternate testing. Unless medical personnel object, two samples should be collected and retained as evidence, so long as only one puncture is required.

The blood sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

If an arrestee cannot submit to a blood draw because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test. Such inability to take a blood test should not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

VII. URINE SAMPLES

If a urine test will be performed, the arrestee should be promptly transported to the appropriate testing site. The officer shall follow any directions accompanying the urine evidence collection kit.

Urine samples shall be collected and witnessed by an officer or jail staff member of the same sex as the individual giving the sample. The arrestee should be allowed sufficient privacy to maintain his/her dignity, to the extent possible, while still ensuring the accuracy of the sample (Vehicle Code § 23158(i)).

The sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

REFUSALS

When an arrestee refuses to provide a viable chemical sample, officers should:

- a) Advise the arrestee of the requirement to provide a sample (Vehicle Code § 23612).
- b) Audio- and/or video-record the admonishment when it is practicable.
- c) Document the refusal in the appropriate report.

I. STATUTORY NOTIFICATIONS UPON REFUSAL

Upon refusal to submit to a chemical test as required by law, officers shall personally serve the notice of order of suspension upon the arrestee and take possession of any state-issued license to operate a motor vehicle that is held by that individual (Vehicle Code § 23612(e); Vehicle Code § 23612(f)).

II. BLOOD SAMPLE WITHOUT CONSENT

A blood sample may be obtained from a person who refuses a chemical test when any of the following conditions exist:

- a) A search warrant has been obtained (Penal Code § 1524).
- b) The officer can articulate that exigent circumstances exist. Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person's bloodstream. Exigency can be established by the existence of special facts such as a lengthy time delay in obtaining a blood sample due to an accident investigation or medical treatment of the person.

III. FORCED BLOOD SAMPLE

If an arrestee indicates by word or action that he/she will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

- (a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.
- (b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes a viable form of testing in a timely manner.
- (c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another officer) and attempt to persuade the individual to submit to such a sample without physical resistance.
 1. This dialogue should be recorded on audio and/or video if practicable.
- (d) Ensure that the blood sample is taken in a medically approved manner.
- (e) Ensure the forced blood draw is recorded on audio and/or video when practicable.
- (f) Monitor and ensure that the type and level of force applied appears reasonable under the circumstances:
 1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.

2. In misdemeanor cases, if the arrestee becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.
 3. In felony cases, force which reasonably appears necessary to overcome the resistance to the blood draw may be permitted.
- (g) Ensure the use of force and methods used to accomplish the collection of the blood sample are documented in the related report.

If a supervisor is unavailable, officers are expected to use sound judgment and perform as a responding supervisor, as set forth above.

ARREST AND INVESTIGATION

I. WARRANTLESS ARREST

In addition to the arrest authority granted to officers pursuant to Penal Code § 836, an officer may make a warrantless arrest of a person that the officer has reasonable cause to believe has been driving under the influence of an alcoholic beverage or any drug, or under the combined influence of the same when (Vehicle Code § 40300.5):

- (a) The person is involved in a traffic accident.
- (b) The person is observed in or about a vehicle that is obstructing the roadway.
- (c) The person will not be apprehended unless immediately arrested.
- (d) The person may cause injury to him/herself or damage property unless immediately arrested.
- (e) The person may destroy or conceal evidence of a crime unless immediately arrested.

II. OFFICER RESPONSIBILITIES

The officer serving the arrested person with a notice of an order of suspension shall immediately (Vehicle Code § 23612):

- (a) Forward a copy of the completed notice of suspension or revocation form and any confiscated driver's license to the Department of Motor Vehicles (DMV).
- (b) Forward a sworn report to DMV that contains the required information in Vehicle Code § 13380.

- (c) Forward the results to the appropriate forensic laboratory if the person submitted to a blood or urine test.

RECORDS BUREAU RESPONSIBILITIES

The Records Supervisor will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney's office.

ADMINISTRATIVE HEARINGS

The Records Supervisor will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to DMV.

Any officer who receives notice of required attendance to an administrative license suspension hearing should promptly notify the Court Liaison.

TRAINING

The Training Sergeant should ensure that officers participating in the enforcement of DUI laws receive regular training. Training should include, at minimum, current laws on impaired driving, investigative techniques and rules of evidence pertaining to DUI investigations. The Training Sergeant should confer with the prosecuting attorney's office and update training topics as needed.

APPROVED



Acting Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

03.25 SPECIAL PURPOSE VEHICLES

Effective 10/27/2009
Updated

PURPOSE

This policy describes the various types of special purpose vehicles operated by this Department, provides for a listing of the contents of and usage for each vehicle type, and establishes guidelines and criteria for each vehicle's operation.

WATCH COMMANDER VEHICLE

This vehicle shall be driven exclusively by the shift Watch Commander. This vehicle is designed to serve as an on-site command and communication center in order to more effectively manage significant field incidents or events. It is also designed to augment routine patrol operations by serving as a mobile resource center for specialized equipment that may be needed by officers in the field (i.e. crime scene or traffic collision investigations, DUI investigations, etc.). Specialized training in the operation of the Watch Commander Vehicle is not required.

(CALEA 41.1.3 a, b)

In addition to the equipment carried by standard patrol vehicles, the Watch Commander vehicle shall contain the following:

- A. Front seat area
 - 1. Binoculars (in glove box)
 - 2. Flashlight/flashlight charger (mounted to center radio console)
- B. Rear seat area
 - 1. Flashlight/flashlight charger (mounted to rear of gun rack)
 - 2. AC/DC power inverter (mounted underneath load shelf)
- C. Covered metal cargo bin behind the rear seat containing
 - 1. Spare ammunition for .45 caliber handgun and AR-15 rifle
 - 2. Jumper cables
- D. Rear cargo area, multi-compartment storage unit containing
 - 1. Spare report forms
 - 2. Emergency response/Haz-Mat reference/resource books
 - 3. CSI equipment including, but not limited to
 - a. Digital camera
 - b. 35 mm camera
 - c. Measuring tape
 - d. Latex gloves (or equivalent)
 - e. Evidence markers

- f. Latent fingerprint detection equipment
 - g. Spare 35mm film rolls
4. Portable Intoximeter with spare mouthpieces
 5. Pull-out map drawer with overlaying clear dry-erase board
 6. Less-lethal weapons drawer (lockable)
 7. Lethal weapons drawer (lockable)
 8. Two (2) additional two-way radios
 9. Two-way "General Services" radio
 10. Ballistic shield (on side of storage unit)
 11. Heavy-duty bolt cutters (on side of storage unit)
 12. 120 volt electrical outlet (mounted to storage unit)

The lockable lethal weapons drawer shall contain only those firearms that are currently authorized for use by field patrol officers from this department.

(CALEA 41.1.3 d)

Each shift supervisor will inspect the vehicle immediately after briefing, in accordance with section O3.26 of this manual. The supervisor shall replace/refurbish any needed equipment. If the necessary equipment or supplies are not available, the supervisor shall notify the appropriate Division Commander.

(CALEA 41.1.3 c)

FOUR WHEEL DRIVE PATROL VEHICLES

These vehicles are designed primarily for officers assigned to patrol the coastline and the adjacent area, including the "downtown" district. Therefore, officers assigned to the Community Lead position (downtown foot patrol) or to Beach Patrol have priority regarding the assignment of these vehicles.

Specialized driver training is not required to operate the four wheel drive patrol vehicles.

All patrol personnel are authorized to use a four wheel drive patrol vehicle at the discretion of the Watch Commander.

(CALEA 41.1.3 b)

Each tire should be inflated to no more than 25 psi or less than 20 psi in order to facilitate better traction and control while operating on loose sand while still allowing for safe operation on paved surfaces; however, officers shall inflate the tires to their proper manufacturer's specifications if extended on-road operation is anticipated. Officers driving four wheel drive patrol vehicles should be aware of the unique performance characteristics for these vehicles, as well as the unique environment in which they are operating.

As their primary concern, officers should exercise extreme care and vigilance in watching for and avoiding any persons on the beach while driving on the sand. In addition, officers should be mindful of:

- A. Hazardous driving conditions, such as
 1. Sudden, obscure depressions ("potholes")
 2. Sand dunes or ridges
 3. Water drainage channels or depressions
 4. Changing tide conditions

5. Random debris washed ashore by the tide
- B. Decreased vehicle steering/handling response
- C. Decreased tire traction while operating in loose sand
- D. Increased engine rpm relative to vehicle speed
- E. Increased braking response

During on-road operation, officers should be mindful of the different performance characteristics of the vehicle relative to a standard patrol vehicle. The four wheel drive patrol vehicles inherently have diminished steering, handling, and braking responses. The higher center of gravity of these vehicles also causes them to be more susceptible to “roll-over” during extreme handling maneuvers at elevated speeds. Because of this, these vehicles should not be used for high-speed pursuits. Should any officer determine that pursuit is necessary, the officer shall terminate his or her involvement in the pursuit immediately upon the arrival of a sufficient number of additional officers driving standard patrol vehicles, in accordance with section O3.20 of this manual.

(CALEA 41.1.3 a)

Officers assigned to the four wheel drive vehicles shall inspect the vehicle at the beginning of their shift, in accordance with section O3.26 in this manual.

(CALEA 41.1.3 c)

There are no minimal equipment requirements for the four wheel drive vehicles.

(CALEA 41.1.3 d)

POLARIS RANGER OFF-ROAD VEHICLE

This vehicle is designed for near exclusive operation on the sand. This vehicle should be minimally equipped with a forward-facing steady-burning red light and an operable horn. The vehicle shall be distinctively marked as a police vehicle. The words “Hermosa Beach Police” shall be prominently affixed to both the driver and passenger sides of the vehicle’s hood. The word “Police” shall be prominently affixed to all sides of the vehicle’s cargo bed.

Since the vehicle’s interior area cannot be secured while in the field, no other safety or radio communication equipment should be installed in or on this vehicle. At their discretion, officers may temporarily store their personal gear (i.e. cite books, equipment bags, etc.) in or on the vehicle at any time during their shift and while assigned to the vehicle.

(CALEA 41.1.3 d)

This vehicle is designed to be used primarily for those officers assigned to Beach Patrol. However, the Watch Commander or other supervisor may assign it to officers working other specialized assignments. This vehicle shall not be used by any officer assigned to general patrol duties.

(CALEA 41.1.3 a)

Specialized driver training is not required in order to operate the Polaris Ranger; however, Officers driving this vehicle shall be mindful of the vehicle’s performance limitations and characteristics, as well as the environment in which they are operating, as noted in the previous section.

(CALEA 41.1.3 b)

As with all other vehicles, the officer(s) assigned to this vehicle shall inspect it for proper operation prior to entering service. The Watch Commander shall be immediately notified concerning any observed damage or defect affecting the proper operation of the vehicle.
(CALEA 41.1.3 c)

POLICE MOTORCYCLES

The motorcycles are used for traffic enforcement, special events, parades, and in other specialized assignments or situations where there is a necessity to maneuver easily through traffic or crowds.
(CALEA 41.1.3 a)

Officers assigned to motor patrol shall successfully complete an 80 hour P.O.S.T. approved motor training class, designed to both mentally and physically prepare motor officers to safely and effectively operate a police motorcycle while performing law enforcement duties. In order to maintain high levels of skill, proficiency, and confidence when riding a police motorcycle, officers shall also successfully complete a minimum of eight (8) hours of refresher training each year.
(CALEA 41.1.3 b)

The motorcycles should be minimally equipped with the following:

1. Laser Gun and holder
2. Flashlight and holder
3. Weapon holder (shot gun or AR-15)
4. LED flares
5. Ticket book and holder
6. Collision investigation equipment
7. Personal items as deemed necessary

(CALEA 41.1.3 d)

Officers assigned to a police motorcycle shall inspect it for proper operation prior to entering service. The Watch Commander shall be immediately notified concerning any observed damage or defect affecting the proper operation of the motorcycle.
(CALEA 41.1.3 c)

PERSONAL MOBILITY ELECTRIC VEHICLES

The personal mobility electric vehicles are to be used primarily for downtown and Strand patrols, as well as special events and parades. Because of the unique profile of these vehicles, they can be utilized to patrol the walk streets and in other highly congested areas.
(CALEA 41.1.3 a)

Personnel assigned to these vehicles shall watch the training video provided by the manufacturer and be familiarized with their operational characteristics and maintenance requirements prior to use.
(CALEA 41.1.3 b)

Personnel assigned to use a Personal Mobility Electric Vehicle shall inspect it for proper operation and any damage prior to entering service. The Watch Commander shall be immediately notified concerning any damage or defect.
(CALEA 41.1.3 c)

There are no equipment requirements for the Personal Mobility Electric Vehicles
(CALEA 41.1.3 d)

APPROVED

A handwritten signature in black ink, appearing to read 'AS', with a long horizontal stroke extending to the right.

Greg Savelli
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

O3.27 ARREST PROCEDURES

**Effective 10/27/2009
Updated**

PURPOSE

To clarify the duties and responsibilities of a Police Officer making an arrest with or without a warrant and the specific Penal Code sections governing these situations, and to establish procedures for alternatives to a physical arrest.

POLICY

It is the policy of this Department to abide by the state code in relation to service of legal process and to seek out alternatives to arrest whenever feasible.

APPLICABLE STATE CODES

- A. California Penal Code Sections that address arrests with warrants
1. P.C. 815 states that at the time of issuance a warrant will indicate the name of the defendant, time and location issued and be signed by a magistrate. At the time of issuance the magistrate shall fix a reasonable bail.
 2. P.C. 816 states that a warrant of arrest shall be directed generally to any peace officer, and when a warrant of arrest has been delivered to a peace officer and the person named in the warrant is in custody, the warrant may be executed by the peace officer.
 3. P.C. 817 states that when a declaration of probable cause is made by a peace officer, the magistrate if satisfied that there exists probable cause that the offense has been committed and that the defendant described committed the offense, shall issue a warrant of probable cause for arrest of the defendant.
 4. P.C. 817(g) states that an original warrant of probable cause for arrest or the duplicate original warrant shall be sufficient for booking a defendant into custody.
 5. P.C. 817(h) states that once the defendant named in the warrant for arrest has been taken into custody, the agency that obtained the warrant shall file a certificate of service with the clerk of the issuing court. The certificate of service shall contain all of the following: date and time of service; name of defendant arrested; location of arrest; and the location where the defendant is incarcerated.
 6. P.C. 818 states that in any case in which a peace officer serves upon a person a warrant of arrest for a misdemeanor offense under the Vehicle Code or

under any local ordinance reference operation of a motor vehicle, and where no written promise to appear has been filed and the warrant states on its face that a citation may be issued in lieu of physical arrest, the peace officer may, instead of taking the person before a magistrate, prepare a notice to appear and release the person on his promise to appear.

7. P.C. 827.1 states that a person who is specified in a warrant of arrest for a misdemeanor offense may be released upon the issuance of a citation, in lieu of physical arrest unless one of the following conditions exists:
 - a. The misdemeanor cited in the warrant involves violence;
 - b. The misdemeanor cited in the warrant involves a firearm;
 - c. The misdemeanor cited in the warrant involves resisting arrest;
 - d. The misdemeanor cited in the warrant involves giving false information to a peace officer;
 - e. The person arrested is a danger to himself or others due to Intoxication;
 - f. The person requires medical examination or medical care or is otherwise unable to care for his own safety;
 - g. The person has other ineligible charges pending against him;
 - h. There is reasonable likelihood that the offense will continue or resume or that the safety of persons or property would be endangered by the release of the person;
 - i. The person refuses to sign the notice to appear;
 - j. The person cannot provide satisfactory evidence of personal identification;
 - k. The warrant of arrest indicates that the person is not eligible to be released on a citation.
8. P.C. 842 states that an arrest by a peace officer acting under a warrant is lawful even though the officer does not have the warrant in his possession at the time of the arrest, but if the person arrested requests it, the warrant shall be shown to him as soon as practicable.
9. P.C. 848 states that an officer making an arrest, in obedience to a warrant, must proceed with the person arrested as commanded by the warrant or as provided by law.

B. California Penal Code Sections that address arrests without a warrant

1. P.C. 836 states that a peace officer may arrest a person in obedience to a warrant or without a warrant, may arrest a person whenever any of the following circumstances occur:
 - a. The officer has probable cause to believe that the person to be arrested

- has committed a public offense in the officer's presence.
- b. The person arrested has committed a felony, although not in the officer's presence.
 - c. The officer has probable cause to believe that the person to be arrested has committed a felony, whether or not a felony, in fact, has been committed.
2. P.C. 849(a) states that when an arrest is made without a warrant by a peace officer or private person, the person arrested, if not otherwise released shall, without unnecessary delay, be taken before the nearest or most accessible magistrate, and a complaint stating the charge against the arrested person shall be laid before such magistrate.
 3. P.C. 849(b) states that any peace officer may release from custody, instead of taking such person before a magistrate, any person arrested without a warrant whenever:
 - (1) He or she is satisfied that there are insufficient grounds for making a criminal complaint against the person arrested.
 - (2) The person arrested was arrested for intoxication only, and no further proceedings are desirable.
 - (3) The person was arrested only for being under the influence of a controlled substance or drug and such person is delivered to a facility or hospital for treatment and no further proceedings are desirable.
 4. P.C. 853.6 states that in any case in which a person is arrested for an offense declared to be a misdemeanor, including a violation of any city or county ordinance, and does not demand to be taken before a magistrate, that person shall, instead of being taken before a magistrate, be released according to the procedures set forth in this chapter. If the person is released, the officer or superior shall prepare in duplicate a written notice to appear in court, containing the name and address of the person, the offense charged, and the time when, and place where, the person shall appear in court.

C. Arrest with and without a warrant

1. When a Police Officer stops and detains a person, and as a result of a warrant check, determines the person has an outstanding warrant, the officer shall complete the following actions:
 - a. Determine that the person described in the warrant and the subject in custody is one and the same.
 - b. Determine if the warrant is available for service. Out of county agencies may not want to send an abstract for booking purposes due to the distance involved and the type of crime for which the warrant has been issued.
 - c. Upon receipt of the warrant abstract, the person should be taken into custody and transported to the station.

2. All arrests, whether with or without a warrant, require the assignment of a case number and completion of an arrest report.
 - a. Field arrests and Custodial arrests require the following:
 - b. Written promise to appear;
 - c. Officer's arrest report; and
 - d. Department Property/Evidence Forms (if applicable).
3. All Felony arrests, domestic violence cases, sex offenses and other serious misdemeanor arrests, if the suspect is booked into the jail, require the following in addition to the above list:
 - a. Fingerprints and Photographs
 - b. Booking Forms and any additional documents as dictated by a Watch Commander.
 - c. Arrests with a warrant require a copy of the warrant in addition to the above documentation and processing.

(CALEA 1.2.5 a, b, c)

D. Legal Process

1. Service of Warrants

- a. Arrest warrants will be executed by sworn peace officers only.
- b. Warrants obtained in California are maintained in the California Law Enforcement Telecommunications System (CLETS), an automated warrant system.
- c. When an individual is contacted, the officer will have Dispatch confirm through the system that a valid warrant is outstanding.
- d. Officers will utilize a print out of a working paper that indicates that the warrant is valid and outstanding. This paper indicates the offense, bail amount, and warrant type (bench warrant, traffic, criminal).
- e. If a valid warrant is confirmed, the individual will be taken into custody and the service of the warrant will be documented in an Arrest Report. This report will indicate the date, time and location of the arrest, information on the suspect including name, date of birth and social security number.

E. Arrest of Armed Forces Personnel

In the event a member of the Armed Forces is arrested, the watch commander may notify the base or commanding officer of the arrestee. Such notification will be accomplished only after consultation with the Operations Division Commander or the Chief of Police.

Exception: If the subject is arrested for a misdemeanor only, and is not AWOL, such notification is not required.

If the subject is arrested for being AWOL only or has been arrested for a felony such military notification shall be made only after consulting the Operations Division Commander or the Chief of Police.

The following information should be obtained prior to contacting the military:

- Name, rank and serial number
- Branch of Service
- Organizational unit and its location
- Duty status (on pass, on orders, AWOL, etc.)

When contacting the military be sure to coordinate and identify which reports will be required by them for processing the subject after they take custody.

F. Execution of Criminal Process

1. Officers will execute only traffic and criminal warrants. The only exception to this is civil restraining orders.
2. Execution of Department warrants outside of this jurisdiction will be determined on a case-by-case basis, depending on the distance, crime, and Department needs.
3. When serving a warrant outside of this jurisdiction, the agency will be notified that we are going to serve a warrant in their jurisdiction, and a request will be made to have a unit from their agency assist.
4. Individuals arrested outside of this jurisdiction will be brought back to the station. If a warrant is served outside of the immediate area, the arrestee will be transported to a local facility until transport can be made.

G. General Requirements to Fingerprint (Cite and Release cases)

1. Pursuant to Section 13150 of the California Penal Code, "For each arrest made, the reporting agency shall report to the Department of Justice, Bureau of Criminal Identification and arrest data described in Section 13125 and FINGERPRINTS, except as otherwise provided by law or as prescribed by the Department of Justice."
2. To ensure that DOJ will place a conviction on a criminal history, Live scan is to be completed on all cite and release cases in which the offense or charge is RETAINABLE; this includes juveniles (FBI/DOJ-CA/CA I.D./ DEPT.).
3. Retainable Offenses (Fingerprint). - Includes all other penal code offenses and the vehicle code violations on Attachment (A).

H. Fingerprinting Procedure

1. An officer citing a subject on a retainable offense should bring the subject

2. The Police Services Officer will Live scan fingerprint the subject. No cards need to be printed.
3. The officer must fill in all mandatory fields in live scan including the department case number, any aliases, physical description, charge and date of arrest. Case number must be followed by an Alpha character.
4. When fingerprinting juveniles, the officer must also include the final disposition, i.e. released to parents, released to juvenile hall, petition requested, etc.
5. The “Caution” box should be checked if the subject is dangerous, armed or suicidal, in which case the specific reason for the caution should be stated in the ICO area.
6. If a photo or palm prints have been taken of the subject, then mark the appropriate area.
7. Each time an arrest is made fingerprints must be done regardless if we have fingerprinted him/her before. DOJ requires fingerprint impressions for EACH arrest made to ensure that positive identification can be made.
8. Make certain that all fingerprint impressions are legible, fully rolled, and classifiable. Never submit rejected or “mismatched” prints.
9. Once the subject is fingerprinted, fill in the live scan log with name, date, officer ID number, and any problems.

I. Alternatives to Arrest

1. Hermosa Beach Police Officers may exercise alternatives to arrest based on the individual circumstances of each situation. The officer with discretion, taking into consideration the severity of the crime or violation and also considering the conduct of the suspect and the suspect’s past criminal history, utilizes alternatives to a custodial arrest.
2. Whenever possible or appropriate, officers are encouraged to exercise alternatives to physical arrest.
3. Some alternatives are as follows:
 - a. Verbal warning (provided the violation is minor);
 - b. Administrative Citation;
 - c. Infraction ticket;
 - d. Release to parents (if juvenile)
 - e. Referral to Social Services
4. Officers will use discretion when selecting the appropriate course of action in each situation, taking into account the person’s past history, age, state at

the time of the incident, attitude, and other extenuating circumstances.

5. If there is a victim in the case, the officer will consider and honor as much as possible the victim's preference for alternative or an arrest, except for domestic violence cases, where an alternative may not be the appropriate course of action.
6. If a question arises concerning the use of an alternative, officers should contact the watch commander to resolve the matter.
7. Oral warning:
 - a. May be issued for misdemeanor or petty offenses.
 - b. Document using a Field Interview Card (FI card).
 - c. Make a referral if appropriate.

J. Social Service Programs – There are occasions where based on the situation referral to a social service program may be more appropriate than arrest.

1. Social Service programs for the public include referral to counseling and psychological services.
 - a. Both of these programs provide assistance for drug and alcohol issues and utilize awareness and training to assist with these concerns.
 - b. Counseling and Psychological Services provides assistance with mental health concerns.
 - c. In addition, referral to homeless shelters and services should be offered when appropriate.
2. Each officer shall be provided with a referral sheet for local counseling and homeless assistance programs.

(CALEA 1.2.6)

APPROVED:



Greg Savelli
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

03.28 PROCEDURES FOR THE ARREST OF FOREIGN NATIONALS

**Effective 10/27/2009
Updated**

PURPOSE

To establish guidelines for the proper handling and notification requirements associated with the detention, arrest, and/or death of a foreign national. The obligations discussed in this policy are in fact a matter of international law, enacted under the Vienna Convention on Consular Relations and in some cases in bilateral agreements, conventions, or treaties, all of which are binding on federal, state, and local governments.

POLICY

In accordance with federal law and the provisions of Section 834c of the California Penal Code, every officer, upon arrest and booking or detention for more than two (2) hours of a known or suspected foreign national, shall advise the foreign national that he or she has a right to communicate with an official from the consulate of his or her country.

Countries requiring mandatory notification under Article 36 of the Vienna Convention shall be notified by officers as set forth in this section without regard to an arrested or detained foreign national's request to the contrary. The mandatory notification countries are listed in section IV. of this policy, and can also be found in subdivision (d) of the California Penal Code Section 834c.

A current list of telephone and fax numbers for Foreign Embassies and Consulates in the United States can be obtained on the Department of State's website at: <http://www.travel.state.gov/law/notifv.html>
(CALEA 1.1.4)

PROCEDURE

- I. Foreign Nationals
 - A. Foreign nationals are all non-U.S. citizens. This group of individuals includes those traveling or living here in the country legally on green cards, visas, or passports, as well as those traveling or living here in the country illegally.
 - B. Foreign nationals can have dual citizenship. If a foreign national is also a U.S. citizen, no advisement is necessary. If a foreign national has dual citizenship between two other (non-U.S.) countries, then upon his/her request, or in the case of mandatory reporting, both countries shall be notified.

II. Deaths, Arrests and Detentions of Foreign Nationals

- A. During the course of any death investigation involving a foreign national, the investigating officer shall notify the deputy coroner that the deceased is a foreign national, and the coroner's office will make the necessary notifications.
- B. Whenever a foreign national is arrested or detained in the United States, there are legal requirements to ensure that the foreign national's government can offer him/her appropriate consular assistance. In all cases, the foreign national must be told of the right of consular notification and access.
- C. In most cases, the foreign national then has the option to decide whether to have consular representatives notified of the arrest or detention. When consular notification is at the foreign national's option, the below notification admonishment is suggested.
 1. As a non-US. Citizen who is being arrested or detained, you are entitled to have us notify your country's consular representatives here in the United States. A consular official from your country may be able to help you obtain legal counsel, and may contact your family and visit you in detention, among other things.
 2. If you want us to notify your country's consular officials, you can request this notification now, or at any time in the future. After your consular officials are notified, they may call or visit you. Do you want us to notify your country's consular officials?
- D. In other cases the foreign national's consular officials must be notified of an arrest and/or detention regardless of the foreign national's wishes when he or she is from a mandatory reporting country.
- E. A list of the mandatory reporting countries with informational notations as of January 1st 2007 is included at the end of this section. Also, a current list of the mandatory reporting countries, the phone and fax numbers for all foreign embassies can be found on the U.S. State Department's WebPages at <http://www.travel.state.gov/notification6.html#phone>.
- F. Hermosa Beach Police Department fax notification forms will be kept in the Watch Commander's office and a suitable fax copy can be obtained off the U.S. State Department's WebPages.
- G. When consular notification is mandatory, the below notification admonishment is suggested.
 1. Because of your nationality, we are required to notify your country's consular representatives here in the United States that you have been

arrested or detained. After your consular officials are notified, they may call or visit you.

2. You are not required to accept their assistance, but they may be able to help you obtain legal counsel and may contact your family and visit you in detention, among other things. We will be notifying your country's consular officials as soon as possible:
- H. Foreign nationals whose country requires mandatory notification should still be informed that the notification has been made and advised that he/she may also specifically request to see their consulate.
1. Privacy concerns or the possibility that a foreign national may have a legitimate fear of persecution or other mistreatment by his/her government may exist in some mandatory notification cases. The notification requirement should still be honored, but it is possible to take precautions regarding the disclosure of information. For example, it may not be necessary to provide information about why a foreign national is in detention.
 2. Moreover, under no circumstances should any information indicating that a foreign national may have applied for asylum in the United States or elsewhere be disclosed to that person's government. The Department of State can provide more specific guidance in these particular cases.
- I. The arresting or reporting officer shall record in the body of his report that he/she complied with the notification and whenever possible record the subject's response. The case officer should include in his report, a copy of the fax confirmation as proof of notice.

III. Consular Access to Detained Foreign Nationals

- A. Detained foreign nationals are entitled to communicate with their consular officers. Any communication by a foreign national to his/her consular representative must be forwarded by the appropriate local officials to the consular post without delay.
- B. Foreign consular officers must be given access to their citizens. Such officers have the right to visit their nationals, to converse and correspond with them, and to arrange for their legal representation.
- C. They must refrain from acting on behalf of a foreign national, if the foreign national opposes their involvement and consular officers may not act as attorneys for their citizens.

IV. Mandatory Notification Countries and Jurisdictions

- A. As of January 1, 2007, the countries listed below are currently on the list of mandatory reporting countries:

Algeria	Malta
Antigua and Barbuda	Mauritius
Armenia	Moldova.
Azerbaijan	Mongolia
Bahamas	Nigeria
The Barbados	Philippines
Belarus	Poland (non-permanent residents only)
Belize	Romania
Brunei	Russia
Bulgaria	Saint Kitts and Nevis
China ¹	Saint Lucia
Costa Rica	Saint Vincent and the Grenadines
Cyprus	Seychelles
Czech Republic	Sierra Leone
Dominica	Singapore
Fiji	Slovakia
Gambia	Tajikistan
The Georgia	Tanzania
Ghana	Tonga
Grenada	Trinidad and Tobago
Guyana	Tunisia
Hong Kong ²	Turkmenistan
Hungary	Tuvalu
Jamaica	Ukraine
Kazakhstan	United Kingdom ³
Kiribati	U.S.S.R. ⁴
Kuwait	Uzbekistan
Kyrgyzstan	Zambia
Malaysia	Zimbabwe

- B. Informational notations on the mandatory countries of China, Hong Kong, United Kingdom, and U.S.S.R.

1. ¹Notification is not mandatory in the case of persons who carry "Republic of China" passports issued by Taiwan. Such persons should

be informed without delay that the nearest office of the Taipei Economic and Cultural Representative Office ("TECRO"), the unofficial entity representing Taiwan's interests in the United States, can be notified at their request.

2. ²Hong Kong reverted to Chinese sovereignty on July 1, 1997, and is now officially referred to as the Hong Kong Special Administrative Region, or "SAR". Under paragraph 3(f)(2) of the March 25, 1997, U.S.-China Agreement on the Maintenance of the U.S. Consulate General in the Hong Kong Special Administrative Region, U.S. officials are required to notify Chinese officials of the arrest or detention of the bearers of Hong Kong passports in the same manner as is required for bearers of Chinese passports--i.e., immediately, and in any event within four days of the arrest or detention.
3. ³ British dependencies also covered by this agreement are Anguilla, British Virgin Islands, Bermuda, Montserrat, and the Turks and Caicos Islands. Their residents carry British passports.
4. ⁴ Although the U.S.S.R. no longer exists, some nationals of its successor states may still be traveling on its passports. Mandatory notification should be given to consular officers for all nationals of such states, including those traveling on old U.S.S.R. passports. The successor states are listed separately above.

APPROVED:



Greg Savelli
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

03.29 JUVENILE OPERATIONS AND ARREST PROCEDURES Effective 10/27/2009 Updated

PURPOSE AND SCOPE

The purpose of this policy is to set forth regulations governing juvenile operations and arrest procedures, which are consistent with federal and state mandates relating to juvenile matters. The Hermosa Beach Police Department shall be committed to ensuring that the letter and spirit of the law is followed in dealing with juveniles and juvenile offenders.

PROCEDURES

- I. Definitions
 - A. Diversion. In the broadest sense, any procedure that:
 1. Substitutes non-entry for official entry into the justice process;
 2. Substitutes the suspension of criminal justice proceedings for the continuation of those proceedings;
 3. Substitutes lesser supervision or referral to a non-justice agency or no supervision for conventional supervision; or
 4. Substitutes any kind of non-confinement status for confinement.
 - B. Status Offense. An act or conduct declared by statute to be an offense only when committed by a juvenile, and adjudicated only by a juvenile court.
- II. Jurisdiction: Jurisdiction of the Juvenile Court over minors is authorized by the following five sections of the Welfare and Institutions Code.
 - A. 300 WIC: Dependents – includes dependent, neglected, destitute, abused children or those who are physically dangerous to the public because of mental or physical deficiency. All such protective service cases are to be adjudged “dependents of the court”.
 - B. 305 WIC: Temporary Custody of a Minor by Peace Officer without a Warrant when the officer has cause to believe that the minor is as described in Section 300 WIC or in need of immediate medical care or in immediate danger of abuse or a dangerous physical environment.
 - C. 307 WIC: Minor in Custody, Disposition and Release – A peace officer who takes a minor into temporary custody under provisions of section 305 WIC shall

either release the minor or prepare a petition for the parents/guardians to appear with the minor at Juvenile Court.

- D. 601 WIC: Status Offenders, any person under the age of 18 years – Includes habitual incorrigibles, habitual runaways, truants, immoral youths, and those with dependent tendencies. Those in this category are known as “status offenders.”
- E. 602 WIC: Delinquents, 14 years of age or older – Includes violations of federal, state and local laws. Those in this category are adjudged “delinquent.” These offenders and 601’s may become “wards of the court.”

III. Juvenile Operations Function (CALEA 44.1.1)

- A. The Hermosa Beach Police Department is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency (i.e. drug and alcohol use, bullying, cyber crimes, etc.). The department will liaison with school officials, parents, and students to provide a forum to deal with these issues. (CALEA 44.2.4)
- B. Detectives attend School Attendance Review Board (SARB) meetings that involve students that reside in the City of Hermosa Beach. SARB is composed of representatives from various youth-serving agencies that help truant or recalcitrant students and their parents or guardians solve school attendance and behavior problems through the use of available school and community resources.
- C. All agency employees are responsible for participating in and supporting efforts to reduce the occurrence of juvenile crime and delinquency.
- D. The various elements of the juvenile justice system are encouraged to review and provide input and suggestions to the department on its juvenile policies and procedures. A copy of this written directive shall be distributed to the juvenile justice system contacts utilized by the department. (CALEA 44.1.2)
- E. The Hermosa Beach Police Child Abuse Investigator will prepare an annual report evaluating all enforcement and prevention programs related to juveniles. The report will show both the quantitative and qualitative elements of each program and show whether the program should function as is, be modified, or be discontinued. (CALEA 44.1.3)

IV. Alternatives to Arrest: Officers dealing with juvenile offenders shall use the least coercive among reasonable alternatives.

- A. Outright release with no further action. (CALEA 44.2.1 a)
 - 1. Based on the judgment of the officer in consultation with the Watch Commander, a juvenile may be released in the field without further

- formal action. The best interests of the minor and the community shall be considered.
2. Documentation of such release shall be made within a written incident report.
- B. Criteria and procedures for issuing citations and written petitions to juvenile offenders to appear in lieu of taking them into custody. (CALEA 44.2.1 b)
1. Juveniles cited for infractions should be released in the field unless circumstances indicate that it would be in the best interest of the minor and/or the public for him/her to be detained or if such release would be otherwise be unlawful or inappropriate.
 2. If a minor is detained for a non-traffic infraction or non-violent misdemeanor, the arresting officer may, upon approval of a supervisor, release the minor to a responsible adult. If the detention is for a 602 WIC offense a JIR (Juvenile Investigation Report) form shall be completed as well as a crime incident report for the offense committed.
 3. All juveniles arrested for misdemeanors and/or felony charges shall be detained until a parent/guardian or responsible adult can respond to accept custody, the officer shall complete a JIR (Juvenile Investigation Report) form and complete a crime report for the offense committed. If the juvenile is cited into court for any reason, the parent/guardian shall also receive a promise to appear pursuant to 660.5 WIC.
 4. If the detention is for a 601 WIC Status Offense, (i.e., runaway, truancy, and curfew) and the minor is going to be released in the field to a parent/guardian or responsible party, the officer shall write the appropriate report and document the incident.

V. Referral to Juvenile Court. (CALEA 44.2.1 c)

- A. Custody Dispositions – Officers must make an initial determination as to which jurisdictional section the minor is under. The following categories present procedures to follow based upon the applicable jurisdictional section.
- B. 300 WIC – Dependents
1. Detention and Disposition – Minors taken into protective custody under this section should be referred to the appropriate agency as soon as possible.
 2. In most cases, this will involve contacting a (DCSF) Department of Children and Family Services social worker.

3. Minors may then be immediately released to the care and custody of the DCSF worker for foster care placement and/or reunification with parent or legal guardian.
4. In cases of injury or illness where a parent or legal guardian is unavailable, an officer may seek and order medical treatment for such minor.
5. Authority for these types of detentions is 305 WIC. Officers detaining minors under this section shall complete an incident report detailing circumstances of the case.
6. Notifications to Parent or Legal Guardian – Officers taking any minor into temporary custody are responsible for taking immediate step to notify parents or guardians. When this is not possible, reasons for the failure to notify shall be documented in the officer's report.

C. 601 WIC – Status Offenders

1. Detention and Disposition – Minors (status offenders) taken into custody under this section shall be referred to the appropriate agency or released to a parent or guardian as soon as possible.
2. In some cases, minors may be considered for protective custody pursuant to 300 WIC. In certain aggravated cases, 601's may be referred to the juvenile court for consideration of possible wardship.
3. In no case may a 601 offender be lodged in a juvenile detention facility.
4. Authority for these detentions is 625 WIC. Officers detaining minors under this section shall complete a Crime Report or a Matter of Record Report; whichever is appropriate, detailing the circumstances of the case.
5. Notifications to parent/guardian – Officers taking any minor into temporary custody are responsible for taking immediate steps to notify parent or guardian.
6. When this is not possible, reasons for the failure to notify shall be documented in the officer's report.
7. Whoever responds to obtain custody of the juvenile should be advised of the circumstances and relevant information on the citation.

D. 602 WIC – Delinquent

1. Arrest and Disposition – Temporary custody pending a court hearing is discouraged in most cases.
2. Officers are required to release, admonish and release, or cite and release whenever possible.
3. Only if minors are escapees, probation violators, a menace to persons (themselves or others) or property, or apt to flee the jurisdiction, may

4. Authority for these detentions is 625 WIC. Officers arresting minors under this section shall complete a Crime Report and Arrest Report detailing the circumstances of the case.
5. Incarceration – When a minor has been taken into temporary custody under 602 WIC and detention is indicated, the officer shall contact the Watch Commander for approval and transport without delay. A copy of the detention referral form must accompany the arrested juvenile to the receiving facility.
6. Minors may be taken into custody:
 - a. On the basis of a criminal law violation; or
 - b. The arresting officer has a reasonable belief that the minor presents a serious security risk of harm to himself or others.
7. Minors meeting these criteria may be locked in a room or cell in the station, subject to the following conditions:
 - a. Minors may not be detained at the station longer than six (6) hours. Juveniles detained must be visually observed no less than every 30 minutes.
 - b. The detention must be for the purpose of giving the officer time to investigate the case, facilitate release of the minors to parents or arrange transfer to Juvenile Hall.
 - c. Minors must be separated from adult prisoners.
 - d. Minors must be told how long incarceration can last.
 - e. Minors must be adequately supervised.
 - f. The law enforcement agency must keep a written record explaining the need for and length of secure detention.
8. All juvenile incarcerations will be documented in the officer's report. Documentation will include the need for the detention, length of the detention, any notifications (i.e., parents, probation officer, etc.), results of notifications, and final disposition.
9. Under no circumstances will 300 WIC dependents or 601 WIC status offenders be placed in "secure confinement" (locked up) or be permitted to come into contact with adult prisoners.
10. Investigations and Arrest – A peace officer may arrest or detain any minor who falls under these jurisdictional sections.
11. No warrant is required unless the minor is at home; then "Ramey" warrant requirements must be met in the case of 602 offenders.
12. Reasonable cause to believe that a misdemeanor has been committed, though not in the officer's presence, for instance, is generally sufficient

- for arrest without warrant. Probation violators may also be arrested without warrant.
13. The same constitutional safeguards apply to juveniles as to adults.
 14. Parents will be advised of the arrest; beyond this, all investigations and processing of evidence or reports will be conducted in the same manner as for adult cases.
 15. Whoever responds to obtain custody of the juvenile should be advised of the circumstances and relevant information on the citation.

VI. Procedures for taking a juvenile into custody.

- A. Determining whether a juvenile is alleged to have engaged in noncriminal misbehavior (status offense), or in circumstances where there is an allegation the juvenile has been harmed or may be in danger of harm.
(CALEA 44.2.2 a, b)
 1. The application of the status offense governing code 601 WIC definition shall be the first consideration.
 2. If a juvenile is taken into custody for a status offense or to prevent harm, the officer shall:
 - a. Notify and consult with the Watch Commander;
 - b. Complete a written incident report;
 - c. Notify the juvenile taken in custody of the reason(s) for the action, if the juvenile is of an age to understand; and
 - d. Notify the parents/legal guardians of the juvenile of the action taken.
- B. Ensure the constitutional rights of the juvenile are protected and procedures for the custodial interrogation of juveniles.
 1. The constitutional rights of a juvenile will be protected at all times.
 2. An explanation of the agency and juvenile justice system procedures will be provided to a juvenile being interrogated/interviewed. This will include informing the juvenile that:
 - a. A record of the case is established with the department;
 - b. Parents/guardians are contacted and informed of circumstances;
 - c. Officers dealing with juvenile offenders use the least coercive among reasonable alternatives; and
 - d. Pending court action, if any.
 3. Parents/guardians will be provided information relative to the charges pending and probable future court proceedings.
 4. Interrogations shall not extend beyond a reasonable time commensurate with the gravity of the offense and will be conducted in accordance with Policy S2.04, section XI.

5. Unless a juvenile is in need of emergency medical treatment they shall be transported without delay to the department or a Juvenile Detention Center.
6. Public exposure of a juvenile placed into custody shall always be minimized.

(CALEA 42.2.2 c, d, e and 44.2.3)

- C. If the minor is to be detained and sent to Juvenile Hall, contact the Intake Detention Control Officer (IDC) at Los Padrinos Juvenile Hall (7285 E. Quill Drive Downey 90242) at (562) 940-8660 for approval. The IDC officer will need the name of the juvenile, DOB, and the information listed on the Juvenile Arrest Record (JAI). If the IDC officer approves the detention of the minor at los Padrinos Juvenile Hall. These reports should include:

1. A completed JIR
2. At least two copies of the crime/arrest reports
3. Probable cause declaration signed and dated by the WC and the arresting officer.
4. A complete JAI printout on the juvenile
5. Booking and Live Scan
6. Juvenile Hall Entrance Record
7. A yellow L.A County medical booking screening form

If it appears the juvenile is sick or injured, they must be medically cleared for booking prior to transporting to Los Padrinos. Los Padrinos will also take out-of-state and out-of-county warrants with warrant abstract. If the juvenile is a runaway, the computer "hit" is to accompany the juvenile to Los Padrinos.

- D. Notification of parents/guardians.

1. Notification to parents/guardians shall be as soon as reasonably possible.
2. Parents/guardians shall be provided the circumstances and particulars of the incident in the initial contact with them.
3. The location of where parents/guardians may respond to physically contact the juvenile in custody shall be provided.

VII Reporting Child Abuse / Neglect

The purpose is to provide guidelines and procedures for reports of child abuse and for taking minors into protective custody.

- A. Protective Custody

When an officer discovers a person under the age of 18 years who falls within the description of Section 300 of the Welfare and Institutions Code, that officer shall consider his responsibility in taking the juvenile into protective custody. If probable cause exists to believe that a child is endangered, a police officer may enter a home WITHOUT a warrant or consent to investigate. If a child is taken into protective custody, the following reporting procedures will be followed:

1. The appropriate crime report must be completed if the juvenile falls within the provisions of Welfare and Institutions Code, section 300, or has been a victim of Penal Code sections 273a, child abuse; 273d, child beating; 285, incest; 288, child molest; or of any other crime.
2. If it is determined or suspected that a child abuse has occurred, the reporting officer shall contact the Los Angeles Department of Child and Family Services. This must be done immediately or as soon as practically possible by telephone (**800 540-4000**).

B. Physical Examination

Should the juvenile be a victim of sexual abuse requiring a medical examination, transport the victim to the closest Sexual Assault Response Team (SART) facility to be examined by a forensic nurse specialist.

1. The reporting officer shall contact the Investigative Division as soon as possible.

VIII

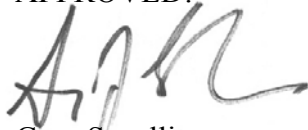
Electronic Suspected Child Cross Reporting System (ESCARS)

ESCARS will create a countywide web-based suspected child abuse report database accessible to all participating agencies. ESCARS will allow:

1. DCFS, law enforcement agencies and mandated reporters to cross-report allegations of suspected child abuse and reducing duplication of effort and multiple responses.
2. The District Attorney's Office to audit cross-reporting.
3. A timely response to sensitive cases thus reducing delays and expediting the criminal investigation.
3. Track and monitor cases electronically, reducing paper, printing, mailing of reports of suspected child abuse.
5. More efficient compliance with the mandated *Child Abuse Neglect and Reporting Act (PC 11166 et seq.)*

The Hermosa Beach Police Child Abuse Investigator will act as the ESCARS system administrator. The electronic reporting is to be arrive via email to detectives@hermosapolice.org . This email will automatically be distributed to every member of the detective bureau. This redundancy in distribution will guaranty that the reporting is received.

APPROVED:



Greg Savelli
Chief of Police

First Amendment Assemblies

431.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

431.2 POLICY

The Hermosa Beach Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

431.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, and loitering. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

- (a) Engage in assembly or demonstration-related discussion with participants.
- (b) Harass, confront or intimidate participants.
- (c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

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431.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS

Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious, or social views of associations, or the activities of any individual, group, association, organization, corporation, business, or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

431.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to Dispatch, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

431.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

431.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.

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- The potential time, duration, scope, and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

431.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for:

- (a) Command assignments, chain of command structure, roles and responsibilities.
- (b) Staffing and resource allocation.
- (c) Management of criminal investigations.
- (d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields).
- (e) Deployment of specialized resources.
- (f) Event communications and interoperability in a multijurisdictional event.
- (g) Liaison with demonstration leaders and external agencies.
- (h) Liaison with City government and legal staff.
- (i) Media relations.
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
- (k) Traffic management plans.
- (l) First aid and emergency medical service provider availability.
- (m) Prisoner transport and detention.
- (n) Review of policies regarding public assemblies and use of force in crowd control.
- (o) Parameters for declaring an unlawful assembly.
- (p) Arrest protocol, including management of mass arrests.
- (q) Protocol for recording information flow and decisions.
- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.
- (s) Protocol for handling complaints during the event.

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- (t) Parameters for the use of body-worn cameras and other portable recording devices.

431.5.3 MUTUAL AID AND EXTERNAL RESOURCES

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Outside Agency Assistance Policy).

431.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

431.7 USE OF FORCE

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and conducted energy devices should be considered only when the participants' conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage (see the Control Devices and Techniques and the Conducted Energy Device policies).

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Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

431.8 ARRESTS

The Hermosa Beach Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

- (a) Reasonable measures to address the safety of officers and arrestees.
- (b) Dedicated arrest, booking and report writing teams.
- (c) Timely access to medical care.
- (d) Timely access to legal resources.
- (e) Timely processing of arrestees.
- (f) Full accountability for arrestees and evidence.
- (g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Cite and Release Policy).

431.9 MEDIA RELATIONS

The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences, and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the Media Relations Policy).

431.9.1 MEDIA ACCESS

If officers close the immediate area surrounding any emergency field command post or any other command post, or establish a police line, or rolling closure at a demonstration, march, protest, or rally where individuals are engaged in a protected activity pursuant to the First Amendment, officers shall comply with the requirements of Penal Code § 409.7 relating to media access (i.e., access to closed areas, obtaining information) (Penal Code § 409.7).

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431.10 DEMOBILIZATION

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

431.11 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

- (a) Operational plan
- (b) Any incident logs
- (c) Any assignment logs
- (d) Vehicle, fuel, equipment and supply records
- (e) Incident, arrest, use of force, injury and property damage reports
- (f) Photographs, audio/video recordings, Dispatch records/tapes
- (g) Media accounts (print and broadcast media)

431.11.1 AFTER-ACTION REPORTING

The Incident Commander should work with City legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

- (a) Date, time and description of the event
- (b) Actions taken and outcomes (e.g., injuries, property damage, arrests)
- (c) Problems identified
- (d) Significant events
- (e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

431.12 ANTI-REPRODUCTIVE RIGHTS CALLS

Officer response to public assemblies or demonstrations relating to anti-reproductive rights should be consistent with this policy (Penal Code § 13778.1).

431.13 TRAINING

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management (Penal Code § 13514.5). The Department should, when practicable, train with its external and mutual aid partners.

Officers should also receive periodic training on the standards for the use of kinetic energy projectiles and chemical agents for crowd control purposes as identified in Penal Code § 13652.

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431.14 USE OF KINETIC ENERGY PROJECTILES AND CHEMICAL AGENTS FOR CROWD CONTROL

Kinetic energy projectiles and chemical agents for crowd control purposes shall only be deployed by officers who have received POST training for crowd control if the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including an officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control and in accordance with the following requirements of Penal Code § 13652.

- (a) De-escalation techniques or other alternatives to force have been attempted, when objectively reasonable, and have failed.
- (b) Repeated, audible announcements are made announcing the intent to use kinetic energy projectiles and chemical agents and the type to be used, when objectively reasonable to do so. The announcements shall be made from various locations, if necessary, and delivered in multiple languages, if appropriate.
- (c) Individuals are given an objectively reasonable opportunity to disperse and leave the scene.
- (d) An objectively reasonable effort has been made to identify individuals engaged in violent acts and those who are not, and kinetic energy projectiles or chemical agents are targeted toward those individuals engaged in violent acts. Projectiles shall not be aimed indiscriminately into a crowd or group of individuals.
- (e) Kinetic energy projectiles and chemical agents are used only with the frequency, intensity, and in a manner that is proportional to the threat and objectively reasonable.
- (f) Officers shall minimize the possible incidental impact of their use of kinetic energy projectiles and chemical agents on bystanders, medical personnel, journalists, or other unintended targets.
- (g) An objectively reasonable effort has been made to extract individuals in distress.
- (h) Medical assistance is promptly provided, if properly trained personnel are present, or procured, for injured persons, when it is reasonable and safe to do so.
- (i) Kinetic energy projectiles shall not be aimed at the head, neck, or any other vital organs.
- (j) Kinetic energy projectiles or chemical agents shall not be used solely due to any of the following:
 - 1. A violation of an imposed curfew.
 - 2. A verbal threat.
 - 3. Noncompliance with a law enforcement directive.
- (k) If the chemical agent to be deployed is tear gas, only an Incident Commander at the scene of the assembly, protest, or demonstration may authorize its use.

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431.14.1 USE SUMMARY

The Operations Division Commander or the authorized designee should ensure that a summary of each deployment of kinetic energy projectiles or chemical agents for crowd control purposes is prepared and published on the department website within 60 days of each incident. The time frame may be extended for another 30 days where just cause is demonstrated, but no longer than 90 days from the time of the incident. The summary shall be limited to the information known to the Department at the time of the report and include the information required in Penal Code § 13652.1.

431.15 ISSUED AUTHORITY

	Effective Date	Updated Date
W. Paul LeBaron, Chief of Police	September 24, 2020	May 7, 2024

Private Persons Arrests

333.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the handling of private person's arrests made pursuant to Penal Code § 837.

333.2 ADVISING PRIVATE PERSONS OF THE ARREST PROCESS

Penal Code § 836(b) expressly mandates that all officers shall advise victims of domestic violence of the right to make a private person's arrest, including advice on how to safely execute such an arrest. In all other situations, officers should use sound discretion in determining whether or not to advise an individual of the arrest process.

- (a) When advising any individual regarding the right to make a private person's arrest, officers should refrain from encouraging or dissuading any individual from making such an arrest and should instead limit advice to the legal requirements for such an arrest as listed below.
- (b) Private individuals should be discouraged from using force to effect a private person's arrest, and absent immediate threat to their own safety or the safety of others, private individuals should be encouraged to refer matters to law enforcement officials for further investigation or arrest.

333.3 ARRESTS BY PRIVATE PERSONS

Penal Code § 837 provides that a private person may arrest another:

- (a) For a public offense committed or attempted in his or her presence;
- (b) When the person arrested has committed a felony, although not in his or her presence;
- (c) When a felony has been in fact committed, and he or she has reasonable cause for believing the person arrested has committed it.

Unlike peace officers, private persons may not make an arrest on suspicion that a felony has been committed - the felony must in fact have taken place.

333.4 OFFICER RESPONSIBILITIES

Any officer presented with a private person wishing to make an arrest must determine whether or not there is reasonable cause to believe that such an arrest would be lawful (Penal Code § 847).

- (a) Should any officer determine that there is no reasonable cause to believe that a private person's arrest is lawful, the officer should take no action to further detain or restrain the individual beyond that which reasonably appears necessary to investigate the matter, determine the lawfulness of the arrest and protect the public safety.
 - 1. Any officer who determines that a private person's arrest appears to be unlawful should promptly release the arrested individual pursuant to Penal Code § 849(b)(1). The officer must include the basis of such a determination in a related report.

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Private Persons Arrests


2. Absent reasonable cause to support a private person's arrest or other lawful grounds to support an independent arrest by the officer, the officer should advise the parties that no arrest will be made and that the circumstances will be documented in a related report.
- (b) Whenever an officer determines that there is reasonable cause to believe that a private person's arrest is lawful, the officer may exercise any of the following options:
1. Take the individual into physical custody for booking
 2. Release the individual pursuant to a Notice to Appear
 3. Release the individual pursuant to Penal Code § 849

333.5 REPORTING REQUIREMENTS

In all circumstances in which a private person is claiming to have made an arrest, the individual must complete and sign a department Private Person's Arrest form under penalty of perjury.

In addition to the Private Person's Arrest Form (and any other related documents such as citations, booking forms, etc.), officers shall complete a narrative report regarding the circumstances and disposition of the incident.

333.6 ISSUING AUTHORITY

	Effective Date	Updated Date
		
W. Paul LeBaron, Chief of Police	October 27, 2009	December 4, 2023



HERMOSA BEACH POLICE DEPARTMENT

O3.31 FALSE ALARM PROCEDURES

Effective 10/27/2009

PURPOSE

Effective June 1, 1989, the City of Hermosa Beach enacted a False Alarm Ordinance, section 8.08.010 (formerly 17-55) et seq. of the Hermosa Beach Municipal Code. The purpose of this ordinance is to reduce the number of false alarms that police and fire units respond to each year.

Every residence and business that maintains and alarm system within the City of Hermosa Beach must obtain a permit to operate such a system from the Police Department. Each residence and business that maintains an alarm system will be allowed to a maximum of three false alarms per calendar year. Thereafter, the City will assess a service charge for each subsequent false alarm that causes a police or fire response.

DEFINITIONS

False alarm – Mean an alarm activated by a subscriber negligence or for any reason not of an emergency nature or when activated due to a malfunction of any segment of the alarm system and which necessitates a response by the Fire or Police department when, in fact, no emergency exists.

Audible Alarm – Means a device designed to notify persons in the vicinity of the protected premises by emission of an audible sound to signal a need for an emergency response.

Direct Dial Device – Means any system connected to a telephone line which upon activation, automatically dials a pre-determined telephone number and transmits a message or signal indicating the need for an emergency response.

Silent Alarm - Means a device for the detection of unauthorized entry or illegal act upon the premises which does not generate an audible signal or sound of the premises which it is activated, but rather transmits a signal directly to the Public Safety Communications Center or to an alarm company central office.

Permittee – Means any person holding an alarm system permit issued in compliance with the regulations set forth in Section 8.09.010 et seq., of the Hermosa Beach Municipal code.

PROCEDURE – PERMIT APPLICATION

Permit applications can be obtained at the front desk of the police department. The permit application is to be filed out COMPLETELY and can be mailed in or turned in at the front desk along with a non-refundable permit fee.

The application will then be forwarded to the Support Services Division Commander for processing. The Support Services Division Commander will review all applications for the purpose of approving or disapproving the application.

Upon approval, the white copy of the permit will be kept on file by the Support Services Division Commander. The yellow copy will be forwarded to the Records Supervisor. The information on the permit will be entered into the Department's computer by records bureau personnel under the address of the permittee. The pink copy will be mailed to the permittee.

In the instance of a permit rejection, the permit fee is non-refundable. The applicant will be notified in writing of the rejection.

PROCEDURE – POLICE/FIRE RESPONSE

When a police and/or fire units are dispatched to a location as a result of an alarm call where no emergency exists, the police or fire officers will attempt to determine the cause of the false alarm. A three part false alarm notice will be completed (see attached). The pink copy of the notice will be left at the premises. The white and yellow copy of the notice will be returned to the Police Department and forwarded to the Support Services Division Commander.

Section 8.08.010 HBMC allows exceptions to the false alarm ordinance. Permittees will not be charged for false alarms occasioned by disaster, power failure or other causes clearly not within the control of the permittee. No charges shall be made for a false alarm occasioned by an alarm company or permittee test of the alarm system, provided that the Police Department has been notified before and after completion of said test. If it is determined by the responding officers that the false alarm occurred due to one of the conditions mentioned above, no false alarm notice will be completed.

PROCEDURE – NUISANCE

Section 8.08.030 HBMC states that no person shall install or maintain any audible alarm system which emits an audible sound for longer than ten (10) minutes or generates more than three (3) false alarms in a twenty-four (24) hour period. Such alarm may be declared a nuisance by the Chief of Police or his designee who is the on-duty Sergeant or Watch Commander or on-duty Fire Captain.

An alarm that has been declared a nuisance under this section may be disconnected by the Chief of Police or his designee. In this situation, a report documenting the incident will be completed by the responsible Sergeant, Watch Commander, or Fire Captain and forwarded to the Support Services Division Commander. The report should include the amount of time emergency personnel were involved in the incident and what means, if any, were used to disconnect the alarm. Under these circumstances, the permittee shall be charged for all costs incurred by or reasonably borne by the City in disconnecting the nuisance.

RECORDS

The Support Services Commander will cause that all permit applications be kept on file. When a false alarm notice is received from the police or fire personnel, the white copy of the notice will be mailed to the permittee.

When a police and fire personnel are required to respond to more than three (3) false alarms within the same calendar year, the Support Services Division Commander will forward a notice to the Finance Department for each and every response in excess of this amount. The Finance Department will then bill the permittee the appropriate service charge as stated in Section 8.08.150 HBMC.

VEHICLE ALARMS

On occasion, the department receives complaints regarding vehicle alarms which constantly go off for reasons not involving criminal activity. It shall be the policy of the Hermosa Beach Police Department to affirmatively respond to nuisance alarms in an effort to restore peace to the affected neighborhood. The purpose of this directive is to give some guidelines to the watch commander on how to better deal with this problem.

PROCEDURE

There are two laws regarding nuisance vehicle alarms. The first is vehicle code section 22651.5. An officer can impound a vehicle whether it is parked on public or private property if an alarm device or horn has been activated within the vehicle. The officer must first make an effort to locate the owner of the vehicle. If the officer is unable to locate the owner within 20 minutes **from the time of arrival** and the alarm device or horn has not been silenced, the vehicle can be towed. The vehicle code does not specifically require the alarm to continuously sound for the entire 20 minutes. If it is intermittently but consistently going off for 20 minutes and the officer cannot locate an owner to disable or reset the alarm – tow the vehicle per CVC 22651.5 (a).

Section 8.08.200 of the Hermosa Beach Municipal Code stated the following: “In order to protect the public health, safety and welfare, a police officer may deactivate, or cause to be deactivated, any audible automobile alarm which has sounded for more than **five continuous minutes**, when person in control of the vehicle has not responded to the alarm. A police officer may reasonably enter any such vehicle pursuant to this chapter to silence the alarm, or may cause the vehicle to be impounded pursuant to 22651.5 of the California Vehicle Code if the alarm cannot be silenced within twenty (20) minutes of the police officer’s arrival.”

This section does require the alarm to be sounding for 5 or more continuous minutes. The problem is that most vehicle alarm systems reset themselves within 5 minutes. Additionally, the law does not define “reasonable” means to enter a vehicle to disable the alarm. Obviously the least intrusive method is most desirable. Frank Scotto Towing drivers have the ability to disconnect alarm systems.

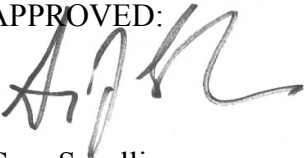
Therefore, if there is an aggravated situation where it would not be prudent to wait for 10 minutes to tow the car, the watch commander is authorized to utilize Frank Scotto towing to

respond, enter and disable the car alarm. **With an officer standing by**, the Frank Scotto driver will enter the vehicle and disable the alarm by generally doing one of the following:

1. Remove the fuse for the alarm system.
2. Cut a wire to the alarm horn.
3. Disconnect the cable to the battery.

If Frank Scotto is utilized in this manner, an officer must prepare an incident report documenting the entry of the car, and the method utilized to disable the alarm. A note must be left on the windshield of the car explaining the action taken citing the HBMC authority. (Section 8.08.200)

APPROVED:



Greg Savelli
Chief of Police

Attachments: A- Permit Application
B- False Alarm Notice



HERMOSA BEACH POLICE DEPARTMENT

O3.32 INFRACTION INCIDENT REPORTING AND ADMINISTRATIVE CITATIONS (Supersedes General Order No. 17)

**Effective 10/27/2009
Updated**

PURPOSE

The purpose of this policy is to establish procedures for infraction incident reporting and to define the circumstances and reporting procedure for issuing an administrative citation for a Hermosa Beach Municipal Code Violation.

POLICY

It shall be the policy of the Hermosa Beach Police Department to assist citizens in the prosecution of violators of infractions committed out of the presence of the handling police officers. There are many occasions where the officers are sent on the call of a leaf blower or trash digger or some other infraction that is occurring. When the officer arrives, many times the infraction is no longer taking place and the officer cannot issue a citation but simply warn and advise. This has frustrated some citizens that wished the police could have done something more.

PROCEDURE

In order to try and assist citizens in answering their complaints about such violations, an INFRACTION INCIDENT REPORT has been developed. This report was developed with the assistance of our City Prosecutor and South Bay Court. The procedure for using this report is as follows:

If an officer arrives on the scene where an infraction is taking place in their presence, the officer is to issue a citation or give a warning, whichever is appropriate for the situation based upon the discretion of the handling officer. However, in the situation where an officer feels that a warning is sufficient but the reporting citizen demands that a citation be issued, an infraction incident report is to be completed.

In the event that an officer arrives on the scene where the infraction is no longer taking place, the officer is to issue a warning to the offender if the offender is still present. If the citizen who observed the violation demands that the offender be cited or would like to pursue some formal action against the offender, an infraction incident report is to be completed.

The infraction incident report requires very basic information. The identity of the RP and the violator is required. You will also notice that at the bottom of the report, there is a space for the citizen to write a short narrative of the violation observed. The citizen is to sign and date the report at the bottom. It is important that the citizen complete the narrative by either

writing it or dictating it to the handling officer. If the citizen changes their mind or does not wish that such a report be completed, then do not complete the report.

When the report is completed, it is to be routed through normal channels. The report will be reviewed by the City Prosecutor who will decide on whether or not a complaint should be filed with the court.

ADMINISTRATIVE CITATIONS

The City of Hermosa Beach under Resolution number 07-6569 adopted the Administrative Citation for handling specific violations of the Municipal Code. The sections that require Administrative Citations are listed in the Hermosa Beach Municipal Code Section 1.10.040.

Any violation under these sections can only be cited using the Administrative Citation. The first violation within one year is \$100.00, the second violation is \$200.00, and the third is \$500.00. Each additional violation within one year is \$500.00. Enter the appropriate amount in the "Fine Amount" box. A records check should be done to determine if the person was cited within the last year for the same offense.

The due date is thirty (30) days from the date of issuance. The violator has 30 days to pay or appeal the violation. Instructions for taking care of the Administrative Citation are on the back of the violator's copy.

Personal service - The officer shall attempt to locate and personally serve the responsible person and obtain the signature of the responsible person on the administrative citation. If the responsible person served refuses or fails to sign the administrative citation, the failure or refusal to sign shall not affect the validity of the administrative citation or of subsequent proceedings.

Service of citation by mail - If the officer is unable to locate the responsible person, the administrative citation shall be mailed to the responsible person by certified mail, postage prepaid with a requested return receipt. Simultaneously, the citation may be sent by first class mail. If the citation is sent by certified mail and returned unsigned, then service shall be deemed effective pursuant to first class mail, provided the citation sent by first class mail is not returned.

By Posting on Property - If the officer is unable to serve the citation under subsections 1 or 2 preceding, a copy of the citation may be posted on any real property within the City in which the City has knowledge that the responsible party has a legal interest. Service under this subsection shall be deemed effective on the date when the notice is posted.

A DR number will be pulled and placed in the upper right hand corner of the Administrative Citation. The violator will be issued the second (yellow) copy. The issuing officer will complete an Infraction Incident Report. Records will file the pink copy and a copy of the report in their files. Records will forward the white original copy to the Finance Cashier's office in Room 101.

APPROVED:

A handwritten signature in black ink, appearing to read 'AS', written over the printed name.

Greg Savelli
Chief of Police

Attachment: Infraction Incident Report

HERMOSA BEACH POLICE DEPARTMENT
INFRACTION INCIDENT REPORT

DR # _____ Officer _____ ID# _____

On _____ at approximately _____ hours, I was contacted by the following citizen who reported observing the following infraction taking place in their presence:

Citizen RP Name : _____

Address: _____

Phone Number: _____

Infraction taking place (Code section and description of violations)

Date/Time of Offense _____

I contacted the alleged suspect who was pointed out to me by the RP and is identified as follows:

Suspect Name and Address: _____

CDL # _____ Other ID: _____

If suspect no longer present, description:

Vehicle driven by suspect if applicable: _____

The reporting citizen in this matter is desirous that the suspect be prosecuted for this offense and therefore requests that this information be forwarded to the City Prosecutor for his review and disposition.

Citizen Comment: _____

By signing below, I understand that a formal complaint may be filed and if so, I will be required to appear in court as a witness.

Signature

Date

**HERMOSA BEACH POLICE DEPARTMENT
DEATH REPORT**

Date and Time Reported		Probable Type (Traffic, Natural, Suicide)				DR #					
						CORONER'S DR#					
Date and Time Death Occurred			Location of Occurrence								
Date and Time Original Illness or Injury			Location of Original Illness or Injury			Original Type Report					
Victim's Name		Residence Address		City		Zip	Res. Tele.				
Date of Birth		Business Address		City		Zip	Bus. Tele.				
Victim's Occupation		Investigative Divisions or Units Notified (Divisions or Unit and Person contacted) L.A. County Coroner									
Probable Cause of Death		Reason				Date and Time Body Discovered					
Victim's Description	Sex	Race	Age	Height	Weight	Hair	Eyes	Build	Complexion	Marks, clothing, jewelry	
Person Reporting Death		Address			City		Zip	Res./Bus./Cell. Telephones			
Person Discovering Body		Address			City		Zip	Res./Bus./Cell. Telephones			
Person Identifying Body		Address			City		Zip	Res./Bus./Cell. Telephones			
Nearest Relative		Address			City		Zip	Res./Bus./Cell. Telephones			
Witnesses Name(s)		Address			City		Zip	Res./Bus./Cell. Telephones			
1.		Address			City		Zip	Res./Bus./Cell. Telephones			
2.		Address			City		Zip	Res./Bus./Cell. Telephones			
3.		Address			City		Zip	Res./Bus./Cell. Telephones			
Doctor in Attendance at Scene		Business Address			City		Zip	Business/Cell Telephone			
Victim's Regular Doctor		Business Address			City		Zip	Business/Cell Telephone			
Doctor willing to sign certificate? <input type="checkbox"/> Yes <input type="checkbox"/> No		If Yes, Doctor's Name				Coroner's Case <input type="checkbox"/> Yes <input type="checkbox"/> No		Coroner notified by			
Removed by (emerg. unit /firm)		Removed to				Address					
Mortuary		Address			City		Zip code	Business/Cell Telephone			
Disposition of Victim's Property						Relatives to be notified by					
NARRATIVE – SEE PAGE TWO											
Date/Time Reported		Officer Reporting/serial no.			Supervisor Approving/serial no.			Date/Time			

DEATH REPORT NARRATIVE

DR#
Page of

A large, empty rectangular box with a black border, intended for the narrative text of the death report.

Death Investigation

330.1 PURPOSE AND SCOPE

The investigations of cases involving death include those ranging from natural cause to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appeared to be initially. The thoroughness of death investigations cannot be emphasized enough.

330.2 INVESTIGATION CONSIDERATIONS

The on-duty Sergeant or Watch Commander shall be responsible for the investigations of all deaths in the City of Hermosa Beach. All deaths shall be treated as potential homicides until and unless evidence and circumstances prove otherwise.

Death investigation cases require certain actions be taken. Paramedics shall be called in all suspected death cases unless the death is obvious (e.g., decapitated, decomposed). A supervisor shall be notified in all death investigations.

The on-duty Sergeant, or in his/her absence, Watch Commander, shall be responsible for notifying the Coroner, when the circumstances surrounding a death place it within the Coroner's jurisdiction.

330.2.1 CORONER REQUEST

Government Code § 27491 and Health & Safety Code § 102850 direct the Coroner to inquire into and determine the circumstances, manner and cause of certain deaths. The Coroner shall be called in any of the following cases:

- (a) Unattended deaths (No physician in attendance or during the continued absence of the attending physician. Also, includes all deaths outside hospitals and nursing care facilities).
- (b) Deaths where the deceased has not been attended by either a physician or a registered nurse, who is a member of a hospice care interdisciplinary team, as defined by Health and Safety Code § 1746 in the 20 days prior to death.
- (c) Physician unable to state the cause of death. Unwillingness does not apply. Includes all sudden, unexpected and unusual deaths and fetal deaths when the underlying cause is unknown.
- (d) Known or suspected homicide.
- (e) Known or suspected suicide.
- (f) Involving any criminal action or suspicion of a criminal act. Includes child and dependent adult negligence and abuse.
- (g) Related to or following known or suspected self-induced or criminal abortion.
- (h) Associated with a known or alleged rape or crime against nature.
- (i) Following an accident or injury (primary or contributory). Deaths known or suspected as resulting (in whole or in part) from or related to accident or injury, either old or recent.

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Death Investigation

- (j) Drowning, fire, hanging, gunshot, stabbing, cutting, starvation, exposure, alcoholism, drug addiction, strangulation or aspiration.
- (k) Accidental poisoning (food, chemical, drug, therapeutic agents).
- (l) Occupational diseases or occupational hazards.
- (m) Known or suspected contagious disease and constituting a public hazard.
- (n) All deaths in operating rooms and all deaths where a patient has not fully recovered from an anesthetic, whether in surgery, recovery room or elsewhere.
- (o) In prison or while under sentence. Includes all in-custody and police involved deaths.
- (p) All deaths of unidentified persons.
- (q) Suspected Sudden Infant Death Syndrome (SIDS) deaths.

The body shall not be disturbed or moved from the position or place of death without permission of the coroner.

330.2.2 SEARCHING DEAD BODIES

The Coroner or Deputy Coroner is generally the only person permitted to search a body known to be dead from any of the circumstances set forth in Government Code § 27491. The only exception is that an officer is permitted to search the body of a person killed in a traffic collision for the limited purpose of locating an anatomical donor card (Government Code § 27491.3). If such a donor card is located, the Coroner or a designee shall be promptly notified. Should exigent circumstances indicate to an officer that any search of a known dead body is warranted prior to the arrival of the Coroner or a designee; the investigating officer shall first obtain verbal consent from the Coroner or a designee (Government Code § 27491.2).

Whenever possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain at the scene with the officer pending the arrival of the Coroner or a designee. The name and address of this person shall be included in the narrative of the death report. Whenever personal effects are removed from the body of the deceased by the Coroner or a designee, a receipt shall be obtained. This receipt shall be attached to the death report.

330.2.3 DEATH NOTIFICATION

When practical, and if not handled by the Coroner's Office, notification to the next-of-kin of the deceased person shall be made, in person, by the officer assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification. If the relatives live outside this county, the Coroner may be requested to make the notification. The Coroner needs to know if notification has been made. Assigned detectives may need to talk to the next-of-kin.

330.2.4 UNIDENTIFIED DEAD BODIES

If the identity of a dead body cannot be established after the Coroner arrives, the Coroner's office will issue a "John Doe" or "Jane Doe" number for the report.

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Death Investigation

330.2.5 DEATH INVESTIGATION REPORTING

All incidents involving a death shall be documented on the appropriate form.

330.2.6 SUSPECTED HOMICIDE

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the Investigations Division shall be notified to determine the possible need for a detective to respond to the scene for further immediate investigation.

330.2.7 EMPLOYMENT RELATED DEATHS OR INJURIES

Any member of this agency who responds to and determines that a death, serious illness, or serious injury has occurred as a result of an accident at or in connection with the victim's employment shall ensure that the nearest office of Cal-OSHA is notified by telephone immediately or as soon as practicable with all pertinent information (8 CCR 342(b)).

330.3 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police October 27, 2009

December 4, 2023

Public Alerts

317.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

317.2 POLICY

Public alerts may be employed using the Emergency Alert System (EAS), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria. Refer to Administrative Memorandum A-18.

317.3 RESPONSIBILITIES

317.3.1 MEMBER RESPONSIBILITIES

Members of the Hermosa Beach Police Department should notify their supervisor, Watch Commander, or Detective Bureau Supervisor as soon as practicable upon learning of a situation where public notification, a warning, or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person, or gathering information.

317.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the Chief of Police, the appropriate Division Commander and the Public Information Officer when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

- (a) Updating alerts
- (b) Canceling alerts
- (c) Ensuring all appropriate reports are completed
- (d) Supervisors should consider completing an after-action evaluation of the investigation and forwarding to the Division Commander, as appropriate.

317.4 AMBER ALERTS

The AMBER Alert™ Program is a voluntary partnership between law enforcement agencies, broadcasters, transportation agencies and the wireless industry, to activate urgent bulletins in child abduction cases.

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Public Alerts

317.4.1 CRITERIA FOR AMBER ALERT

The following conditions must be met before activating an AMBER Alert (Government Code § 8594(a)):

- (a) A child has been abducted or taken by anyone, including but not limited to a custodial parent or guardian.
- (b) The victim is 17 years of age or younger, or has a proven mental or physical disability.
- (c) The victim is in imminent danger of serious injury or death.
- (d) There is information available that, if provided to the public, could assist in the child's safe recovery.

317.4.2 PROCEDURE FOR AMBER ALERT

The supervisor in charge will ensure the following:

- (a) An initial press release is prepared that includes all available information that might aid in locating the child:
 - 1. The child's identity, age and description
 - 2. Photograph if available
 - 3. The suspect's identity, age and description, if known
 - 4. Pertinent vehicle description
 - 5. Detail regarding location of incident, direction of travel, potential destinations, if known
 - 6. Name and telephone number of the Public Information Officer or other authorized individual to handle media liaison
 - 7. A telephone number for the public to call with leads or information
- (b) The local California Highway Patrol communications center should be contacted to initiate a multi-regional or statewide EAS broadcast, following any policies and procedures developed by CHP (Government Code § 8594).
- (c) The press release information is forwarded to the Sheriff's Department Emergency Communications Bureau so that general broadcasts can be made to local law enforcement agencies.
- (d) Information regarding the missing person should be entered into the California Law Enforcement Telecommunication System (CLETS).
- (e) Information regarding the missing person should be entered into the California Department of Justice Missing and Unidentified Persons System (MUPS)/National Crime Information Center (NCIC).
- (f) The following resources should be considered as circumstances dictate:
 - 1. The local FBI office
 - 2. National Center for Missing and Exploited Children (NCMEC)

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317.5 BLUE ALERTS

Blue Alerts may be issued when an officer is killed, injured or assaulted and the suspect may pose a threat to the public or other law enforcement personnel.

317.5.1 CRITERIA FOR BLUE ALERTS

All of the following conditions must be met before activating a Blue Alert (Government Code § 8594.5):

- (a) A law enforcement officer has been killed, suffered serious bodily injury or has been assaulted with a deadly weapon, and the suspect has fled the scene of the offense.
- (b) The investigating law enforcement agency has determined that the suspect poses an imminent threat to the public or other law enforcement personnel.
- (c) A detailed description of the suspect's vehicle or license plate is available for broadcast.
- (d) Public dissemination of available information may help avert further harm or accelerate apprehension of the suspect.

317.5.2 PROCEDURE FOR BLUE ALERT

The supervisor in charge should ensure the following:

- (a) An initial press release is prepared that includes all available information that might aid in locating the suspect:
 - 1. The license number and/or any other available description or photograph of the vehicle
 - 2. Photograph, description and/or identification of the suspect
 - 3. The suspect's identity, age and description, if known
 - 4. Detail regarding location of incident, direction of travel, potential destinations, if known
 - 5. Name and telephone number of the Public Information Officer or other authorized individual to handle media liaison
 - 6. A telephone number for the public to call with leads or information
- (b) The local California Highway Patrol communications center is contacted to initiate a multi-regional or statewide EAS broadcast.
- (c) The information in the press release is forwarded to the Sheriff's Department Emergency Communications Bureau so that general broadcasts can be made to local law enforcement agencies.
- (d) The following resources should be considered as circumstances dictate:
 - 1. Entry into the California Law Enforcement Telecommunication System (CLETS)
 - 2. The FBI local office

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Public Alerts

317.6 SILVER ALERTS

Silver Alerts® is an emergency notification system for people who are 65 years of age or older, developmentally disabled or cognitively impaired and have been reported missing (Government Code § 8594.10).

317.6.1 CRITERIA FOR SILVER ALERTS

All of the following conditions must be met before activating a Silver Alert (Government Code § 8594.10):

- (a) The missing person is 65 years of age or older, developmentally disabled or cognitively impaired.
- (b) The department has utilized all available local resources.
- (c) The investigating officer or supervisor has determined that the person is missing under unexplained or suspicious circumstances.
- (d) The investigating officer or supervisor believes that the person is in danger because of age, health, mental or physical disability, environment or weather conditions, that the person is in the company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril.
- (e) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

317.6.2 PROCEDURE FOR SILVER ALERT

Requests for a Silver Alert shall be made through the California Highway Patrol (Government Code § 8594.10).

317.7 ADDITIONAL ALERTS FOR PUBLIC SAFETY EMERGENCIES

Additional public safety emergency alerts may be authorized that utilize wireless emergency alert system (WEA) and emergency alert system (EAS) equipment for alerting and warning the public to protect lives and save property (Government Code § 8593.7).

317.7.1 CRITERIA

Public safety emergency alerts may be issued to alert or warn the public about events including but not limited to:

- (a) Evacuation orders (including evacuation routes, shelter information, key information).
- (b) Shelter-in-place guidance due to severe weather.
- (c) Terrorist threats.
- (d) HazMat incidents.

317.7.2 PROCEDURE

Public safety emergency alerts should be activated by following the guidelines issued by the Office of Emergency Services (Government Code § 8593.7).

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317.8 YELLOW ALERT

A Yellow Alert may be issued when a person is killed due to a hit-and-run incident and the department has specified information concerning the suspect or the suspect's vehicle (Government Code § 8594.15).

317.8.1 CRITERIA FOR YELLOW ALERT

All of the following conditions must be met before activating a Yellow Alert (Government Code § 8594.15):

- (a) A person has been killed due to a hit-and-run incident.
- (b) There is an indication that a suspect has fled the scene utilizing the state highway system or is likely to be observed by the public on the state highway system.
- (c) The department has additional information concerning the suspect or the suspect's vehicle including but not limited to the following:
 1. The complete license plate number of the suspect's vehicle.
 2. A partial license plate number and additional unique identifying characteristics, such as the make, model, and color of the suspect's vehicle, which could reasonably lead to the apprehension of a suspect.
 3. The identity of a suspect.
 4. Public dissemination of available information could either help avert further harm or accelerate apprehension of a suspect based on any factor, including but not limited to the time elapsed between a hit-and-run incident and the request or the likelihood that an activation would reasonably lead to the apprehension of a suspect.

317.8.2 PROCEDURE FOR YELLOW ALERT

Requests for a Yellow Alert shall be made through the California Highway Patrol (Government Code § 8594.15).

317.9 FEATHER ALERT

A Feather Alert may be issued when an indigenous person is reported missing under unexplained or suspicious circumstances (Government Code § 8594.13).

317.9.1 PROCEDURE FOR FEATHER ALERT

Requests for a Feather Alert shall be made through the California Highway Patrol (Government Code § 8594.13).

317.9.2 CRITERIA FOR FEATHER ALERT

All of the following conditions must be met before activating a Feather Alert (Government Code § 8594.13):

- (a) The missing person is an indigenous person.
- (b) The Department has utilized local and tribal resources.


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- (c) The investigating officer has determined the person has gone missing under unexplained or suspicious circumstances.
- (d) The investigating officer or supervisor believes that the person is in danger because of age, health, mental or physical disability, environment or weather conditions, that the person is in the company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril.
- (e) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

317.10 ISSUING AUTHORITY

	Effective Date	Updated Date
W. Paul LeBaron, Chief of Police	October 27, 2009	August 25, 2023

317.11 ENDANGERED MISSING ADVISORY

An Endangered Missing Advisory may be requested when a person is reported missing who is developmentally disabled, or cognitively impaired, or has been abducted, or is unable to otherwise care for themselves, placing their physical safety at risk (Government Code § 8594.11).

317.11.1 CRITERIA FOR ENDANGERED MISSING ADVISORY

All of the following conditions must be met before activating an Endangered Missing Advisory (Government Code § 8594.11):

- (a) The missing person is developmentally disabled, cognitively impaired, has been abducted or is otherwise unable to care for themselves, placing their physical safety at risk.
- (b) The Department has utilized all available local resources.
- (c) The investigating officer has determined the person has gone missing under unexplained or suspicious circumstances.
- (d) The investigating officer or supervisor believes that the person is in danger because of age, health, mental or physical disability, environment or weather conditions, that the person is in the company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril.
- (e) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

317.11.2 PROCEDURE FOR ENDANGERED MISSING ADVISORIES

Requests for an endangered missing advisory shall be made through the California Highway Patrol (Government Code § 8594.11).

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317.12 EBONY ALERT

An Ebony Alert may be requested when it is determined the alert would be an effective tool in the investigation of missing Black youth, including a young woman or girl (Government Code § 8594.14).

317.12.1 PROCEDURE FOR EBONY ALERT

Requests for an Ebony Alert shall be made through the California Highway Patrol (Government Code § 8594.14).

317.12.2 CRITERIA FOR EBONY ALERT

The investigating officer may consider the following factors to make the determination that an Ebony Alert would be an effective tool (Government Code § 8594.14):

- (a) The missing person is between the ages of 12 and 25 years old, inclusive.
- (b) The missing person is missing under circumstances that indicate their physical safety is endangered or they have been subject to trafficking.
- (c) The missing person suffers from a mental or physical disability.
- (d) Determination that the person has gone missing under unexplained or suspicious circumstances.
- (e) Belief that the person is in danger because of age, health, mental or physical disability, environment or weather conditions, that the person is in the company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril.
- (f) The Department has utilized all available local resources.
- (g) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

317.13 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police October 27, 2009

March 12, 2024



HERMOSA BEACH POLICE DEPARTMENT

03.35 PERSONS WITH MENTAL ILLNESS

Effective 10/27/2009
Updated

PURPOSE

This policy will establish guidelines for the recognition and appropriate handling of individuals exhibiting possible mental illness.

DEFINITIONS

Mental Illness: Any of various conditions characterized by impairment of an individual's normal cognitive, emotional, or behavioral functioning. Such impairment may be caused by social, psychological, biochemical, genetic, or other factors such as physical injury or ailment.

Application for 72-hour Detention: An official written request to a medical facility with the ability to evaluate an individual's mental health, which is made by a law enforcement officer by use of the application for 72-hour detention form (State of California Department of Mental Health Form MH-302, commonly referred to as a "5150 WIC form.").

Self-committal: A voluntary action or request by a suspected or actual mentally ill person, wherein they believe they are in need of mental health treatment and desire voluntary placement or commitment into a mental health facility.

Danger to Self: A finding by the detaining officer based upon the person's conduct, to include the use of words or actions showing intent to commit suicide or bodily harm, or words or actions indicating gross disregard for personal safety.

Danger to Others: A finding by the detaining officer based upon the person's conduct, to include threats of physical harm against particular individuals or other persons, the attempt(s) to harm other persons, the means at hand to carry out threats or repeat attempts to injure another person, or the expressed intention or attempts to engage in activity that is dangerous to the public.

Gravely Disabled: A condition in which a person, as a result of a mental disorder, is unable to provide for his/her basic personal need for food, clothing, or shelter. Gravely disabled would include some or all of the following: signs of malnourishment or dehydration, inability to articulate a plan for obtaining food, no food available in the house (or at hand if not at home), irrational beliefs about food that is available (i.e.: belief that good food is "poisoned" or that rotting food is "okay"), the destruction or giving away of one's clothing to the point where the person cannot adequately clothe themselves, and/or no reasonable plan to obtain shelter.

ABNORMAL BEHAVIOR RECOGNITION

Mental illness is often difficult for even the trained professional to define in a given individual. Officers, who are not trained mental health professionals, are not expected to make judgments of mental or emotional disturbance but should recognize behavior that is potentially dangerous or destructive to the individual or others.

The following are generalized signs and symptoms of behavior that may suggest mental illness, although officers should not rule out other potential causes such as reactions to substance intoxication or temporary emotional disturbances that are situation-motivated. Officers should evaluate the following symptomatic behavior in the total context of the situation when making judgments about an individual's mental state and need for intervention, absent the commission of a crime:

- A. Degree of Reactions. Mentally ill persons may show signs of strong and unrelenting fear of persons, places, or things. The fear of people or crowds, for example, may make an individual extremely reclusive or aggressive without apparent provocation.
- B. Appropriateness of Behavior. An individual who demonstrates extremely inappropriate behavior for a given context may be emotionally ill. For example, a motorist who vents his/her frustration in a traffic jam by physically attacking another motorist may be emotionally unstable.
- C. Extreme Rigidity or Inflexibility. Mentally ill persons may be easily frustrated in new or unforeseen circumstances and may demonstrate inappropriate or aggressive behavior in dealing with the situation.
- D. In addition to the above, a mentally ill person may exhibit one or more of the following characteristics:
 - 1. Abnormal memory loss related to such basic items as their name or home address.
 - 2. Delusions – the belief in thoughts or ideas that are patently false, such as delusions of grandeur or paranoid delusions.
 - 3. Hallucinations of any of the five senses (i.e.: hearing voices, feeling one's skin crawl, seeing invisible persons or creatures, smelling strange odors, etc.)
 - 4. Extreme fright or depression

(CALEA 41.2.7a)

DETERMINING DANGER

Most mentally ill persons are not dangerous, while some may represent danger only under certain circumstances or conditions. Officers may use several indicators to determine whether

an apparently mentally ill person represents an immediate or potential danger to him/herself, the officer, or others. These may include the following:

- A. The availability of any weapons to the subject.
- B. Statements by the person that suggest to the officer that the individual is prepared to commit a violent or dangerous act. Such comments may range from subtle innuendos to direct statements that, when taken in conjunction with other information, suggest a credible threat of such action.
- C. A personal history that reflects prior violence under similar or related circumstances. The person's history may be known to the officer, or family, friends, and neighbors may be able to provide such information. If applicable, the person's previous mental health care provider may also provide information.
- D. Signs of a lack of self control, such as an inability to sit still, rambling speech, or extreme irritation. Clutching one's self or other persons and refusing to relinquish control, or emphatically begging to be left alone can also demonstrate a lack of control.

Failure to act prior to the arrival of officers does not guarantee that there is no danger. The volatility of the environment is a particularly relevant factor that officers must evaluate. Agitators that may affect the person or a particularly combustible environment that may incite violence should be taken into account.

When, in the judgment of the officer, the circumstances do not indicate that the individual must be taken into custody pursuant to 5150 WIC, the officer should provide the person with appropriate mental health referrals, such as providing names of mental health care resources or encouraging the person to voluntarily commit to a mental health facility.

TACTICAL CONSIDERATIONS AND COMMUNICATIONS

Officers should take the appropriate safety measures in the field, as well as during interviews and interrogations, when dealing with potential mentally ill persons. Upon arrival, take time to assess the situation.

There should be at least two officers present when conducting interviews and interrogations of suspected mentally ill persons, and always in cases where the individual will be taken into custody.

During field contacts, take steps to calm the situation. When possible, eliminate potential agitators or distractions, such as emergency lights/sirens and uninvolved bystanders, and conduct the interview or interrogation in a quiet and secure location. If practical, assume a quiet, non-threatening posture when approaching or conversing with the subject.

Communicate with the individual in an attempt to determine what is bothering him/her. Relate your concern and allow the subject to ventilate his/her feelings. If needed, guide the conversation towards subjects that help bring the person back to reality. Where possible,

gather information on the subject from family or acquaintances and/or request professional assistance if available and appropriate to assist in communicating with and calming the person.

To the extent possible, avoid topics that may agitate the person and do not threaten the individual with arrest or detention as this may create additional fright, stress, and potential aggression. At the same time, always attempt to be truthful with a mentally ill person. If the person becomes aware of the deception, he/she may withdraw from the contact and may become hypersensitive or retaliate in anger.

Alternatives to arrest should be considered to ensure the best treatment options are used, and to keep those with mental illness from being unnecessarily entered into the criminal justice system.

(CALEA 41.2.7c)

PROCEDURE FOR INVOLUNTARY COMMITMENT

The field supervisor (if available) or the shift Watch Commander shall be notified in all instances wherein a person is being taken into custody pursuant to 5150 WIC.

When a person is taken into custody under the provisions of 5150 WIC, the subject shall be transported to the nearest mental health treatment facility. In lieu of transporting the person directly, the Los Angeles County Psychiatric Evaluation Team (PET) can, if available, be summoned to assist and evaluate the patient at the scene.

The subject may be transported by police car if this can be done with reasonable safety or the paramedics may transport if the subject is violent, out of control, or has a visible medical injury requiring immediate treatment. Any officer electing to transport a person to a mental health facility shall adhere to the guidelines for prisoner transport set forth in this manual.

State of California Department of Mental Health Form MH-302 must be completed and accompany the subject being detained to the hospital. Every effort should be made to make the subject aware of the "Detainment Advisement" located in the upper right-hand corner of the form. If advisement is not possible, complete the section labeled "Good Cause for Incomplete Advisement."

If it appears likely that criminal charges will be filed against the subject, such intent shall be noted in the 72-hour detention report. The mental health facility is required by law to notify the Department in the event that the subject is released prior to the expiration of the 72-hour detention period.

Please see Policy 901.3 - Custodial Searches. The officer shall remain with the individual until he/she has been safely handed over to the mental health facility staff. The officer will return to field duty only after the staff has accepted custody and taken control of the individual.

(CALEA 41.2.7b)

FIREARMS/DEADLY WEAPONS AND CONTRABAND SEIZURE

Whenever a person is detained pursuant to 5150 WIC and is found to own, have in possession, or control any firearm or other deadly weapon, the weapon shall be confiscated pursuant to the provisions of section 8102 WIC. Any firearm or deadly weapon confiscated shall be booked as evidence if used in the commission of a crime. Otherwise, the weapon shall be booked as property held for safe-keeping. The detaining officer shall notify the individual of the weapon(s) seizure pursuant to the notification guidelines set forth in this manual. The admitting mental health care facility shall be notified of the confiscated weapon(s) via the appropriate entries on the Form MH-302.

The Detective Bureau Sergeant will have thirty (30) days from the time of commitment to initiate a petition in Superior Court for a hearing to determine whether the release of the weapon(s) would likely endanger the detained person or others. If a petition is filed, a notice will be sent to the detained person (at the address provided at the time of detention) advising the person of his/her right to a hearing.

If no petition proceeding is initiated within thirty (30) days, the confiscated weapon(s) will be made available for release, subject to the limitations, requirements, and approval by the Department of Justice.

Individuals seeking the return of their firearm(s) must submit a Law Enforcement Gun Release Program application, along with appropriate fees to the Department of Justice. If no petition is filed and the detained person does not retrieve the firearm(s) or deadly weapon(s) within six (6) months, the items will be disposed of in accordance with the evidence/property disposition procedures set forth in this manual.

MANDATORY TRAINING

Entry level personnel will receive training on handling persons with mental illness as part of the curriculum taught at the basic academy, or as part of in-house Department training. Additionally, all officers will receive initial Department training on the procedures established in this policy and they will also receive updated training when new techniques for dealing with mentally ill persons are developed, changes in law occur, or there are changes in local area community mental health policies and procedures. All personnel will receive documented refresher training in the handling of mentally ill persons at least every three years. In addition to utilizing outside training resources, this training may be held via scheduled in-house Department classes, use of force training, or at briefing training.

(CALEA 41.2.7d,e)

APPROVED:



Greg Savelli
Chief of Police

Outside Agency Assistance

327.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

327.2 POLICY

It is the policy of the Hermosa Beach Police Department to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this department.

327.3 ASSISTING OUTSIDE AGENCIES

Generally, requests for any type of assistance from another agency should be routed to the Watch Commander's office for approval. In some instances, a memorandum of understanding or other established protocol may exist that eliminates the need for approval of individual requests.

When another law enforcement agency requests assistance from this department, the Watch Commander may authorize, if available, an appropriate number of personnel to assist. Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this department.

Officers may respond to a request for emergency assistance, however, they shall notify a supervisor of their activity as soon as practicable.

Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. Probation violators who are temporarily detained by this department will not ordinarily be booked at this department. Only in exceptional circumstances, and subject to supervisor approval, will this department provide transportation of arrestees to other facilities on behalf of another agency.

When transportation assistance is rendered, a report shall be prepared and submitted by the handling member unless otherwise directed by a supervisor.

327.3.1 INITIATED ACTIVITY

Any on-duty officer who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the Hermosa Beach Police Department shall notify his/her supervisor or the Watch Commander and Dispatch as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

In the event of any Mutual Aid request, the City of Hermosa Beach shall never be left without:

1. a patrol supervisor;

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2. adequate police units to fulfill the requirements necessary to maintain law enforcement requirements (as outlined in the Hermosa Beach Police Department Policies and Procedures Manual) and the general welfare and safety of the City of Hermosa Beach.

Officers will not respond to any request for mutual aid assistance without the express approval of the on-duty Watch Commander.

There are three (3) types of Mutual Aid activations:

1. Interagency Mutual Aid
2. Tactical Response
3. Full Tactical Mobilization

Interagency Mutual Aid: a request from a neighboring agency for officers during an unplanned, short-term emergency period, to augment the requesting agency's regular patrol field deployment (i.e., perimeter control, K-9 search).

The on-duty Watch Commander controls this activation. Proper and appropriate departmental notifications shall be made pursuant to Hermosa Beach Police Department Policies and Procedures.

Tactical Response: a request from a neighboring agency for officers and/or tactical emergency teams (SWAT, ERT, etc.), in an unplanned event for immediate need of resources (i.e., civil unrest, hostage situations, mass casualty situations, terrorist attacks, earthquakes).

The on-duty Watch Commander controls this activation. Proper and appropriate departmental notifications shall be made pursuant to Hermosa Beach Police Department Policies and Procedures. Resource commitments are outlined in the Hermosa Beach Police Department, Area-G Protocols Manual.

In the event of an emergency situation requiring a tactical response in Hermosa Beach, the Watch Commander or Incident Commander shall request a local law enforcement tactical team through dispatch (i.e. Hawthorne Police Department's SWAT, the Los Angeles County Sheriffs Special Enforcement Bureau).

Agency personnel shall maintain a secure perimeter at the scene until the arrival of a tactical team from another agency. Agency personnel may remain on the perimeter based on the needs and procedures of the tactical team. The tactical team commander will coordinate with the Watch Commander to assign specific responsibilities to Hermosa Beach operational components assigned to the incident.

Tactical teams will not be called upon to supplement patrol, traffic, or other operations in the City which do not require a tactical response.

Full Tactical Mobilization: a requesting agency has completed an Operational Plan (EAP) before the actual event (i.e., planned demonstrations).

Activation: Refer to the Hermosa Beach Police Department, Area-G Protocols Manual. Hermosa Beach Police Department

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327.4 REQUESTING OUTSIDE ASSISTANCE

If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

327.5 REPORTING REQUIREMENTS

Incidents of outside assistance or law enforcement activities that are not documented in a crime report shall be documented in the Watch Commander's daily activity log.

327.6 MANDATORY SHARING

Equipment and supplies purchased with federal funds or grants that require such equipment and supplies be shared with other agencies should be documented and updated as necessary by the Administrative Services Division Commander or the authorized designee.

The documentation should include:

- (a) The conditions relative to sharing.
- (b) The training requirements for:
 - 1. The use of the supplies and equipment.
 - 2. The members trained in the use of the supplies and equipment.
- (c) Any other requirements for use of the equipment and supplies.

The Training Sergeant should maintain documentation that the appropriate members have received the required training.

327.7 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police October 27, 2009

December 4, 2023

Major Incident Notification

329.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of this department in determining when, how and to whom notification of major incidents should be made.

329.2 POLICY

The Hermosa Beach Police Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

329.3 MINIMUM CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Chief of Police and the affected Division Commander. The following list of incident types is provided as a guide for notification and is not intended to be all inclusive:

- Homicides
- Traffic accidents with fatalities
- Officer-involved shooting - on or off duty (see Officer-Involved Shootings and Deaths Policy for special notifications)
- Significant injury or death to employee - on or off duty
- Use of deadly force
- Any law enforcement contact of City Council members, not including casual contacts
- Death of a prominent Hermosa Beach official
- Arrest of a department employee or prominent Hermosa Beach official
- Aircraft crash with major damage and/or injury or death
- In-custody deaths
- EOC activation
- Physical altercation involving City staff

329.4 WATCH COMMANDER RESPONSIBILITY

The Watch Commander is responsible for making the appropriate notifications. The Watch Commander shall make reasonable attempts to obtain as much information on the incident as possible before notification. The Watch Commander shall attempt to make the notifications as soon as practicable. Notification should be made by calling the mobile telephone number first and then by any other available contact numbers.

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Major Incident Notification

329.4.1 STAFF NOTIFICATION

In the event an incident occurs described in the Major Incident Notification Policy, the Chief of Police shall be notified along with the affected Division Commander.

329.4.2 DETECTIVE NOTIFICATION

If the incident requires that a detective respond from home, the immediate supervisor of the appropriate detail shall be contacted who will then contact the appropriate detective.


329.4.3 TRAFFIC BUREAU NOTIFICATION

In the event of a traffic fatality or major injury, the Traffic Sergeant shall be notified who will then contact the appropriate accident investigator. The Traffic Sergeant will notify the Patrol Division Commander.

329.4.4 PUBLIC INFORMATION OFFICER (PIO)

The Public Information Officer shall be called after members of staff have been notified that it appears the media may have a significant interest in the incident.

329.5 ISSUING AUTHORITY

	Effective Date	Updated Date
W. Paul LeBaron, Chief of Police	October 27, 2009	December 4, 2023

Operations Planning and Deconfliction

608.1 PURPOSE AND SCOPE

This policy provides guidelines for planning, deconfliction and execution of high-risk operations.

Additional guidance on planning and serving high-risk warrants is provided in the Warrant Service Policy.

608.1.1 DEFINITIONS

Definitions related to this policy include:

High-risk operations - Operations, including service of search and arrest warrants and sting operations, that are likely to present higher risks than are commonly faced by officers on a daily basis, including suspected fortified locations, reasonable risk of violence or confrontation with multiple persons, or reason to suspect that persons anticipate the operation.

608.2 POLICY

It is the policy of the Hermosa Beach Police Department to properly plan and carry out high-risk operations, including participation in a regional deconfliction system, in order to provide coordination, enhance the safety of members and the public, decrease the risk of compromising investigations and prevent duplicating efforts.

608.3 OPERATIONS DIRECTOR

The Investigative and Administrative Services Division Commander will be the operations director. The Detective Sergeant can act as the Operations Director if the Division Commander is not available.

The operations director will develop and maintain a risk assessment form to assess, plan and coordinate operations. This form should provide a process to identify high-risk operations.

The operations director will review risk assessment forms with involved supervisors to determine whether a particular incident qualifies as a high-risk operation. The director will also have the responsibility for coordinating operations that are categorized as high risk.

608.4 RISK ASSESSMENT

608.4.1 RISK ASSESSMENT FORM PREPARATION

Officers assigned as operational leads for any operation that may qualify as a high-risk operation shall complete a risk assessment form.

When preparing the form, the officer should query all relevant and reasonably available intelligence resources for information about the subject of investigation, others who may be present and the involved location. These sources may include regional intelligence and criminal justice databases, target deconfliction systems, firearm records, commercial databases and property records. Where appropriate, the officer should also submit information to these resources.

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The officer should gather available information that includes, but is not limited to:

- (a) Photographs, including aerial photographs, if available, of the involved location, neighboring yards and obstacles.
- (b) Maps of the location.
- (c) Diagrams of any property and the interior of any buildings that are involved.
- (d) Historical information about the subject of investigation (e.g., history of weapon possession or use, known mental illness, known drug use, threats against police, gang affiliation, criminal history).
- (e) Historical information about others who may be present at the location (e.g., other criminals, innocent third parties, dependent adults, children, animals).
- (f) Obstacles associated with the location (e.g., fortification, booby traps, reinforced doors/windows, surveillance measures, number and type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations).
- (g) Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).
- (h) Other available options that may minimize the risk to officers and others (e.g., making an off-site arrest or detention of the subject of investigation).

608.4.2 RISK ASSESSMENT REVIEW

Officers will present the risk assessment form and other relevant documents (such as copies of search warrants and affidavits and arrest warrants) to their supervisor and the operations director.

The supervisor and operations director shall confer and determine the level of risk. Supervisors should take reasonable actions if there is a change in circumstances that elevates the risks associated with the operation.

608.4.3 HIGH-RISK OPERATIONS

If the operations director, after consultation with the involved supervisor, determines that the operation is high risk, the operations director should:

- (a) Determine what resources will be needed at the location, and contact and/or place on standby any of the following appropriate and available resources:
 - 1. (SWAT)
 - 2. Additional personnel
 - 3. Outside agency assistance
 - 4. Special equipment
 - 5. Medical personnel
 - 6. Persons trained in negotiation

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7. Additional surveillance
 8. Canines
 9. Property and Evidence Unit or analytical personnel to assist with cataloguing seizures
 10. Forensic specialists
 11. Specialized mapping for larger or complex locations
- (b) Contact the appropriate department members or other agencies as warranted to begin preparation.
 - (c) Ensure that all legal documents such as search warrants are complete and have any modifications reasonably necessary to support the operation.
 - (d) Coordinate the actual operation.

608.5 DECONFLICTION

Deconfliction systems are designed to identify persons and locations associated with investigations or law enforcement operations and alert participating agencies when others are planning or conducting operations in close proximity or time or are investigating the same individuals, groups or locations.

The officer who is the operations lead shall ensure the subject of investigation and operations information have been entered in an applicable deconfliction system to determine if there is reported conflicting activity. This should occur as early in the process as practicable, but no later than two hours prior to the commencement of the operation. The officer should also enter relevant updated information when it is received.

If any conflict is discovered, the supervisor will contact the involved jurisdiction and resolve the potential conflict before proceeding.

608.6 OPERATIONS PLAN

The operations director should ensure that a written operations plan is developed for all high-risk operations. Plans should also be considered for other operations that would benefit from having a formal plan.

The plan should address such issues as:

- (a) Operation goals, objectives, and strategies.
- (b) Operation location and people:
 1. The subject of investigation (e.g., history of weapon possession/use, known mental illness issues, known drug use, threats against police, gang affiliation, criminal history)
 2. The location (e.g., fortification, booby traps, reinforced doors/windows, surveillance cameras and/or lookouts, number/type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present,

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- information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations), including aerial photos, if available, and maps of neighboring yards and obstacles, diagrams and other visual aids
3. Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service)
 4. Identification of other people who may be present in or around the operation, such as other criminal suspects, innocent third parties, and children
- (c) Information from the risk assessment form by attaching a completed copy in the operational plan.
1. The volume or complexity of the information may indicate that the plan includes a synopsis of the information contained on the risk assessment form to ensure clarity and highlighting of critical information.
- (d) Participants and their roles.
1. An adequate number of uniformed officers should be included in the operation team to provide reasonable notice of a legitimate law enforcement operation.
 2. How all participants will be identified as law enforcement.
- (e) Whether deconfliction submissions are current and all involved individuals, groups, and locations have been deconflicted to the extent reasonably practicable.
- (f) Identification of all communications channels and call-signs.
- (g) Use of force issues.
- (h) Contingencies for handling medical emergencies (e.g., services available at the location, closest hospital, closest trauma center).
- (i) Plans for detaining people who are not under arrest.
- (j) Contingencies for handling children, dependent adults, animals, and other people who might be at the location in accordance with the Child Abuse, Senior and Disability Victimization, Child and Dependent Adult Safety, and Animal Control policies.
- (k) Communications plan.
- (l) Responsibilities for writing, collecting, reviewing, and approving reports.

608.6.1 OPERATIONS PLAN RETENTION

Since the operations plan contains intelligence information and descriptions of law enforcement tactics, it shall not be filed with the report. The operations plan shall be stored separately and retained in accordance with the established records retention schedule.

608.7 OPERATIONS BRIEFING

A briefing should be held prior to the commencement of any high-risk operation to allow all participants to understand the operation, see and identify each other, identify roles and

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responsibilities and ask questions or seek clarification as needed. Anyone who is not present at the briefing should not respond to the operation location without specific supervisory approval.

- (a) The briefing should include a verbal review of plan elements, using visual aids, to enhance the participants' understanding of the operations plan.
- (b) All participants should be provided a copy of the operations plan and search warrant, if applicable. Participating personnel should be directed to read the search warrant and initial a copy that is retained with the operation plan. Any items to be seized should be identified at the briefing.
- (c) The operations director shall ensure that all participants are visually identifiable as law enforcement officers.
 - 1. Exceptions may be made by the operations director for officers who are conducting surveillance or working under cover. However, those members exempt from visual identification should be able to transition to a visible law enforcement indicator at the time of enforcement actions, such as entries or arrests, if necessary.
- (d) The briefing should include details of the communications plan.
 - 1. It is the responsibility of the operations director to ensure that Dispatch is notified of the time and location of the operation, and to provide a copy of the operation plan prior to officers arriving at the location.
 - 2. If the radio channel needs to be monitored by Dispatch, the dispatcher assigned to monitor the operation should attend the briefing, if practicable, but at a minimum should receive a copy of the operation plan.
 - 3. The briefing should include a communications check to ensure that all participants are able to communicate with the available equipment on the designated radio channel.

608.8 SWAT PARTICIPATION

If the operations director determines that SWAT participation is appropriate, the director and the SWAT supervisor shall work together to develop a written plan. The SWAT supervisor shall assume operational control until all persons at the scene are appropriately detained and it is safe to begin a search. When this occurs, the SWAT supervisor shall transfer control of the scene to the handling supervisor. This transfer should be communicated to the officers present.

608.9 MEDIA ACCESS

No advance information regarding planned operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

608.10 OPERATIONS DEBRIEFING

High-risk operations should be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible. This debrief may be separate from any SWAT debriefing.

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608.11 TRAINING

The Training Sergeant should ensure officers and SWAT team members who participate in operations subject to this policy should receive periodic training including, but not limited to, topics such as legal issues, deconfliction practices, operations planning concepts and reporting requirements.

608.12 ISSUING AUTHORITY



Effective Date

W. Paul LeBaron, Chief of Police

August 25, 2023



HERMOSA BEACH POLICE DEPARTMENT

03.38 SAR (SUSPICIOUS ACTIVITY REPORT) REPORTING INCIDENTS POTENTIALLY RELATED TO FOREIGN OR DOMESTIC TERRORISM

**Effective 10/27/2009
Updated**

PURPOSE AND SCOPE

Current anti-terrorism philosophy embraces the concept that America's law enforcement officers fill a critical position in the area of terrorism prevention. Law enforcement authorities must carry out their counter-terrorism responsibilities within the broader context of their core mission of providing emergency and non-emergency services in order to prevent crime, violence and disorder. In support of this, is it the Department's duty to engage in overt efforts to more thoroughly gather, analyze and disseminate information and observations, of either a criminal or suspicious nature, which may prove critical to the intelligence cycle. This establishes Department policy for investigating and reporting crimes and non-criminal incidents that represent indicators of potential foreign or domestic terrorism, and incorporates within the Department Manual a procedure for gathering and maintaining information contained in such reports.

POLICY

It is the policy of the Hermosa Beach Police Department to make every effort to accurately and appropriately gather, record, and analyze information, of a criminal or non-criminal nature, that could indicate activity or intentions related to either foreign or domestic terrorism. These efforts shall be carried out in a manner that protects the information privacy and legal rights of Americans, and therefore such information shall be recorded and maintained in strict compliance with existing federal, state and Department guidelines regarding Criminal Intelligence Systems (28 Code of Federal Regulations (CFR), Part 23 and applicable California State Guidelines).
(CALEA 46.3.2, 46.3.3)

PROCEDURE

Suspicious Activity Report (SAR)

A Suspicious Activity Report (SAR) is a report used to document any reported or observed activity or any criminal act or attempted criminal act, which an officer believes may reveal a nexus to foreign or domestic terrorism. The information reported in a SAR may be the result of observations or investigations by police officers, or may be reported to them by private parties.

Incidents which shall be reported on a SAR are as follows:

- Engages in suspected preoperational surveillance (uses binoculars or cameras, takes measurements, draws diagrams, etc.);

- Appears to engage in counter-surveillance efforts (doubles-back, changes appearance, evasive driving, etc.);
- Engages security personnel in questions focusing on sensitive subjects (security information, hours of operation, shift changes, what security cameras film, etc.);
- Takes measurements (counts footsteps, measures building entrances or perimeters, distances between security locations, distances between cameras, etc.);
- Takes pictures or video footage (with no apparent esthetic value, i.e. camera angles, security equipment, security personnel, traffic lights, building entrances, etc.);
- Draws diagrams or takes notes (building plans, location of security cameras or security personnel, security shift changes, notes of weak security points, etc.);
- Abandons suspicious package or item (suitcase, backpack, bag, box, package, etc.);
- Abandons vehicle (in a secured or restricted location, i.e. the front of a government building, airport, sports venue, etc.);
- Attempts to enter secured or sensitive premises or area without authorization (i.e. “official personnel,” closed off areas of special events, secured areas at significant events such as appearances by politicians, etc);
- Engages in test of existing security measures (i.e. “dry-run”, security breach of perimeter fencing, security doors, etc., creating false alarms in order to observe reactions, etc.);
- Attempts to smuggle contraband through access control point (security entrance points at special events, entertainment venues, etc.);
- Makes or attempts to make suspicious purchases, such as large amounts of otherwise legal materials (i.e. pool chemicals, fuel, fertilizer, potential explosive device components, etc);
- Attempts to acquire sensitive or restricted items or information (plans, schedules, passwords, etc);
- Attempts to acquire illegal or illicit explosives or precursor agents;
- Attempts to acquire illegal or illicit chemical agent (nerve agent, blood agent, blister agent, etc.);

- Attempts to acquire illegal or illicit biological-agent (anthrax, ricin, Ebola, smallpox, etc.);
- Attempts to acquire illegal or illicit radiological material (uranium, plutonium, hospital x-ray discards, etc.);
- In possession of, or utilizes, explosives (for illegal purposes);
- In possession of, or utilizes, chemical agent (for illegal purposes, i.e. dry ice bomb, chlorine, phosgene, WMD attack, etc);
- In possession of, or utilizes, biological agent (for illegal purposes, i.e. terrorist device, WMD or a tool of terrorism, etc.);
- In possession of, or utilizes, radiological material (for illegal purposes, i.e. as a weapon, etc.);
- Acquires or attempts to acquire uniforms without a legitimate cause (service personnel, government uniforms, etc);
- Acquires or attempts to acquire official or official-appearing vehicle without a legitimate cause (i.e. emergency or government vehicle, etc.);
- Pursues specific training or education which indicate suspicious motives (flight training, weapons training, etc);
- Stockpiles unexplained large amounts of currency;
- In possession of multiple passports, identifications or travel documents issued to the same person;
- Espouses extremist views (verbalizes support of terrorism, incites or recruits others to engage in terrorist activity, etc.);
- Brags about affiliation or membership with extremist organization (“white-power”, militias, KKK, animal rights, abortion rights, etc.);
- Engages in suspected coded conversations or transmissions (i.e. email, radio, telephone, etc., i.e. information found during a private business audit is reported to police);
- Displays overt support of known terrorist networks (posters of terrorist leaders, etc.);
- Utilizes, or is in possession of, hoax/facsimile explosive device;

- Utilizes, or is in possession of, hoax/facsimile dispersal device;
- In possession of, or solicits, sensitive event schedules (i.e. dignitary visit arrivals/departures, airport arrivals/departures schedules, etc.);
- In possession of, or solicits, VIP appearance or travel schedules;
- In possession of, or solicits, security schedules;
- In possession of, or solicits, blueprints to sensitive locations;
- In possession of, or solicits, evacuation plans;
- In possession of, or solicits, security plans;
- In possession of, or solicits, weapons or ammunition;
- In possession of, or solicits, other sensitive materials (passwords, access codes, secret government information, etc.); and,
- In possession of coded or ciphered literature or correspondence.

Employee Responsibilities

Any Department employee receiving any information regarding suspicious activity of this nature shall:

- 1) Investigate and take appropriate action, to include any tactical response or notifications to specialized units.
 - **Note:** This section does not preclude, in any way, an employee taking immediate action during the commission of a criminal act, or in circumstances which require the immediate defense of life, regardless of the nature or origin.
- 2) If the activity observed is not directly related to a reportable crime, officers shall record the information collected from the person reporting, or their own observations, on a Suspicious Activity Report in accordance with the following guidelines:
- 3) If the person reporting is willing to be contacted by investigators, they shall be listed within the SAR.
- 4) Officers shall consider utilizing confidentiality of information to ensure reporting person confidentiality. If absolutely necessary, officers can enter “Anonymous” for person reporting. Any desire by a person reporting to remain anonymous does not exempt officers from the requirement to complete an SAR.
- 5) If the potential target of the activity can be identified, such as a government building or official under surveillance, that location or individual shall be listed within the

“Victim” portion of the SAR. Otherwise the “City of Hermosa Beach” shall be listed as the victim.

- 6) If the information is related to a regular criminal investigation (such as a bomb threat, criminal threats, trespassing, etc.), the officers shall complete the criminal investigation, make any appropriate arrests and complete any related reports. The officers shall include any additional information that provides the nexus to terrorism within then narrative of the crime or arrest report.
- 7) Should officers come across information that indicates possible terrorism-related activity while investigating an unrelated crime or incident (e.g., such as officers conducting a domestic violence investigation observe possible surveillance photographs and a map of the region surrounding a government facility), or should they conduct an impound or found property investigation which is suspicious in nature, the officers shall make no mention of this potential terrorism-related material or activity within the impound, property, crime or arrest report. Under these circumstances, the officers shall complete a separate SAR in addition to the crime or arrest report, and shall note the criminal investigation, impound or found property investigation as their source of their activity.

Note: Notify the on-duty Watch Commander immediately – DO NOT place SAR reports on hold – complete ASAP.

Note: Nothing in this Policy alters existing policies regarding notifications to specialized units as circumstances dictate for reasons of public safety – Bomb Squad, SWAT, Hazardous Materials Units, etc.

Watch Commander Responsibilities

Upon notification that officers have received information regarding suspicious activity, the Watch Commander shall:

- Ensure the information supports the completion of a SAR report and that no greater law enforcement response or notifications are currently needed;
- Review the report for completeness; and,
- Make appropriate notifications, as follows:
 - 1) Notify the Operations Division Commander
 - 2) Follow established department notification guidelines

Operations Division Commander Responsibilities

Upon notification from the on-duty Watch Commander regarding a submitted SAR, the Operations Division Commander shall:

- Review the submitted SAR
- Notify the Support Services Division Commander
- Notify the TLO
- Notify the Detective Sergeant

Support Services Division Commander Responsibilities

- Supply information to the Joint Regional Intelligence Center (JRIC) as the earliest convenience
- If applicable, notify Area-G Sergeant
- If applicable, direct to Area-G Sergeant or TLO to notify the Area-G Division Commander

Detective Sergeant Responsibilities

- As appropriate, conduct immediate debriefs/backgrounds of arrestees, and provide appropriate guidance to patrol officers.
- Ensure the SAR has been properly completed
- Complete an investigation per normal policies and guidelines.

TLO Responsibilities

The TLO under the supervision of the Area-G Sergeant is responsible for providing Department personnel with training pertaining to the proper handling of suspected terrorism-related activity and ensuring adherence to the guidelines established regarding developmental information and intelligence systems.

Audit Responsibility

The Operations Division Commander and Support Services Division Commander shall monitor compliance with this policy and shall ensure that all information is collected and maintained in strict compliance with existing federal, State and Department guidelines regarding Criminal Intelligence Systems (28 C.F.R., Part 23 and applicable California State Guidelines).

APPROVED:



Greg Savelli
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

O3.39 SPECIAL OPERATIONS

**Effective 10/27/2009
Updated**

PURPOSE AND SCOPE

To establish a thorough and effective procedure for scheduled events and sports activities, for management of both audience and parking; and to coordinate the staff management groups who will regularly operate such functions throughout the City.

It is the policy of this Department to plan for and staff special events in a manner to insure the safety of all of those attending the event and to protect City facilities and property.

PROCEDURE

The City of Hermosa Beach utilizes several venues throughout the city for Special Events including, but not limited to:

1. the beach
2. the pier
3. Pier Plaza
4. Pier Avenue
5. Clark Stadium – Clark Building
6. Community Center
7. Valley Park

SPECIAL EVENTS

Within the city, a variety of special events and other forms of entertainment may be scheduled (including, but not limited to):

A. Annual:

1. New Years Eve Celebration
2. 4th of July (tactical/staffing only)
3. St. Patrick's Day Community Parade
Volley Ball Tournaments (various sponsored events – CBVA, EVP, AAU, AVP)
4. Fiesta Hermosa
5. Hermosa Beach 5000
6. Hermosa Beach Triathlon
7. Sunset Concerts
8. International Surf Festival
9. Veteran's Day Commemoration

B. Special Events:

1. Concerts
2. Fairs
3. Visiting Dignitaries or other VIP's
4. Fundraisers
5. Sports events
6. Car shows
7. Little League events
8. Movies
9. Kiwanis, Rotary, and Women's Club functions

C. Other:

1. highway construction/maintenance activities
2. picketing
3. demonstrations

Note: all events are listed on the following website under "Tentative Calendar of Events" (by year) – www.hermosabch.org

PERSONNEL

Resources most commonly incorporated into event management shall be:

A. Police Department:

1. Event Supervisor (Lieutenant and/or Sergeant)
2. Police Officers (including planned mutual aid)
3. Community Services Officers (Parking)
4. Parking and Transportation Services (contracted)
5. VIPS (Volunteers in Policing)
6. Other volunteers

B. Other:

1. Private Security
2. Fire/Medical Safety
3. Additional support services as required

RESPONSIBILITY AND PLANNING

The Operations Division Commander has the overall responsibility for planning and coordinating police staffing of special events.

A. The Operations Division Commander will meet in advance with the department(s) or individual(s) planning the event to prepare for the provision of police and support security services. These meetings will address the following items:

1. Type of event and projected attendance

2. History on any prior similar event
3. Special concerns such as alcohol use, or high risk activities
4. Staffing provided by the event organizers or sponsors

B. The Operations Division Commander will conduct research to determine the risk factors involved with the event. This will include:

1. Determining if there have been any previous experiences with the same event or group, criminal or otherwise;
2. Were any problems encountered or expected and how were they Resolved;
3. A site visit to assist in making staffing determinations and identifying potential problem areas.

C. For major or complex events, a written "Operation Plan" will be developed. Where appropriate, elements of ICS should be incorporated into the plan. This plan will include:

1. Specifics on the event including date, time, venue (location), event organizers or sponsors
2. An estimate of crowd size that incorporates traffic issues, including public transportation, and crowd control concerns
3. Any potential crime problems associated with the event with specific enforcement instructions
4. Coordination with outside agencies and departments.
This will include:
 - a. Developing contingency plans for traffic direction and control utilizing Parking Enforcement CSOs
 - b. Determining the need for having medical personnel on site
 - c. Incorporating the use of private security personnel into the public safety function
 - d. Proposed staffing levels and deployment recommendations
 - e. For major events, recommendations could include the additional jail and/ station staffing
 - f. Some events may require the activation of the EOC or a mobile command post to facilitate coordination and communications between units

5. Use of special units or patrol tactics, if determined to be needed
 6. Logistical requirements
 7. Any special media issues
- D. When staffing needs are determined, the Operations Division Commander will assign officers, including a supervisor(s), for the event.
- E. The Event Supervisor will be advised of any prior intelligence gathered on the event or event organizers and he/she will be briefed as to any advance planning that has taken place.
- F. The Event Supervisor will hold a briefing with all assigned personnel and advise them of staffing and event concerns.
- G. The Event Supervisor will assign staff to specific locations or tasks based on the assessment of need and prior experience.
- H. The Event Supervisor will provide Dispatch with a listing of assigned personnel and unit designations.
- I. The Event Supervisor will maintain command of all personnel at the event and insure that all assigned officers are properly equipped.
- J. At the conclusion of the event, the Event Supervisor will conduct a debriefing and prepare an After-Action Report (AAR) for submission to the Operations Division Commander. This report will include:
1. Identifiers on the event including the event manager, and the start and finish time
 2. Specifics on staffing for all components inside and outside the Department
 3. Information on arrests, ejections, medical aids, etc
 4. Intelligence concerns
 5. Complaints
 6. Comments, recommendations, and suggestions

SPECIAL CONSIDERATIONS

Sale/Serving of Alcohol at Events

The sale and/or serving of alcohol at any event will be strictly governed and determined in accordance with provisions and appropriate permitting issued by the City.

Sales and/or serving shall not be permitted outside the event facility and no alcohol shall be allowed in or taken out of the event facility.

Sales and/or serving shall be terminated immediately if, in the opinion of the Event Supervisor, continued sales and/or service during the event compromises the security and safety of those attending and/or participating in the event

DUTY ASSIGNMENTS

1. Event beginning time will be the time the event is scheduled to start
2. Deployment of the Event Supervisor and special event personnel will begin 30 minutes prior to the admitting time.
3. Deployment of Parking Control Officers shall begin 30 minutes before event time. On-duty CSO's and patrol officers shall assist with the placement, activation, and conversion of traffic and parking control devices when appropriate
4. All assigned personnel should attend a pre-event briefing to review the Operations Plan
5. All personnel assigned shall be responsible for the immediate notification of problems or hazardous conditions which are developing, or may develop and pose a subsequent threat to the security and safety of the guests, participants or of the event
6. Special event personnel shall not leave their assigned area until relieved for breaks as scheduled by the Event Supervisor. The Event Supervisor shall schedule breaks in an organized and timely manner to ensure that all personnel remain focused and alert throughout the event
7. Deployed personnel may be relieved of duty only at the discretion of the Event Supervisor
8. Patrol units may be summoned by the Event Supervisor or his designee in cases of an emergency

(CALEA 46.2.6, 46.2.7)

APPROVED:



Greg Savelli
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

O3.40 PROCEDURES FOR BOMBING THREATS

Effective 10/27/2009
Updated

POLICY

There has been a great increase in the number of bombings across the nation. Many of these bombs are very sophisticated, explosive devices that are capable of detonation upon touch. In many of these cases, the police are often called in advance and “warned” about the intended bombing. Due to the danger to both lives and property, the following procedure shall be followed:

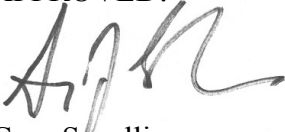
1. When a bomb warning call is received, the dispatcher or the employee receiving the call shall obtain as much information as possible concerning the call. Every effort should be made to ascertain as much information as possible including such facts as the exact location of the bombing, the location of the bomb, the time of detonation and possible reason for the bombing. A determined effort by the employee taking the call may save lives and property.
2. The communications center shall immediately notify the Watch Commander and alert the Fire Department for standby. The Watch Commander shall then have the responsibility to make further notifications as deemed necessary and in accordance with Policy O3.37 in this manual. These notifications may include the Detective Sergeant, LASO Bomb Squad, the Division Commanders and/or the Chief of Police.
3. The officers responding to the location shall appraise the person(s) in control of the location as to the situation. If a time for detonation is known, this information shall be given to the person(s) in control of the location. The decision to evacuate the premises, especially a business, shall be left to the person or persons in control of the premises. If the Watch Commander or Officer in Charge of the situation determines that a “Menace to the Public Health” exists, he has the authority to evacuate and clear the location as stated in Section 409.5 of the California Penal Code. Justification for invoking 409.5 is generally more than a telephone call threatening such occurrence. Officers shall advise the person(s) in control of the premises that evacuation is recommended for the safety of others, but the decision whether to evacuate or not shall be up to the person or persons in charge of the premises, unless the Watch Commander determines that “A Menace to the Public Health” exists.
4. Officers shall take care of their words or actions to avoid any “panic” type situation.
5. Once the building is evacuated, one of the following procedures shall be followed:
 - A. If the time of detonation is known and less than 30 minutes away, the building will remain clear of personnel, including police officers, until after the set time has elapsed. If the time elapses without detonation, an

immediate systematic and thorough search of the premises shall be conducted.

- B. If the time of detonation is not known, or **more** than 30 minutes away, an immediate systematic and thorough search of the premises shall be conducted, until 30 minutes before the set time for detonation or further search becomes futile.
6. If the premises is not evacuated, the officers shall do the following with the permission of the person in control of the premises:
 - A. If the time of detonation is known and is less than 30 minutes away, the officers will stay clear of the building until after the set time has elapsed. If the time elapses without detonation, an immediate systematic and thorough search of the premises shall be conducted while avoiding the possibility of a “panic” type situation.
 - B. If the time of detonation is not known or more than 30 minutes away, an immediate, systematic, and thorough search of the premises shall be conducted until 30 minutes before the set time for detonation or further search becomes futile.
 7. If no bomb is found, do not discount the possibility of it still being there. Officers shall advise the person(s) in control of the location that if any suspicious objects are found, they should not touch or tamper with them, but immediately notify the police.
 8. If in the event a bomb is found, the officers shall isolate it and not tamper with it. All persons, including the officers, shall evacuate the area, seal off the area from any possible interference, and call the appropriate experts.
 9. In the event the Police Station is the target of an alleged bomb threat, the Watch Commander shall notify the ranking officer in the Station and then conduct an immediate, systematic, and thorough search of the building.
 10. In all cases when an officer of this department confronts a bomb, or what he strongly suspects is a bomb, he shall not move or touch the device. He shall clear the area and advise the Watch Commander.

Caution: Some devices are detonated by radio transmission; therefore, radios should not be used within close proximity of a suspected bomb. Furthermore, some devices are intentionally made to resemble an already detonated device, so officers shall not pick them up and bring them into the station. Call the experts.

APPROVED:



Greg Savelli
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

03.41 CRITICAL INCIDENTS AND ALL- HAZARDS PLAN

Effective 10/27/2009

Updated 8/12/2010

OVERVIEW

The location of the City of Hermosa Beach on the South Bay Coast increases the potential hazards of natural, technological, terrorism, and war related hazards, as well as civil unrest. The City of Hermosa Beach Emergency Operations Plan has incorporated the National Incident Management System (NIMS) and has been adopted to help prepare a response to and recovery from critical incidents and/or catastrophic events, and help mitigate the outcomes that may be associated.

During a critical incident, the Hermosa Beach Police Department will primarily be concerned with the protection of life and property, enforcement of criminal laws, maintaining order, and coordination or assistance in the movement of people and resources in and around the affected area. Additionally, such emergencies may require law enforcement to undertake a number of tasks not typically performed on a daily basis, including protection and security of critical facilities, enforcing curfews and controlling access to impacted or damaged areas. Upon implementation of the Emergency Management Plan, the Hermosa Beach Police Department will be charged with directing and coordinating all city law enforcement assets and resources during the course of the emergency situation.

Critical Incidents are natural or manmade catastrophic events, or criminal law violations or civil disturbances, which require an emergency response to protect life or property. Catastrophic events include floods, hurricanes, earthquakes, accidental explosions, air disasters, and tsunamis. The commission of criminal law violations or involvement in civil disturbances including riots, disorders, acts of terrorism, threats of, and intentional explosions, hostage/barricaded persons situations, mass arrests, and violence arising from dissident gatherings and marches, political conventions, and labor disputes.

Critical Incidents are typically of such magnitude that they necessitate a heightened emergency response, require additional resources, extended on-scene command, recall/augmentation of personnel, and/or multi-agency response and support in order to protect life and property, prevent escalation, and restore order. Due to the multitude of catastrophic event possibilities it becomes necessary that this "Operations and All-Hazards Plan" be basic, flexible, and subject to modification to be effective in our response. (CALEA 46.1.2)

I. AUTHORITY FOR IMPLEMENTATION

In the event of a catastrophic event, man-made or natural, the City of Hermosa Beach Emergency Operations Plan shall be implemented. The following are considered authority for this implementation:

- A. The City of Hermosa Beach Mayor or City Manager
- B. The City of Hermosa Beach Police Chief
- C. The Captain, Division Lieutenant, or Watch Commander

II. DEFINITIONS COMMAND PROTOCOL AND COORDINATION OF OPERATIONS

- A. **CIVIL DISTURBANCE** – Any domestic emergency such as a demonstration, strike, riot, and/or public panic, which has the potential of causing injury or property damage.
- B. **CRITICAL INCIDENT** – Incidents that are typically of such magnitude that they necessitate a heightened emergency response, require additional resources, extended on-scene command, recall/augmentation of personnel, or multi-agency response and support in order to protect life and property, prevent escalation, and restore order. Response to a Critical Incident will be determined by the type of incident, magnitude, and necessary personnel needed.
- C. **COMMAND POST** – A designated location where assistance is provided to the incident commander with the tasks of commanding the operation such as maintaining a system of communications, acquiring additional personnel and equipment, accumulating, utilizing and disseminating information, and coordinating efforts with law enforcement and other agencies.
- D. **EMERGENCY MANAGEMENT PLAN** – the City of Hermosa Beach Emergency Operations Plan - An all-inclusive emergency action plan using the National Incident Command System (NIMS) and adopted by the City Council for the management and control of a catastrophic event.
- E. **EMERGENCY OPERATIONS CENTER (EOC)** – A pre-designated facility established to coordinate and support the overall agency response during an unusual occurrence or high risk incident. The EOC is operated and staffed by personnel from the City of Hermosa Beach and volunteers from the community.
- F. **INCIDENT COMMANDER** – Will normally be of supervisory rank and is responsible for the planning, exercising, execution and facilitation of resources and emergency management plans. During the activation of the Incident Command System (ICS), the incident commander serves as liaison to other

governmental organizations or agencies. An incident commander may initially be the on duty watch commander and can escalate to the Chief of Police. Under routine situations, the incident may be left under the command of the initial responding watch commander and overseen by the Operations Division Commander. Should the incident escalate and require additional resources or personnel, extended on scene command, multi-agency support, and implementation of the Incident Command System and the Hermosa Beach Emergency Operations Center shall require the Operations Division Commander or designee to respond to the on-scene command post and assume the role as Incident Commander. Ultimately, an incident commander is a supervisor who has complete authority for conducting the overall operation.

- G. **INCIDENT COMMAND SYSTEM (ICS)** – A system for command, control, and coordination of a response that provides a means to coordinate the efforts of individual persons and agencies as they work toward the common goal of stabilizing an incident while protecting life, property and the environment.
- H. **STAGING AREA** – A location designated by the incident commander for the assembly of available resources, including personnel and equipment, for response to the incident.
- I. **UNIFIED COMMAND** – A multi-agency command incorporating officials and personnel from agencies with jurisdictional responsibilities at an incident scene. When an incident’s magnitude exceeds the capabilities, resources or jurisdiction of one agency, the ICS of an agency can evolve into and participate in an established Unified Command structure.

III. COMMAND PROTOCOL AND COORDINATION OF OPERATIONS

- A. In accordance with the City of Hermosa Beach Emergency Operations Plan, the Chief of Police or designee shall assume incident command of a catastrophic event involving a natural or accidental man-made disaster. The Chief of Police or designee shall also assume incident command of an event involving a criminal incident or civil disturbance.
- B. The Chief of Police or designee shall exercise full authority over the operations and management of all Hermosa Beach Police Department personnel and resources, and be the liaison with the EOC in the event of activation of the City’s Emergency Operations Plan.
- C. The Division Commanders are responsible for planning and coordinating functions and response of assigned division personnel and resources to a critical incident. The Chief of Police or designee shall assume Incident Command and overall agency responsibility for planning and managing the law enforcement critical incident response for a catastrophic event or civil disturbance involving

extended on-scene response and recall of personnel. The Patrol Division Commander shall serve as the Assistant Incident Commander. (CALEA 46.1.1)

- D. During the course of a Critical Incident, the Hermosa Beach Police Department has primary responsibility for:
 - 1. Establishing on-scene command post
 - 2. Law enforcement operations and investigation
 - 3. Scene security and staging area security
 - 4. Evacuations and warnings
 - 5. Communications with other law enforcement agencies
 - 6. Coordination with Emergency Operations Center

IV. INCIDENT COMMAND SYSTEM

- A. The Incident Command System (ICS) shall be the standard operating procedure for all Critical Incidents involving extended operational response. The ICS is comprised of five (5) primary elements: Command, Operations, Logistics, Planning and Finance/Administration.
- B. Each of the primary elements will have assigned personnel as needed to conduct the operation. The Incident Commander exercises all control for the event and directs the efforts of the personnel in charge of each of the functional elements.
- C. For some types of critical events (tsunami, flooding) where warning is given, a specific incident scene may not exist in the initial response planning phase and the Chief of Police, or his designee, may accomplish initial response actions, such as mobilizing personnel and equipment and issuing assignments. As the potential threat becomes clearer, and as a specific site or sites become identified, an Incident Command Post (ICP) may be established and direction and control of the response will be transitioned to an Incident Commander located at the EOC or on-scene.
- D. Should a critical incident occur without warning, the first officer to arrive on scene will implement the mutual aid system through the communication center and serve as incident commander until relieved by a supervisor or more qualified individual. The incident commander will establish an Incident Command Post (ICP) and provide an assessment of the situation to the next level supervisor and Communications Center, identify response resources needed, and direct on-scene response. The Incident Command System shall be implemented in accordance with the Hermosa Beach Emergency Operations Plan.

V. INITIATION OF THE EMERGENCY OPERATIONS PLAN

Once the appropriate level of response has been determined, the Operations Division Commander or designee will be responsible for initiating the Emergency Operations Plan and assume Incident Command until properly relieved. As additional personnel arrive at the scene, they will be assigned to various functions or phases of the operation as needed, including but not limited to:

A. The Operations Division Commander or Designee will be responsible for Incident Command consisting of the following: (CALEA 46.1.3a-h)

1. activating the incident command system
2. establishing a command post
3. initiating the notification and mobilization of additional agency personnel.
4. obtaining support from other agencies.
5. establishing a staging area, if deemed necessary.
6. providing public information and maintaining media relations.
7. maintaining the safety of all affected personnel.
8. preparing a documented after action report.

B. The Patrol Watch Commander or Designee will be responsible for the Operations Function consisting of the following: (CALEA 46.1.4a-f)

1. establishing inner and outer perimeters
2. delegating personnel to conduct evacuations if necessary
3. maintaining command post and scene security
4. providing for detainee transportation, processing and confinement
5. delegating personnel to direct and control traffic
6. conducting a post incident investigation

C. The Planning Section Officer or Designee will be responsible for the Planning function consisting of the following:

1. preparing and documenting incident action plan
2. gathering and disseminating information and intelligence
3. planning post-incident demobilization

(CALEA 46.1.5a-c)

D. The Logistics Section Officer or Designee will be responsible for the Logistics function consisting of the following areas:

(CALEA 46.1.6a-e)

1. communications/command post locations
2. establish staging area
3. transportation
4. medical support
5. supplies, food, temporary shelter and rest
6. specialized team and equipment needs

- E. The Finance/Administrative Officer or Designee will be responsible for the Finance/Administration function consisting of the following: (CALEA46.1.7a-d)
1. recording personnel time
 2. procuring additional resources
 3. recording expenses
 4. documenting injuries and liability issues

VI. PERSONNEL ALLOCATION

The Command Staff is assigned to carry out staff functions needed to support the Incident Commander in preparation for and during a catastrophic event and may utilize additional designated personnel to assist in carrying out their area of responsibility. A list of those personnel utilized during the incident, and a list of non-utilized personnel shall be forwarded to the Incident Commander by each Section Officer. The Incident Commander shall maintain a list of sworn and non-sworn personnel available for deployment in additional position assignments not specifically identified in the General Staff functions. These positions include designation of Liaison Officer (LO), a Safety Officer (SO) and a Public Information Officer (PIO). Additional assistants and command staff positions may be assigned, as determined by the Incident Commander. (CALEA 46.1.3)

VII. LEVELS OF MOBILIZATION/ACTIVATION

Many natural catastrophic events follow some recognizable build-up period during which planning and actions can be taken to achieve a gradually increasing state of readiness. Readiness/Activation Levels will be determined by the Mayor, City Manager, Chief of Police, and/or the Command Staff.

- A. **Level 1: Normal Conditions :** Emergency incidents occur and local officials are notified. One or more departments or agencies may respond to handle the incident; an incident command post may be established. Limited assistance may be requested from other jurisdictions pursuant to established inter-local agreements. Increased readiness actions may be appropriate when the situation similar to the following occur:
1. **Weather/Tornado Watch:** A weather system has developed that has the potential to impact the local area. Readiness actions may include regular situation monitoring, a review of plans and resource status, determining staff availability and placing personnel on-call.
 2. **Tsunami/Flash Flood Watch:** indicates flash flooding is possible due to heavy rains occurring or is expected to occur. Readiness actions may include increased situation-monitoring, reconnaissance of known trouble spots, deploying warning signs.

3. **Civil Disturbance:** For incidents with a previous history of problems, readiness actions may include reviewing security, traffic control, fire protection, and first aid planning with organizers and determining additional requirements.

Declaration of “Level 2” will generally require the initiation of the “Increased Readiness” activities to include personnel stand-by alerts.

The normal operations of government are not affected.

- B. **Level 2: Partial EOC Activation (High Readiness):** Refers to a situation with a significant potential and probability of causing loss of life and/or property. Normally requires a full activation of the Police Department’s ICS structure for emergency operations and activation of the Hermosa Beach Emergency Operations Center. Twelve hour shifts may be established, along with staging of emergency operations/response resources. This condition will normally require some degree of warning to the public. The Neighborhood Watch and CERT groups can be activated, and the Code Red Alert System may be utilized.
1. **Weather/Tornado Warning:** A weather system may impact the local area within 72 hours. Readiness actions may include continuous storm/tornado monitoring, identifying worst-case decision points, increasing preparedness of personnel and equipment, updating evacuation checklists, verifying evacuation route status, and providing the public information for techniques on how to protect homes and businesses and provide information on the evacuation routes. The EOC may be activated at this time.
 2. **Tsunami/Flash Flood Warning:** Issued to alert persons that a tsunami or flash flooding is imminent or occurring on certain areas, and immediate action should be taken. Readiness actions may include notifying the public about the warning, evacuating low-lying areas, securing shelters to house evacuees, and continuous situation monitoring.
 3. **Civil Disturbance:** Civil disorder or criminal incident involving relatively large-scale localized violence is imminent. Readiness actions may include increased law enforcement presence, putting hospitals and fire departments on alert, and continuous situation monitoring.
- C. **Level 3: Full EOC Activation:** A major local or regional disaster wherein resources in or near the impacted area are overwhelmed and extensive State and/or Federal resources are required. Notifications to the residents via local media, neighborhood watch and the Code Red Alert System should be used and appropriate evacuation or emergency information given. Neighborhood Watch volunteers, CERT, and other volunteers can be mobilized to assist in evacuations and controlling crowds at the evacuation centers. A local emergency can be

proclaimed along with a State of Emergency and a Presidential Declaration of an Emergency or major disaster would be requested. All coordination and direction activities will be accomplished from the EOC. The field response level will report to and receive direction from the EOC. Depending on the event, twelve hour shifts will be established.

1. **Weather/Tornado Threat:** The evacuation decision period is nearing for an approaching tropical weather system that may impact the local area. Readiness actions may include continuous situation monitoring, full activation of the EOC, recommend precautionary actions for special facilities, placing emergency personnel and equipment into position for emergency operations, and preparing public transportation resources for evacuation support.
2. **Tsunami/Flash Flood Warning:** Flooding is imminent or occurring at specific locations. Readiness actions may include evacuations, rescue teams on alert, sheltering evacuees and/or others displaced by the flooding, and continuous monitoring of the situation.
3. **Civil Disturbance:** Civil disorder or criminal incident is about to erupt into large-scale and widespread violence. Readiness actions may include having EMS units on stand-by, law enforcement units present for duty, notifying the DDC that assistance may be needed and keep them apprised of the situation, and continuous monitoring of the situation is required.
4. **Earthquake or Other Natural Disaster:** The extent or injuries and damage are more than our resources can handle and mutual aid is necessary for an extended period.

VIII. INCIDENT COMMAND SYSTEM FIELD MANUAL

In addition to the Hermosa Beach Police Department policy and procedures, the Hermosa Beach Emergency Operation Plan shall be available for use as a guideline for various critical incidents or catastrophic events.

- A. The Plan shall be maintained by the Operations Division Commander and a copy place in the watch commander office for reference.
- B. The Emergency Operation Plan will be made available to all personnel, who will familiarize themselves with the contents.

IX. SOUTH BAY REGIONAL PUBLIC COMMUNICATIONS AUTHORITY (RCC) RESPONSIBILITIES

- A. It shall be the responsibility of RCC to ensure that proper notifications are made regarding any reported critical incident or as directed by an on-scene Incident Commander. Hermosa Beach Police Department Records/Jail personnel can also make notifications as needed. The patrol watch commander will determine who is to be notified and by whom.
- B. Upon notification of the activation of the Emergency Operations Plan (Incident Command System), RCC Supervisors or Records/Jail personnel shall notify appropriate Command Staff personnel and Division Commanders by radio or phone, identifying the level of mobilization.
 - 1. A situation alert may be issued for any high risk incident, special event or unusual occurrence. Such events may include demonstrations, large crowd events, or dignitary protection details, etc.
 - 2. Additional situation alerts may be issued as an incident escalates or de-escalates.
 - 3. A detailed log of all notifications shall be maintained throughout the critical incident.

X. SPECIAL CONSIDERATIONS IN ESTABLISHING COMMAND AND RESOURCE AREAS

- A. Command Post Selection and Activation
 - 5. A field command post shall be established for all Critical Incident events that require a major commitment of Departmental resources for an extended period of time. A field command post may be established by the supervisor at the scene for any event or occurrence regardless of the size of the operation.
 - 6. The creation of a field command post helps the Incident Commander on the scene with tasks of commanding the operation while maintaining a system of communications, acquiring additional personnel and equipment, accumulating, utilizing and disseminating information and coordinating efforts with other agencies.
 - 7. The location for a field command post should be:
 - a. In the vicinity and strategic to the occurrence
 - b. A site readily located and accessible to responding personnel
 - c. Of sufficient space to accommodate personnel and their vehicles

- d. Near to public services (i.e. telephone, electrical, water, restrooms, etc.) whenever possible
 - e. Secure and defensible as much as possible
8. Whenever possible, situation maps that have been prepared to detail building, structure, streets, routes, pre-planned barricade areas, etc., for use in determining perimeters, evacuation zones, staging areas, etc., will be maintained in the Communications Center or Mobile Command Post and will be made available to the Incident Commander.
- B. Media Staging Area Selection and Activation
- 1. A media staging area will be established by the PIO as soon as possible with security provided by law enforcement personnel. The media staging areas should be located far enough away so as not to effect any operations and/or planning.
 - 2. In addition, the media should be used by personnel to transmit information to the public to enhance the operations, i.e. media alerts to avoid barricaded streets, rumor control, etc.
 - 3. Incident Commanders should note that with instant access capability to communications, on-site news crews, cell phone, etc., information will spread rapidly regarding an incident of significance. Commanders must be sensitive to this and should make the media a partner to ensure that accurate and timely information is released to the public to avoid, as much as possible, incorrect rumors and speculation.
- C. Resource Staging Area Location Selection and Activation

In critical events requiring large numbers of personnel, or those which continue for an extended period of time, it may be necessary to establish a staging area separate from the field Command Post. This allows command operations to remain free from disruption. The de-escalation of the staging area is determined by the Incident Commander in charge.

XI. MUTUAL AID

- A. The Incident Commander may request and direct additional local law enforcement as needed and transition the ICS to a Unified Command System.
- B. In the event the incident has escalated to the degree that requires the response of multiple agencies and resources, the management of the incident would transition from the ICS to a Unified Command System. The unified command structure is used when personnel and equipment from various agencies or jurisdictions become involved.

- C. Upon activation of the Emergency Operations Plan, the Hermosa Beach Police Department will work in conjunction with the other involved agencies in accordance with and as called for in the Unified Command System.
- D. If additional personnel are needed, the Chief of Police or his designee will contact the Los Angeles County Sheriff's Department Emergency Operations Bureau or other such agencies, as deemed necessary.
- E. If additional assistance is needed from a Federal Law Enforcement Agency, the Sheriff or his designee will be responsible for such notification and request.
- F. Should State or Federal military assistance be necessary to augment local law enforcement efforts involving a Critical Incident or other emergency situation, the city will make the request to the Los Angeles County Sheriff's Emergency Operations Bureau. They will make the request to the State of California Office of Emergency Services who will make a determination and make official contact with the Governor or appropriate Federal Agency. (CALEA 2.1.4)
- G. In the event of the suspension of civil liberties (commonly known as martial law), mobile field forces will be assembled and assigned to work with the National Guard.

XII. SPECIAL OPERATIONS

Should the on-scene Incident Commander determine that an event requires specialized units to supplement patrol functions, the scene will be secured and an appropriate perimeter established. The Communications Center will contact the requested specialized unit (Bomb Squad, Canine, Crime Control Unit, Crime Scene Unit, Investigations, air unit, SWAT) to respond. The on-scene Incident Commander will maintain command of the incident; however, specialized unit personnel will be responsible for evaluating and determining appropriate actions to be taken by the specialized unit with support from the patrol function.
(CALEA 46.2.1)

XIII. DE-ESCALATION PROCEDURES

- A. As the incident de-escalates, the Incident Commander will release personnel and stand down from the event in a manner that will accommodate the needs of Incident Command Personnel while not producing a law enforcement void.
- B. Personnel will be assigned to devastated areas for the period of time necessary to maintain order and prevent looting.
- C. De-escalation should be a gradual process, allowing proper relief personnel assigned to the incident for a protracted period of time. A full return to duty schedule should occur as appropriate personnel are available. The lengths of shifts may vary due to allowances for rest and recovery of all personnel.

- D. The de-escalation procedures will include the collection of rosters, event logs, incident reports, and other necessary documentation from each deputy or supervisor involved in the incident.
- E. The area Patrol Commander or their designee shall collect all essential data, and produce an incident report of HBPD response and actions.
- F. The Incident Commander will be responsible for preparing an After Action Report using detailed activity summaries submitted by Operations, Planning, Logistics, and Finance if these functions were established during the incident.
- G. The Incident Report and After Action report shall be forwarded to the Chief of Police through the Operations Division Commander and to the Accreditation Manager.

XIV. TRAINING (CALEA 46.1.9)

- A. All affected police department personnel shall be required to complete appropriate NIMS training for their rank and/or position. Key personnel in positions identified in the ICS manual will be trained in the requirements of the positions to be staffed. In addition, the Support Services Division Commander shall conduct or coordinate annual training on the Incident Command System. Documentation of the annual ICS training shall be maintained by Support Services Commander.
- B. Other training shall include participation in field or table-top exercises with multiple agency involvement.
- C. The Hermosa Beach Police Department Critical Incident Plan shall be updated as needed.

XV. EQUIPMENT (CALEA 41.1.3 & 46.1.8)

- A. Equipment designated for use in response to critical incidents shall be maintained in operational readiness status and documented inspections shall be conducted at least quarterly.
- B. Equipment available for critical incident response will vary in number and includes, but is not limited to:
 - 1. Mobile Command Post (available through Area G)
 - 2. Armored Vehicle (available through Area G)
 - 3. Generators (two @ PD)
 - 4. Area lighting (@ PD)
 - 5. Level "C" suits
 - 6. Pop-up tents (3)

- C. All first responders assigned to the Department are issued protective equipment including gas masks and protective gear for use if involved chemical, biological, radiological, and nuclear weapons (CBRN), and hazardous materials. Additionally, all police vehicles are equipped with an “Emergency Response Guidebook” and officers receive training on awareness level guidelines, appropriate actions, and use of protective equipment in response to CBRN events. (CALEA 46.3.4)

XVI. MUTUAL AID TO CRITICAL INCIDENT

- A. In the event of an unforeseen Critical Incident, the Hermosa Beach Police Department would move to expand emergency response and containment operations, through immediate use of mutual aid from local agencies.
- B. Upon arrival at a potential critical incident (CI), the first responding patrol officer shall evaluate the scene and relay all pertinent information to his/her supervisor, as well as the Communications Center. Based on a totality of information, i.e. the first responder’s report, the supervisor on-view/on-scene evaluation of the incident, the on-duty Patrol Watch Commander will then make the decision to classify the scene as a Critical Incident. At that time the Watch Commander shall notify the Communications Center and request mutual aid.
- C. Upon notification of the CI, Communications Center will notify surrounding agencies of the request for mutual aid. The Communication Center supervisor will broadcast a designated dedicated radio channel for all responding units. All responding units shall then acknowledge and immediately switch to the designated channel using direct communications between units. The number of agencies contacted will be based on information from the watch commander, depending on the size of the incident and personnel needed.
- D. The Watch Commander area will establish an Incident Command Post (ICP) at the scene to direct and control emergency operations at the incident site and determine if a Mobile Command Post or other resource response is necessary.
- E. Upon arrival on scene, the Operations Division Commander will assess the incident and determine if it will require extended on-scene command (in excess of 18 hours and require the recall or augmentation of personnel), additional resources, or multi-agency response and support, in order to protect life and property, prevent escalation, and restore order. If the incident will be short term in nature, the Operations Division Commander can elect to keep the watch commander as the ICS commander shall continue as incident commander or take over the command of the ICS to ensure appropriate management of the scene. In such incidents where a large scale, extended on-scene command is required, the Operations Division Commander or more experience command staff will assume Incident Command using the Incident Command System.

SPECIAL EVENTS

I. SPECIAL EVENTS

- A. Special events include parades and other similar events, each of which are handled through individual operations plans which are specific to the circumstances.
- B. Depending on the nature of the event, the Operations Division Commander or Community Lead Sergeant shall coordinate and approve special event operations plans which will include, at a minimum:
 - 1. Personnel qualification requirements, if any.
 - 2. Command and control.
 - 3. Written estimates of traffic, crowd, and/or crime problems anticipated.
 - 4. Logistics requirements.
 - 5. Coordination inside and outside the department.
 - 6. Contingency plan for traffic direction and control.
 - 7. After-action report

(CALEA 46.2.7)

VIP SECURITY PLAN

I. VIP SECURITY PLAN

- A. General:
 - 1. All requests for security services for VIP visitors will be directed to the Operations Division Commander or designee, who will make an administrative decision as to the level and nature of services to be provided.
 - 2. The Operations Division Commander or designee will designate a single individual as supervisor and coordinator of any given security detail.
 - 3. The security team coordinator will meet, as required, with the advance party/VIP security representative, and will prepare necessary plans for provision of security services.
- B. VIP visitors will generally fall into one of three types, which affect the level of necessary protection as follows:
 - 1. Quiet, private, visits with no or limited public activity. Requires little or no security.

2. VIP known by name or position, but not by actual physical appearance. May require limited security prior to public appearance, more security after.
3. Readily recognizable VIP making public appearances. Law enforcement security assistance required.
(CALEA 46.2.6)

APPROVED:

A handwritten signature in black ink, appearing to read 'AS', is written over the printed name 'Greg Savelli'.

Greg Savelli
Chief of Police

Off-Duty Law Enforcement Actions

343.1 PURPOSE AND SCOPE

The decision to become involved in a law enforcement action when off-duty can place an officer as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for officers of the Hermosa Beach Police Department with respect to taking law enforcement action while off-duty.

343.2 POLICY

Initiating law enforcement action while off-duty is generally discouraged. Officers should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving or minor property crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

Officers are not expected to place themselves in unreasonable peril. However, any sworn member of this department who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage may take reasonable action to minimize the threat.

When public safety or the prevention of major property damage requires immediate action, officers should first consider reporting and monitoring the activity and only take direct action as a last resort.

343.3 FIREARMS

Officers of this department may carry firearms while off-duty in accordance with federal regulations and department policy. All firearms and ammunition must meet guidelines as described in the department Firearms Policy. When carrying firearms while off-duty officers shall also carry their department-issued badge and identification.

Officers should refrain from carrying firearms when the consumption of alcohol is likely or when the need to carry a firearm is outweighed by safety considerations. Firearms shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drugs or medications or any combination thereof that would tend to adversely affect the officer's senses or judgment.

343.4 DECISION TO INTERVENE

There is no legal requirement for off-duty officers to take law enforcement action. However, should officers decide to intervene, they must evaluate whether the action is necessary or desirable, and should take into consideration the following:

- (a) The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.
- (b) The inability to communicate with responding units.

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Off-Duty Law Enforcement Actions

- (c) The lack of equipment, such as handcuffs, OC or baton.
- (d) The lack of cover.
- (e) The potential for increased risk to bystanders if the off-duty officer were to intervene.
- (f) Unfamiliarity with the surroundings.
- (g) The potential for the off-duty officer to be misidentified by other peace officers or members of the public.

Officers should consider waiting for on-duty uniformed officers to arrive, and gather as much accurate intelligence as possible instead of immediately intervening.

343.4.1 INTERVENTION PROCEDURE

If involvement is reasonably necessary the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. The dispatcher should be informed that an off-duty officer is on-scene and should be provided a description of the officer if possible.

Whenever practicable, the officer should loudly and repeatedly identify him/herself as an Hermosa Beach Police Department officer until acknowledged. Official identification should also be displayed.

343.4.2 INCIDENTS OF PERSONAL INTEREST

Officers should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances officers should call the responsible agency to handle the matter.

343.4.3 PROFESSIONAL STAFF RESPONSIBILITIES

Professional Staff personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

343.4.4 OTHER CONSIDERATIONS

When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she needs to maintain an undercover capability.

343.5 REPORTING

Any off-duty officer who engages in any law enforcement activity, regardless of jurisdiction, shall notify the Watch Commander as soon as practicable. The Watch Commander shall determine whether a report should be filed by the employee.

Officers should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.

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Off-Duty Law Enforcement Actions

343.6 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police October 27, 2009

December 4, 2023



HERMOSA BEACH POLICE DEPARTMENT

O3.42 VOLUNTEERS IN POLICE SERVICE (VIP) AND CHAPLAINCY PROGRAM

**Effective 10/27/2009
Updated 05/18/2015**

PURPOSE

This policy establishes this department's position on the utility and management of its volunteer programs and provides guidance on its management and administration.

POLICY

Volunteers can be an important part of any organization and are proven to be a valuable asset to law enforcement agencies. Volunteers help to increase police responsiveness, service delivery, information input, and they provide new program opportunities. In addition, volunteers can bring valuable skills and expertise to the job and prompt new enthusiasm.

It is the policy of this police department to use qualified volunteers for specified tasks and duties that can create efficiencies for the department and improve services to the community. Volunteers are intended to be ambassadors for the City and to supplement and support, rather than supplant, sworn officers and civilian personnel.

DEFINITIONS

Volunteer: Someone who performs service for the department without promise, expectation, or receipt of compensation for services rendered. This may include unpaid chaplains, unpaid reserve officers, interns, and persons providing administrative support. Volunteers are not sworn officers.

VIP PROCEDURES

A. Administration

1. The volunteer coordinator, or his or her designee, shall be responsible for the following:
 - a. Recruiting, selecting, and training qualified VIP's for various positions
 - b. Maintaining employment records for each VIP
 - c. Maintaining the VIP handbook, which outlines expectations, policies, and responsibilities for all VIP's
 - d. Maintaining a record of VIP schedules and work hours
 - e. Completion and dissemination as appropriate of all necessary paperwork and information

- f. Planning periodic recognition events
 - g. Administering discipline when warranted
2. All Department members' requests for VIP assistance shall be routed through the normal chain of command for review and proper selection.

B. Recruitment

VIP's shall be recruited on an on-going basis consistent with this department's policy on equal opportunity nondiscriminatory employment. A primary qualification for participation in the application process shall be an interest in and an ability to assist the agency in serving the public.

C. Screening

1. All prospective VIP's shall complete the volunteer application form.
2. All VIP applicants must be able to minimally meet all requirements set forth in Policy O3.42 in order to be considered for the VIP Program.
3. The Volunteer Program Coordinator, or designee, shall conduct a face-to-face interview with an applicant under consideration.
4. A documented background investigation shall be completed on each VIP applicant and shall include, but not necessarily be limited to, the following:
 - a. Traffic and criminal record
 - b. Employment
 - c. References

D. Selection and Placement

1. Upon their selection, applicants shall receive a confirmation letter prior to the start of service.
2. All VIP's shall receive a copy of the volunteer handbook.
3. All VIP's shall be required to sign a volunteer agreement.
4. VIP's shall be placed only in job assignments or programs that are consistent with their knowledge, skills, abilities, and the needs of the Department.

E. Position Description

1. VIP's shall be provided with a comprehensive written position description detailing their duties.
2. VIP's shall be used only in accordance with this description. VIP's shall not work without a written job description or outside the limits of job responsibilities specified in the job description.

3. Position descriptions shall be reviewed periodically to ensure that they accurately reflect the volunteer's duties and responsibilities.

F. Training/Meetings

1. VIP's shall be provided with an orientation program to acquaint them with the department personnel, and policies and procedures that have a direct impact on their work assignment.
2. VIP's shall receive position-specific training to ensure they have adequate knowledge and skills to complete tasks required by the position.
3. VIP's shall attend and complete at least one (1) Hermosa Beach Police Department Community Police Academy within one (1) year of placement in the Volunteer program.
4. VIP's will meet as a group on a monthly basis and shall receive periodic ongoing training as deemed appropriate by their immediate supervisor or volunteer coordinator.
5. Training shall reinforce to VIP's that they may not intentionally represent themselves as, or by omission infer that they are, sworn officers or other full-time members of the department. They shall always represent themselves as volunteers.
6. All VIP's shall comply with the rules of conduct and with all orders and directives, either oral or written, issued by the department.

(CALEA 16.4.2)

G. Fitness for Duty

1. No VIP shall report to work or be on duty when his or her judgment or physical condition has been impaired by alcohol, medication, other substances, illness, or injury.
2. VIP's shall report to their immediate supervisor any changes in status that may affect their ability to fulfill their duties. This includes, but is not limited to, the following:
 - a. Valid Driver License
 - b. Medical condition
 - c. Arrests
 - d. Criminal investigations
 - e. Reside in Hermosa Beach (members brought on after May 2013)
3. While not a requirement, the program is structured for a "senior" or "retired" resident who can volunteer their time during regular daytime business hours.

H. Uniforms/Dress Code

1. VIP's shall conform to department-approved dress consistent with their duty assignment.
2. Uniforms authorized for VIP's shall be readily distinguishable from those worn by sworn officers. The approved attire for Hermosa Beach VIP's is a polo type shirt with embroidery or screen printing identifying the wearer as a Police Volunteer, and black trousers. In times of inclement weather, VIP's may also wear a black windbreaker with white lettering in identifying them as Police Volunteer.
3. No volunteer shall wear his or her uniform or identifiable parts of that uniform while off duty.

I. Confidentiality

1. With appropriate security clearance, VIP's may have access to confidential information such as criminal histories or investigative files. Unless otherwise directed by a supervisor or departmental policy, all police information shall be considered confidential. Only that information specifically identified and approved by authorized personnel shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by departmental policy and supervisory personnel.
2. Each VIP shall sign a nondisclosure agreement. Subsequent disclosure of any confidential information, verbally, in writing, or by any other means, shall be grounds for immediate dismissal and possible criminal prosecution.
3. VIP's shall not address public gatherings, appear on radio or TV, prepare any article for publication, act as correspondents to a newspaper or other periodical or internet blog, release or divulge any information concerning the activities of the agency, or maintain that they represent the agency in such matters without permission from their immediate supervisor or the on-duty watch commander.

J. Property and Equipment

1. VIP's shall be issued an identification card that must be worn at all times while on duty.
2. Any fixed and portable equipment issued by the agency shall be for official and authorized use only.
3. Any property or equipment issued to a volunteer shall remain the property of the agency and shall be returned at the termination of service.
(CALEA 16.4.3)

K. Duties

1. The VIP program is a “task specific” support program for the Police Department and the City. The assignment of tasks will come from the Program Coordinator.
2. Each VIP will be assigned to a particular organizational component, or unit, of the Department based upon their skills, interests, and the needs of the Department.
3. Once a VIP has been assigned to a particular unit, that unit’s supervisor will be responsible for supervising the VIP’s activities which will be recorded on a Volunteer Activity Log. The unit supervisor shall be responsible for providing specific direction and training, relative to the job assignment. The supervisor shall forward the Volunteer Activity Log, and any other relevant information, to the Volunteer Program Coordinator.
4. Undirected non-task specific patrolling is not permitted. Structured patrol will be assigned by the Watch Commander and will be performed utilizing the VIP Patrol Activity Log (PAL). The completed PAL shall be submitted to the Watch Commander at the conclusion of the volunteer’s shift.
5. If a VIP is unable to report for duty as assigned, he/she must contact their immediate supervisor, or in the absence of a supervisor, the on-duty Watch Commander, as soon as practicable and with as much advanced notice as possible.
6. Assigned tasks for VIP Members may include, but are not limited to, the following:
 - Monitor/check schools during parent drop-off and pickup
 - Assist with the “Walking School Bus” program
 - Conduct “Vacation Checks” of specified residences
 - Conduct “You are Not Alone” checks of specified residents
 - Assist with counter duty or other assigned administrative tasks in the Records Bureau
 - Perform Live Scan finger printing through requests
 - Check PD vehicles for correct equipment
 - Stand a post and monitor the skate park
 - Stand a post and monitor The Strand “walk zone” near the Pier Head
 - Transport PD vehicles to City Yard, car wash or RCC as needed
 - Stand a post and monitor the Taxi Zone near Pier Plaza

- Check the handicapped parking zones in the city using the PAL
- Structured bicycle/T3 patrol specifically using the PAL
- Structured foot patrol specifically using the PAL
- Structured vehicle patrol specifically using the PAL
- Other duties as may be assigned by Watch Commander, immediate supervisor, and/or Volunteer Coordinator

L. Hours

1. VIP's shall volunteer a minimum of 8 hours per month. VIP Members not meeting this requirement may be subject to removal from the program.
2. VIP's will be assigned to specific duties primarily between 0600-2200HRS.
3. VIP's can volunteer their time after 2200HRS, but their duties will generally be based at the HBPD station at the approval /discretion of the Coordinator and/or Watch Commander.

M. Vehicles

1. With proper training, and in accordance with Policy O3.25 of this Manual, VIP's may be directed to operate marked or unmarked Police Department vehicles, including the T3, Polaris UTV, and bicycle. Whenever reasonably possible, an "out of service" marker should be placed on a marked police vehicle during operation by a VIP's. VIP's are **prohibited** from using the forward facing red emergency lighting/sirens on any Police Department vehicle. VIP's willfully violating this are subject to removal from the VIP program and possible prosecution for violations of the California Vehicle Code.
2. Before a VIP operates any police or city owned vehicle, they shall complete the department approved Vehicle Inspection Report (VIR). The VIR shall document any potential damage and operational status of the vehicle to be used by the VIP Member. The VIR shall be submitted to the Watch Commander before the vehicle is operated. At the discretion of the Coordinator, Watch Commander, etc., completion of the VIR can be waived in certain instances.

N. Disciplinary Procedures/Termination

1. A VIP may be removed from the volunteer program at the discretion of the Chief of Police or his/her designee. Termination of VIP's shall not be subject to due process considerations and VIP's shall have no property interests in their continued employment.

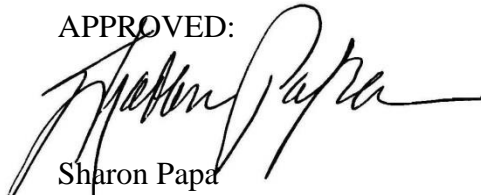
O. Evaluation

1. An evaluation of the overall volunteer program shall be conducted on an annual basis.
2. Periodic personnel evaluations shall be conducted with volunteers to ensure the best use of human resources available, to ensure personnel problems can be identified and dealt with promptly and fairly, and to ensure optimum job satisfaction on the part of volunteers.

VOLUNTEER CHAPLAINCY PROGRAM

Please see Policy 338 - Chaplains.

APPROVED:



Sharon Papa
Chief of Police

Chaplains

338.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Hermosa Beach Police Department chaplains to provide counseling or emotional support to members of the Department, their families and members of the public.

338.2 POLICY

The Hermosa Beach Police Department shall ensure that department chaplains are properly appointed, trained and supervised to carry out their responsibilities without financial compensation.

338.3 ELIGIBILITY

Requirements for participation as a chaplain for the Department may include, but are not limited to:

- (a) A chaplain shall be ordained, licensed, or certified to perform religious functions and a person in good standing with a recognized religious body.
- (b) Being above reproach, temperate, prudent, respectable, hospitable, able to teach, be free from addiction to alcohol or other drugs, and excessive debt.
- (c) Managing their households, families and personal affairs well.
- (d) Having a good reputation in the community.
- (e) Successful completion of an appropriate-level background investigation.
- (f) A minimum of five years of successful counseling experience.
- (g) Possession of a valid driver license.
- (h) A chaplain shall not be accepted or maintained if convicted of any offense. The Chief of Police will have the final determination.
- (i) A chaplain is required to go through training with the Hermosa Beach Police Department and be eligible to qualify as an International Conference of Police Chaplains (ICPC) basic certified chaplain.

The Chief of Police may apply exceptions for eligibility based on organizational needs and the qualifications of the individual.

338.4 RECRUITMENT, SELECTION AND APPOINTMENT

The Hermosa Beach Police Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this department.

All applicants shall be required to meet and pass the same pre-employment procedures as department personnel before appointment.

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Chaplains

338.4.1 SELECTION AND APPOINTMENT

Chaplain candidates shall successfully complete the following process prior to appointment as a chaplain:

- (a) Submit the appropriate written application.
- (b) Include a recommendation from employers or volunteer programs.
- (c) Interview with the Chief of Police and the chaplain coordinator.
- (d) Successfully complete an appropriate-level background investigation.
- (e) Complete an appropriate probationary period as designated by the Chief of Police.

Chaplains are volunteers and serve at the discretion of the Chief of Police. Chaplains shall have no property interest in continued appointment. However, if a chaplain is removed for alleged misconduct, the chaplain will be afforded an opportunity solely to clear his/her name through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

338.5 IDENTIFICATION AND UNIFORMS

As representatives of the Department, chaplains are responsible for presenting a professional image to the community. Chaplains shall dress appropriately for the conditions and performance of their duties. Uniforms and necessary safety equipment will be provided for each chaplain. Identification symbols worn by chaplains shall be different and distinct from those worn by officers through the inclusion of "Chaplain" on the uniform and not reflect any religious affiliation.

Chaplains will be issued Hermosa Beach Police Department identification cards, which must be carried at all times while on-duty. The identification cards will be the standard Hermosa Beach Police Department identification cards, with the exception that "Chaplain" will be indicated on the cards. Chaplains shall be required to return any issued uniforms or department property at the termination of service.

Chaplains shall conform to all uniform regulations and appearance standards of this department.

All city issued equipment shall be used only when volunteering in an official manner as outlined in this policy.

Chaplains, when responding to a scene, should wear Department-approved attire.

Chaplains shall conform to all uniform regulations and appearance standards of this Department.

338.6 CHAPLAIN COORDINATOR

The Chief of Police shall delegate certain responsibilities to a chaplain coordinator. The coordinator shall be appointed by and directly responsible to the Administrative Services Division Commander or the authorized designee.

The chaplain coordinator shall serve as the liaison between the chaplains and the Chief of Police. The function of the coordinator is to provide a central coordinating point for effective chaplain management within the Department, and to direct and assist efforts to jointly provide more

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productive chaplain services. Under the general direction of the Chief of Police or the authorized designee, chaplains shall report to the chaplain coordinator and/or Watch Commander.

The chaplain coordinator may appoint a senior chaplain or other designee to assist in the coordination of chaplains and their activities.

The responsibilities of the coordinator or the authorized designee include, but are not limited to:

- (a) Recruiting, selecting and training qualified chaplains.
- (b) Conducting chaplain meetings.
- (c) Establishing and maintaining a chaplain callout roster.
- (d) Maintaining records for each chaplain.
- (e) Tracking and evaluating the contribution of chaplains.
- (f) Maintaining a record of chaplain schedules and work hours.
- (g) Completing and disseminating, as appropriate, all necessary paperwork and information.
- (h) Planning periodic recognition events.
- (i) Maintaining liaison with other agency chaplain coordinators.

An evaluation of the overall use of chaplains will be conducted on an annual basis by the coordinator.

338.7 DUTIES AND RESPONSIBILITIES

Chaplains assist the Department, its members and the community, as needed. Assignments of chaplains will usually be to augment the Operations Division . Chaplains may be assigned to other areas within the Department as needed. Chaplains should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the Department.

All chaplains will be assigned to duties by the chaplain coordinator or the authorized designee.

Chaplains may not proselytize or attempt to recruit members of the Department or the public into a religious affiliation while representing themselves as chaplains with this department. If there is any question as to the receiving person's intent, chaplains should verify that the person is desirous of spiritual counseling or guidance before engaging in such discussion.

Chaplains may not accept gratuities for any service or any subsequent actions or follow-up contacts that were provided while functioning as a chaplain for the Hermosa Beach Police Department.

Chaplains should participate in periodic ride-alongs with officers and should try to complete approximately four hours per month. Chaplains should attend periodic shift briefings. Chaplains shall be familiar with the notification procedures established by the Hermosa Beach Police Department and conform to them. Chaplains shall not release any information to the news media,

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insurance agencies, private attorneys regarding cases in which they are involved. Chaplains shall not publicly criticize any law enforcement officer, Department official, fellow chaplains, or Department policy or action. Any chaplain having a grievance or objection shall address the matter through Department channels.

338.7.1 COMPLIANCE

Chaplains are volunteer members of this department, and except as otherwise specified within this policy, are required to comply with the Volunteer Program Policy and other applicable policies.

338.7.2 OPERATIONAL GUIDELINES

- (a) Chaplains will be on-call on an as-needed basis.
- (b) Generally, each chaplain should serve with Hermosa Beach Police Department personnel a minimum of four hours per month.
- (c) Chaplains shall be permitted to ride with officers during any shift and observe Hermosa Beach Police Department operations, provided the Watch Commander has been notified and has approved the activity.
- (d) Chaplains shall not be evaluators of members of the Department.
- (e) In responding to incidents, a chaplain shall never function as an officer.
- (f) When responding to in-progress calls for service, chaplains may be required to stand-by in a secure area until the situation has been deemed safe.
- (g) Chaplains shall serve only within the jurisdiction of the Hermosa Beach Police Department unless otherwise authorized by the Chief of Police or the authorized designee.
- (h) Each chaplain shall have access to current department member rosters, addresses, telephone numbers, duty assignments and other information that may assist in his/her duties. Such information will be considered confidential and each chaplain will exercise appropriate security measures to prevent distribution of the data.
- (i) The chaplain shall complete monthly contact/call reports on their activities as required by the Hermosa Beach Police Department.

338.7.3 ASSISTING DEPARTMENT MEMBERS

The responsibilities of a chaplain related to department members include, but are not limited to:

- (a) Assisting in making notification to families of members who have been seriously injured or killed and, after notification, responding to the hospital or home of the member.
- (b) Visiting sick or injured members in the hospital or at home.
- (c) Attending and participating, when requested, in funerals of active or retired members.
- (d) Serving as a resource for members when dealing with the public in incidents, such as accidental deaths, suicides, suicidal subjects, serious accidents, drug and alcohol abuse and other such situations that may arise.

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- (e) Providing counseling and support for members and their families.
- (f) Being alert to the needs of members and their families.
- (g) Emergency Incident Preparedness/Response

338.7.4 ASSISTING THE DEPARTMENT

The responsibilities of a chaplain related to this department include, but are not limited to:

- (a) Assisting members in the diffusion of a conflict or incident, when requested.
- (b) Responding to natural and accidental deaths, suicides and attempted suicides, family disturbances and any other incident that in the judgment of the Watch Commander or supervisor aids in accomplishing the mission of the Department.
- (c) Responding to all major disasters, such as natural disasters, bombings and similar critical incidents.
- (d) Being on-call and, if possible, on-duty during major demonstrations or any public function that requires the presence of a large number of department members.
- (e) Attending department and academy graduations, ceremonies and social events and offering invocations and benedictions, as requested.
- (f) Participating in in-service training classes.
- (g) Willingness to train others to enhance the effectiveness of the Department.

338.7.5 ASSISTING THE COMMUNITY

The duties of a chaplain related to the community include, but are not limited to:

- (a) Fostering familiarity with the role of law enforcement in the community.
- (b) Providing an additional link between the community, other chaplain coordinators and the Department.
- (c) Providing liaison with various civic, business and religious organizations.
- (d) Promptly facilitating requests for representatives or leaders of various denominations.
- (e) Assisting the community in any other function as needed or requested.
- (f) Making referrals in cases where specialized attention is needed or in cases that are beyond the chaplain's ability to assist.

338.7.6 CHAPLAIN MEETINGS

All chaplains are required to attend scheduled meetings. Any absences must be satisfactorily explained to the chaplain coordinator.

338.8 PRIVILEGED COMMUNICATIONS

No person who provides chaplain services to members of the Department may work or volunteer for the Hermosa Beach Police Department in any capacity other than that of chaplain.

Department chaplains shall be familiar with state evidentiary laws and rules pertaining to the limits of the clergy-penitent, psychotherapist-patient and other potentially applicable privileges and shall

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inform members when it appears reasonably likely that the member is discussing matters that are not subject to privileged communications. In such cases, the chaplain should consider referring the member to a non-department counseling resource.

No chaplain shall provide counsel to or receive confidential communications from any Hermosa Beach Police Department member concerning an incident personally witnessed by the chaplain or concerning an incident involving the chaplain.

338.9 TRAINING

The Department will establish a minimum number of training hours and standards for department chaplains. The training, as approved by the Training Sergeant, may include:

- Stress management
- Death notifications
- Symptoms of post-traumatic stress
- Burnout for members of law enforcement and chaplains
- Legal liability and confidentiality
- Ethics
- Responding to crisis situations
- The law enforcement family
- Substance abuse
- Suicide
- Officer injury or death
- Sensitivity and diversity

338.10 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police October 27, 2009

May 1, 2024



HERMOSA BEACH POLICE DEPARTMENT

O3.43 RESERVE POLICE OFFICER PROGRAM

Effective 10/27/2009

Updated 02/17/2010

PURPOSE

The purpose of this Policy is to establish Department policy defining the scope of acceptable deployment for reserve police officers and to clarify Penal Code Section 832.6 to establish uniformity in implementing and conducting the Reserve Police Officer Program.

POLICY

The primary responsibility of Hermosa Beach police officer personnel is the protection of life and property. The Reserve Police Officer Program's primary function is to assist the police department towards that goal.

DEFINITIONS

The following apply to California POST definitions for reserve officers:

1. "Level I Reserve" refers to a reserve officer trained as described in Penal Code Section 832.6(a)(1), and who is assigned specific police functions or to the prevention and detection of crime and the general enforcement of the laws of the state, whether or not working alone. The authority of a "non-designated" Level I reserve officer shall extend only for the duration of assignment to specific police functions. The Department does not employ "designated" Level I reserve officers, per Penal Code Section 830.6(a)(2). (full peace officer powers 24 hours per day).
2. "Level II Reserve" refers to a reserve officer trained as described in Penal Code Section 832.6(a)(2), who works under the immediate supervision of a peace officer possessing a basic academy certificate, and is assigned to the prevention and detection of crime and the general enforcement of the laws of the state.
3. "Level III Reserve" refers to a reserve officer trained as described in Penal Code Section 832.6(a)(3), who is deployed in limited support duties not requiring general law enforcement powers in their routine performance.

LAW ENFORCEMENT POWERS

Reserve officers in the City of Hermosa Beach are assigned as "non-designated" reserve officers. This provides the reserve officer all police powers outlined in Penal Code Section 830.6(a)(1) only for the duration of assignment to specific police functions. Reserve officers do not have any law enforcement powers while off-duty.

Reserve officers may not carry a weapon off-duty except as authorized by the Chief of Police.

LIABILITY

Reserve officers have public liability protection equal to that provided to full time officers.
(CALEA 16.3.7)

DUTIES AND RESPONSIBILITIES

Level I and Level II reserve officers are primarily assigned to the general enforcement of laws and, as such, are generally assigned to the Patrol Division. Level III reserve police officers are assigned to duties which do not generally require enforcement of laws in their routine performance.

Reserve officers within the organization can be assigned to and work other duties within the various divisions of the Police Department. Reserve officers may drive police vehicles at the discretion of their supervisors.

Reserve officers are on call for emergency situations where additional manpower is necessary. In addition to emergency use, reserves can be used for general law enforcement duties, transportation of prisoners, priority patrol projects, and assistance with special programs. All duties can be performed on a day-to-day basis, or scheduled in advance. The day-to-day exposure in general law enforcement duties is designed to help a reserve officer become familiar with the daily operations of the department and to help the reserve become competent in his ability to perform his job.

Special requests for reserve officer assistance, except emergencies, must be submitted to the Reserve Coordinator for proper assignment and scheduling. In an emergency, reserve officers may be contacted directly by the Watch Commander, the Reserve Coordinator, or by any member of the Command Staff.

A reserve officer is required to work a minimum of 20 hours per month (minimum patrol shift is four hours). Included in the 20 hours is any required training meeting, the quarterly qualification shoot as scheduled, and any other required training. Unexcused failure to meet the minimum obligations of the program or any part thereof with regard to attendance is grounds for discipline up to and including termination from the reserve program.

EMPLOYEE JOB STATUS AND COMPENSATION

Reserve officers are considered part-time employees of the department, and as such, are not entitled to participate in the state employee's retirement system, nor do they receive any medical benefits.

Reserve officers, while on duty, are covered for any medical treatment necessary arising from sustaining any on-duty injury, and are eligible for State of California disability coverage.

The City of Hermosa Beach is self-insured and provides liability coverage for all employees, including reserve officers while they are on duty.

Compensation for working an extra job position will be paid at a rate of the following:

Level I hourly rate equivalent to second step base pay full time officer.

Level II hourly rate equivalent to first step base pay full time officer.

Level III is not eligible for extra job positions.

For the purpose of compensation, “extra jobs” are defined as:

1. Mandatory court appearance pursuant to subpoena. (“On-call” subpoenas not included unless subsequently ordered to appear in court)
2. Special Detail overtime pursuant to posted sign-up notice in the Watch Commander’s office. (Refer to HYPD MOU Article 30)
3. Mandatory shift coverage to satisfy shift minimum staffing requirements. (Refer to HYPD MOU Article 31)
4. Any other unscheduled work assignments as directed by the Department due to City emergency.

Reserve officers may not work more than 80 hours per month. Reserve officers are required to log all hours worked on the reserve time sheet log.

Reserve shift specifications are:

1. A minimum of four hours per patrol shift up to a maximum of eighteen hours of continuous “on-duty” time.
2. A maximum of eighteen hours per 24 hour period.
3. A minimum of twenty hours and a maximum of eighty hours per month.

If a reserve officer cannot work a scheduled shift or assignment, the officer must notify either the shift Watch Commander or the Reserve Coordinator at least one hour prior to the shift or assignment starting time. The officer will be required to explain the reason for his/her absence.

RETIREMENT PROGRAM

A reserve officer may retire from the Department if he/she has at least 10,000 hours of service or a minimum of twenty years of service with the City and is in good standing. A reserve officer who meets the qualifications shall submit a memorandum to the Chief of Police expressing their desire to retire.

If granted, the retired reserve officer will be eligible to receive the following from the City:

1. A “Retired Reserve Officer” flat badge and identification card.
2. A Carrying a Concealed Weapons (C.C.W.) permit.
(CALEA 16.3.1)

RESERVE POLICE OFFICER PROGRAM ORGANIZATION

Reserve Coordinator

The Reserve Coordinator is a regular sergeant selected by the staff of the Police Department. The Reserve Coordinator reports to the Operations Division Commander on reserve personnel matters. The Reserve Coordinator shall have functional supervision of the reserve officer program and all reserve officers.

Reserve Steering Committee

The Reserve Steering Committee is comprised of the Reserve Coordinator and the Reserve Squad Leader(s). It shall be the responsibility of the Reserve Steering Committee to evaluate reserve officer requests for advancement and forward a recommendation, along with the correct paperwork, to the Support Services Division Commander.

HERMOSA BEACH POLICE RESERVE OFFICER RANKS - LEVEL I

Basic Level I Reserve Officer

Requirements - Graduate from a POST regular basic course, or equivalent.

Duties - The duties of a Basic Level I Reserve Officer are assigned by a supervisor. A Basic Level I Reserve Officer must work under the direct supervision of a full-time officer who possesses a "Basic" POST certificate.

Advanced Level I Reserve Officer

Requirements – In addition to the requirements for the Basic Level I Reserve Officer, an Advanced Level I Reserve Officer must satisfactorily complete a minimum of 200 hours of general law enforcement experience. Additionally, an Advanced Level I Reserve Officer must successfully complete the Department's Field Training Program (a minimum of 400 hours) and have their training manual properly signed off and all evaluations submitted. (Level I Reserve Officers who possess a current POST Reserve Peace Officer Certificate are not required to complete the Department's standard Field Training Program but must complete the truncated Field Training Program.) Upon completion of training, the reserve officer must submit an application for advancement along with the written recommendation of two training officers and a patrol sergeant to the Reserve Coordinator. A Field Practical Problem examination will then be administered by the Reserve Coordinator. The Field Practical Problem examination will consist of a mock patrol exercise, after which the reserve officer will be expected to write an appropriate police report. The problem will be evaluated by the Reserve Coordinator and a minimum of two field training officers. Upon an applicant's successful completion of the above requirements, the Reserve Coordinator will forward the appropriate recommendations to the Support Services Division Commander for final review and authorization.

Duties - The duties of an Advanced Level I Reserve Officer are assigned by a supervisor. An Advanced Level I Reserve Officer may work patrol with any regular officer or any other Advanced Level I Reserve Officer. Solo assignments, including patrol, may be assigned to an Advanced Level I Reserve Officer with approval of the shift Watch Commander. An Advanced Level I Reserve Officer must work a patrol shift with a Field Training Officer once every three months and be evaluated.

HERMOSA BEACH POLICE RESERVE OFFICER RANKS - LEVEL II

Requirements - Prior to exercising duties as a Level II Reserve Officer, the reserve officer must have completed the POST Level II and Level III training modules. A Level II Reserve Officer is not required to complete the Department's Field Training Program.

Duties - The duties of a Level II Reserve Officer are the same as for a Basic Level I Reserve Officer.

HERMOSA BEACH POLICE RESERVE OFFICER LEVEL III

Requirements - Prior to the exercise of duties as a Level III Reserve Officer, the reserve officer must have completed the POST Level III training module.

Duties - The duties of a Level III Reserve Officer are assigned by a supervisor. The duties of a Level III Reserve Officer are limited support duties. These duties include traffic control, security at parades and sporting events, evidence transportation, parking enforcement, report taking and other duties that are not likely to result in physical arrests. A Level III reserve officer will be evaluated once every three months by two Field Training Officers.

UNIFORMS, EQUIPMENT AND BADGES

All reserve officers shall be issued all necessary safety equipment, including a vest, by the Department.

The uniforms and equipment issued to Level I and Level II reserve officers shall be the same as issued to regular sworn police officers. Because of the nature of their assignment, reserve officers will not receive the full complement of uniforms that would be issued to a full-time sworn officer. (Refer to HBPD Policy and Procedures Manual section A1.21)

The uniform for a Level III reserve officer shall consist of a blue polo shirt with an embroidered badge in silver over the left breast and the employees name and "Reserve Officer" embroidered in silver over the right breast.

The reserve officer will receive a Department-issued firearm, or may carry an authorized firearm from the approved optional weapon list for sworn personnel pending training and qualification. Level III reserve officers are not authorized to carry a firearm.
(CALEA 16.3.4)

RESERVE POLICE OFFICER SELECTION, TRAINING AND EVALUATION

Selection:

The basic minimum criteria for the reserve officer position are the same as for the position of full-time police officer. The entry-level age for both reserve officer and police officer is 21.

All applicants must submit a completed city Personnel Department application. Applications will be accepted on a continuous basis.

All applicants must have successfully completed the minimum POST requirements for the designated reserve level (I, II, or III) for which they are applying prior to submitting the application.

Each reserve officer applicant must then successfully complete the following selection procedures:

1. Oral Board
2. Extensive background investigation / Polygraph examination
3. Chief of Police interview
4. Psychological evaluation
5. Medical evaluation (including a drug testing procedure)

In addition, Level II and Level III officers must satisfactorily complete a reading and writing ability assessment prior to appointment.

Reserve Officer selection criteria is set forth by statute and POST commission and can be found in POST Commission procedure H-2 in the POST Administrative Manual. The Department is bound by statute and commission regulation to adhere to these standards. (CALEA 16.3.2)

Training:

Each reserve officer must successfully complete a POST regular basic academy or POST certified Level II, or Level III academy pursuant to POST regulations and commission procedure H-3 located in the POST Administrative Manual.

Level I and Level II reserve officers are required to attend all department training in mandated subject areas such as first aid, CPR, baton, weaponless defense, and others mandated by statute or regulation.

Level I and Level II reserve officers must initially successfully complete a firearms orientation course, and in accordance with Policy O3.15, shall demonstrate their proficiency in the care and use of department approved duty firearms at least twice annually. Reserve officers must attain at least the minimum qualification score for each of the shoots.

Reserve officers may attend any other Department training and are encouraged to do so.

In order to be certified as a reserve officer and receive a POST Reserve Peace Officer Certificate as issued pursuant to POST procedure H-4, the Level I Reserve Officer must successfully complete the POST regular basic academy and complete a 400 hour field training officer program. A request must be submitted to POST with supporting documentation to apply for the Reserve Peace Officer Certificate issued pursuant to POST Commission Regulation 1007. This certificate is not required by statute, nor is it necessary to exercise peace officer powers as a Level I (non-designated) Reserve Officer. All reserve officers who meet the requirements for the certificate should apply for it to show successful completion of their training effort.

(CALEA 16.3.3, 16.3.5, 16.3.6)

Evaluation:

All reserve officers participating in the Field Training Program will be issued a training manual which must be retained until the completion of the training program. Field Training Officers will sign off the completion of training in the various functional areas within the training manual. The training manual, when complete, will be placed in the reserve officer's training file. Reserve officers participating in the Field Training Program shall receive performance evaluations in accordance with the requirements of the program.

All reserve officers shall receive periodic performance reviews. Such reviews shall be conducted no less than annually. The Reserve Coordinator will review each reserve officer's monthly timesheets; the patrol sergeant who most supervised the reserve officer during the rating period shall be responsible for completing the evaluation. Once completed, the evaluation will be forwarded to the Operations Division Commander for review.

(CALEA 16.3.8; 35.1.2)

TRAINING DOCUMENTATION

The Reserve Coordinator shall document reserve officer training and experience by establishing and maintaining files on each reserve officer. These files will contain all documentation on a reserve officer's training and any documentation necessary to evaluate that reserve officer's performance.

CARRYING CONCEALED WEAPON (C.C.W.) PERMIT

The Chief of Police may issue C.C.W. permits to qualified reserve officers who are currently employed with the Hermosa Beach Police Department. The C.C.W. permit may be denied or revoked at any time by the Chief of Police.

The C.C.W. permit is issued only for reasons of personal safety. The reserve officer does not have any peace officer powers while off-duty and will have only those powers afforded to any private citizen.

If a C.C.W. permit is granted by the Chief of Police, the reserve officer shall be prohibited from carrying a concealed weapon while working any job or assignment not associated with the Hermosa Beach Police Department.

C.C.W. PERMIT PROCEDURES

1. When issued, C.C.W. permits are valid for four years (from the date of issue) and must be renewed. The reserve officer is responsible ensuring the C.C.W. permit remains valid.

The Police Department will pay for all administrative costs associated with obtaining and maintaining the permit.

2. If the reserve officer meets the criteria set forth for eligibility, he or she must first direct a memorandum to the Chief of Police explaining his or her eligibility. If the Chief of Police approves, the Reserve will complete all necessary paperwork which will be kept in a permanent file in the office of the Chief of Police.

When the Department of Justice returns a NON-PROHIBITIVE firearms eligibility status for the applying reserve officer, he or she will then sign and be given a copy of the CONDITIONAL ISSUANCE OF C.C.W. PERMIT TO RESERVE by the Support Services Division Commander prior to being issued the C.C.W. permit.

3. To be eligible for a C.C.W. permit, the employee must be a reserve officer appointed pursuant to Section 830.6 of the Penal Code.
4. The reserve officer will adhere to all firearm policies of this Department including attending all required qualification periods for both on-duty weapons and off-duty weapons as established under Section O3.15 of this manual. Failure to qualify may result in the suspension of the C.C.W. permit. The Reserve will carry only those handguns authorized by this Department under Section O3.15 of this manual.
5. The Chief of Police may deny a C.C.W. permit because of outside activities or employment deemed to be in conflict with Departmental interests. In the event that a reserve officer is suspended from duty, requests a leave of absence, or is terminated or resigns, the C.C.W. permit will either be suspended or revoked.
6. For a Reserve who retires in good standing and has met the qualifications for a C.C.W. permit, the Chief of Police, in his/her sole discretion, may renew the retired Reserve C.C.W. permit. Any subsequent renewal will be at the sole discretion of the Chief of Police.
7. The Chief of Police, in his/her sole discretion, may deny, restrict, suspend or revoke the C.C.W. permit at any time. The decision of the Chief of Police is final and there is no appeal process.

APPROVED:

A handwritten signature in black ink, appearing to read 'AS', is written over the printed name 'Greg Savelli'.

Greg Savelli
Chief of Police

Attachment A: Reserve Officer Bylaws

HERMOSA BEACH POLICE DEPARTMENT RESERVE CORPS BYLAWS

(Revised February 2010)

The effectiveness of the Hermosa Beach Police Reserve Officer Program depends upon sound administrative leadership, guidance, and support given to all members of the Hermosa Beach Police Reserve. These bylaws are adopted for this purpose.

Each member of the Reserve Corps shall receive a copy of, or have electronic access to, the Reserve Corps Bylaws and Hermosa Beach Police Department Policy and Procedures Manual. Each member has the responsibility to be familiar with the content. Violations may result in disciplinary action or dismissal. Changes or additions will be made from time to time and such modifications are effective upon issuance. Each member is responsible for ensuring they are up to date with the current bylaws and policies.

The Chief of Police, Reserve Coordinator, or a Division Commander has the authority to issue general orders which may *modify* the Policy and Procedures Manual as may be necessary for temporary or emergency purposes.

Due to the variety of situations encountered by Reserve Corps Members, it is impossible to formulate an exhaustive manual governing the conduct of Reserve Members in all cases. Of necessity, members will be required to exercise good judgment in determining their course of conduct in the general discharge of police responsibilities while on duty and in their personal conduct *off* duty.

If any section or provision of these Reserve Corps Bylaws are for any reason held to be invalid, the remainder of the Reserve Corps Bylaws shall not be affected.

Any perceived incompatibility between this document and the HYPD Reserve Police Officer Program Policy (Section O3.43) shall be resolved by following what is expressed in the department policy.

LAW ENFORCEMENT OFFICER CODE OF ETHICS

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

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

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

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

POLICE RESERVE OFFICER PROGRAM PURPOSE AND AUTHORITY

It is the policy of the Department that the reserve officer force shall serve to augment and supplement the regular police force to better accomplish the Department goals, special projects, and needs of additional manpower. Each reserve officer serves in a voluntary capacity with no monetary compensation, except as authorized per policy. Reserve officers are appointed to office and serve at the pleasure of the Chief of Police. Reserve officers are considered "at-will" employees and acquire no vested property rights of the Department while serving in an official capacity.

Reserve officers are empowered under the law to perform as peace officers while on duty. When not on duty, reserve officers have only the powers of a citizen and therefore shall not carry handguns except as authorized by the Chief of Police through issuance of a CCW permit. Reserve officers may not be engaged in any type of employment where the employment may cause a conflict of interest with the Police Department. If there is any question or if the officer is in doubt whether or not the employment may cause a conflict of interest, the officer shall, prior to accepting the employment, submit a written request for clarification through the proper chain of command. Reserve officers shall not engage in any full-time, part-time, temporary employment, or any activity involving the use or authority of official police identification or credentials, or carrying of any firearm

under the authority of a CCW permit issued by this department without the expressed written permission of the Chief of Police. Reserve officers wishing to apply for permission will submit a written request outlining the full nature of the employment or activity and submit the request through the chain of command. The request will be recommended for approval/disapproval by the Support Services Division Commander and submitted to the Chief of Police for final disposition. Written approval from the Chief of Police must be received prior to the reserve officer's acceptance of employment or participation in the activity.

RESERVE MEETINGS

Level I, II, and III reserves are required to attend scheduled reserve meetings. The Reserve Coordinator is responsible for scheduling these meetings. In addition, special meetings may be held periodically throughout the year.

Failure to attend meetings without excused authorization, resulting in three or more unexcused absences per calendar year, is grounds for disciplinary action and/or dismissal from the force.

LEAVE OF ABSENCE

A personal leave of absence for up to three months may be granted by the Reserve Coordinator with approval from the Chief of Police. Any reserve officer absent for more than three months will be dismissed from the force with the option of applying for reinstatement. The Chief of Police may, in exceptional situations, grant an extension. All requests for personal leave of absence will be submitted in writing to the Reserve Coordinator.

RESERVE MEMBERSHIP

All members of the Hermosa Beach Police Reserve Corps shall have first met all POST required certifications, passed all screening processes, and any test, examination, or requirement as may be established from time to time by the City of Hermosa Beach and/or Chief of Police. All reserve personnel shall have an oath of office duly administered by the City Clerk of Hermosa Beach.

OPERATIONS

The reserve force is to be utilized as a supplement to the regular force in ordinary *operations* and in time of special need or emergency, not as replacements for regular officers. They also provide a limited pool of recruits for department vacancies.

For routine operations, reserve officers schedule their own work times. They report to the on-duty patrol supervisor for deployment and assignment. Such assignments may include but are not limited to patrol, traffic, desk reports, records, investigations, special functions, details, or any other assignment according to the needs of the Department

and the reserve officer's authorized duties pursuant to his/her designated duties as authorized by his/her reserve Level classification.

Reserve officers are strictly confined to performance of duties as authorized by their individual Level I, II, or III classifications.

Reserves will complete a time and activity log in the Reserve Police Officer Timesheet Logbook immediately following their tour of duty or other work assignment. Reserve officers who become involved in police actions will without exception, complete and turn in all appropriate paperwork at the end of their shift, unless specifically authorized to do otherwise by the on-duty Watch Commander.

ABSENCES

Except as herein provided, all absences from mandated meetings, qualification shoots, and training or any other special details or events shall be noted in writing, requesting to be excused and providing the reason, by proper memorandum or email through the Reserve Coordinator at least 48 hours preceding the absence. If a reserve officer requests to be excused from a meeting or mandated event due to unanticipated circumstances (such as illness, family emergency, etc.) within 48 hours preceding the event, the officer shall notify the Reserve Coordinator or shift Watch Commander as soon as possible by telephone or email. Three un-excused absences from any assignment per calendar year may result in disciplinary action or dismissal from the reserve force.

MEDICAL LEAVE

Level I and II reserve officers sustaining debilitating injuries while off duty will notify the Reserve Coordinator by memorandum as soon as possible and will submit documentation advising the nature and extent of the injury or illness and the estimated date of return-to-duty status. Reserve officers will not be allowed to return to duty without a written doctor's release. Medical leaves will be limited to six months. If a Level I or II reserve officer has not returned to duty status within that time, the officer may be dismissed from the reserve force with the option of applying for reinstatement. The Chief of Police may grant an extension in exceptional situations. A reserve officer may be required to submit to a complete physical evaluation to determine fitness for duty prior to being allowed to return to duty after an extended leave.

CHAIN OF COMMAND

Unless otherwise directed by the Chief of Police, all correspondence, complaints suggestions, requests, etc. shall be dispatched through the Reserve Coordinator. The Reserve Coordinator reports to the Operations Division Commander. The Reserve Coordinator is the chief Reserve Corps Administrative Officer. All matters pertaining to reserve officers or reserve functions are to be addressed and directed through the Reserve Corps chain of command.

WRITTEN MEMORANDUMS

All reserve officers submitting written communications or requests to the Reserve Coordinator will do so by written memorandum or by email. All memorandums will be neat and businesslike.

DISCIPLINARY PROCEDURE

Any reserve officer found guilty of committing an act of misconduct or a violation of Department policy may be terminated or suspended for a fixed period of time. All alleged acts of misconduct shall be investigated by the internal affairs section of the police department.

These bylaws shall supersede any and all prior bylaws of the Reserve Corps and these bylaws are hereby deemed effective as of the date of approval and signing by the Chief of Police.

Greg Savelli
Chief of Police
Hermosa Beach Police Department

(date)

Kevin Averill
Reserve Coordinator
Hermosa Beach Police Department

(date)



HERMOSA BEACH POLICE DEPARTMENT

O3.44 ANIMAL NOISE COMPLAINTS

**Effective 10/27/2009
Updated**

PURPOSE

The City Council adopted Hermosa Beach Municipal Code Section 8.24.080 relating to noise prohibitions for animals and fowls on 12-12-2000 under Ordinance 00-1209.

Barking Dogs and Other Noisy Animals

It is unlawful to keep, maintain, or cause or permit to be kept or maintained upon any premises in the city, or to permit or allow to be running at large, any dog or other animal which repeatedly barks, howls, whines, crows, or makes loud or unusual noises in such a manner as to either disturb the peace and quiet or interfere with the comfortable enjoyment of life and property of any person or persons. The owner or other person in control or custody of the dog or other animal in violation of this Section may be cited by a Community Services Officer or Law Enforcement Officer at the scene upon a determination of a violation of the Municipal Code.

Evidence of a Barking Dog or Other Noisy Animal

In making a determination whether a violation of the Municipal Code has occurred, evidence of the following shall be considered:

1. The nature, volume and frequency of the barking or other noise;
2. The time or times of day when the noise is heard by the complaining parties;
3. The apparent reasons or provocations for the dog or other animal to emit the noise, if any;
4. The location or locations on the property where the dog or other animal is kept;
5. The manner in which the dog or other animal is kept;
6. The number of persons complaining about the barking or other noise;
7. Any other relevant evidence concerning the alleged barking dog or other noisy animal problem.

Community Services Officers and Law Enforcement Officers should tape record the violation and download the recording on the department's computer.

PROCEDURE

Disposition of Barking Dog or Other Noisy Animal

Enforcement of this Section may be initiated by issuance of an administrative citation by a Community Services Officer or Law Enforcement Officer or by way of complaint from any person alleging a violation of this Section. Prior to commencing a prosecution for violation of this Section, the affected parties can use Dispute Resolution Services and/or afford the owner of

the dog or other animal a reasonable opportunity to take one or more of the following actions to abate the noise:

1. Train or retrain the dog or other animal to cease creating a violation;
2. Keep the dog or other animal indoors during specified hours, or other similar measures be taken, to eliminate the violation; or
3. Remove the dog or other animal from the city permanently, or for a specified period of time after which time the animal may be returned as long as steps have been taken such that the violation will not recur.

Recovery of Law Enforcement Costs

The animal owner or custodian who has received one citation pursuant to Section 8.24.080, after having been given a reasonable opportunity to abate the noise pursuant to the above actions, shall be liable for the following costs incurred by the City:

1. The actual cost to the City for law enforcement services responding to any subsequent calls complaining of a violation of Section 8.24.080;
2. Injuries to any city personnel or law enforcement officers responding to any such calls.

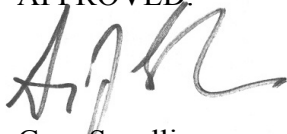
The Police Department shall accurately compute the cost of providing such services in accordance with the schedule of rates and charges for personnel and equipment contained in the law enforcement services agreement and advise the City Manager of such costs as well as any other costs of injuries to personnel resulting from the law enforcement response. The City Manager shall bill said costs to the animal owner or custodian. Payment shall be due and payable within thirty (30) days of the billing date. If the amount due is not paid, the city may collect the debt, as well as any fees and costs incurred in its collection, pursuant to all applicable provisions of law.

The remedies set forth in this section are not exclusive and may be used in addition to those set forth elsewhere in the Municipal Code or by law.

CONCLUSION

The city recognizes that these types of offenses are very aggravating to the citizens; however, we also recognize that there are certain legal procedures which must be followed. The criminal process may not be the best solution to solving the problem and therefore we encourage citizens to attempt to solve the problem by reaching an agreement with the neighbor or by using the local mediation services available. An additional remedy to the victim is to file their own civil action in an attempt to receive a restraining order.

APPROVED:



Greg Savelli
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

O3.45 ANIMAL NOISE REPORT PROCEDURES

Effective 10/27/2009
Updated

POLICY

The Animal Noise Report is to be used to assist a victim in the proper completion of the City of Hermosa Beach dog barking crime/incident report.

PROCEDURES

In order to provide the most efficient method to resolve dog barking cases, this citizen report procedure has been developed. A basic outline of the process involved is as follows:

- A. A dog barking incident occurs in which a victim feels that the law regarding barking dogs has been violated (Refer to Policy O3.44).
- B. The victim may write/telephone the Hermosa Beach Police Department's Community Services Division to obtain the package of information regarding dog barking cases. The package of the information and reports are available for pick up at the Police Department or they may be mailed to the victim.
- C. Included with the package of information is the crime/incident report form. The victim will complete the form by very carefully following the instructions provided below, and upon completion, the document must be returned to the Hermosa Beach Police Department's Community Services Division at the address shown on the report form.
- D. If after a review of the citizen report form, it is determined that the ordinance has been violated, a warning letter will be mailed by the City to the suspect, and a blind copy will be sent to the victim. A copy of that warning letter is attached.
- E. Hopefully, the warning letter will be sufficient to solve the problem, if however, another meritorious citizen complaint report is received within two months from the mailing of the other warning letter, charges will be filed against the suspect.
- F. The Municipal Code provides the following:

Each separate offense determined to be an Administrative Violation shall be punishable by:

1. A fine not exceeding One Hundred and No/100th (\$100.00) dollars for the first violation.

2. A fine not exceeding Two Hundred and No/100ths (\$200.00) dollars for second violation by the same person of the same ordinance within twelve (12) months of the date of the first violation.
3. A fine not exceeding Five Hundred and No/100^{ths} (\$500.00) dollars for a third and each additional violation by the same person of the same ordinance within twelve (12) months of the date of the first violation.

All fines set forth in this section shall be subject to court imposed, statutory mandated assessments.

DETAILED INSTRUCTIONS FOR COMPLETION OF REPORT

WARNING, YOU MUST PROVIDE AN ENTRY FOR EACH ITEM ON THE REPORT FORM. IF A PARTICULAR ITEM IS NOT APPLICABLE TO YOUR SITUATION, PLEASE SO INDICATE BY THE SYMBOL "N/A". EACH CATEGORY OF INFORMATION HAS BEEN ASSIGNED A NUMBER, AND THE INSTRUCTIONS FOR COMPLETING EACH NUMBERED CATEGORY CORRESPOND WITH THE PARAGRAPH NUMBERS BELOW.

1. VICTIM INFORMATION: The victim in the case must be a person who actually witnessed the dog barking information contained in this report. The City will not provide the suspect with the victim's identity, unless a case is filed in court. If a case is filed, the victim will receive a subpoena which will notify them to appear in court as a witness in the trial.
2. SUSPECT INFORMATION: No case can be filed in court unless the full name and address of the suspect is provided. The suspect would be the person who owns the dog, or who has the control of the dog. It is not necessary for you to ask for ownership documents, etc.; however, unless you obtain the name and address of the suspect, the chances of the City filing a court case are very remote.

If you have made efforts but have been unable to learn the identity of the suspect, the Animal Control Officers will attempt to learn the name; however, this process will delay your case and may ultimately prevent a court filing.

3. SOURCE OF INFORMATION: This category relates to the method by which you learned the suspect. You should include in this space information such as "I asked the suspect their name; I asked neighbors of the name; I checked certain official records; etc." Prior to the City filing a case, we must be satisfied that you used a reliable method to learn the identity of the suspect.
4. SUSPECT DESCRIPTION: You must fully complete this category, so that we may be certain that the correct individual appears in court. Additionally, if the individual does not appear in court, this information will be necessary for an arrest warrant.
5. NUMBER AND DESCRIPTION OF DOGS: This category should be completed by indicating the number of dogs at the suspect's premises, and a brief description of each dog.

6. DATE OF OFFENSE: This category should contain information regarding the specific date of the events. If there are numerous dates or times within a day that an offense occurs, you should make photocopies of this report, and complete a separate report for each incident.
7. TIME OF BARKING: You should be very specific with regard to the hour of the day or night that the barking began, and that the barking ended. Please note whether it is a.m. or p.m. Also please note that if the barking is no continuous, you must estimate the total time of barking within an hour.
8. This category is self-explanatory on the report form.
9. This category is self-explanatory on the report form.
10. This category is self-explanatory on the report form.
11. This category is self-explanatory on the report form.
12. ADDITIONAL WITNESSES: You must list the full name, address, and telephone numbers of any additional witnesses to the offense. Please note that these people must be willing to come to court and testify if a case is filed. Again, please remember that the City is powerless to act unless victims or witnesses are willing to come to court and testify.
13. ADDITIONAL REPORTS: You must note the number of additional incident reports which are attached to the main report, and also indicate the dates of previously filed reports. This simply means that when you are submitting one package of reports, we need to know how many attachments are included.
14. SIGNATURE: You must sign the report, and indicate the date and time that the report is written. This date and time does not necessarily have to be the same time as the incident, however, it would be helpful if the report is written immediately after the incident. Also, please note that it is a criminal offense to submit a false report.

CONCLUSION

The City recognizes that these types of offenses are very aggravating to citizens; however, we also recognize that there are certain legal procedures which must be followed. The criminal process may not be the best solution to solving the problem, and therefore we encourage citizens to attempt to solve the problem by reaching an agreement with the neighbors or by using the local mediation services available. An additional remedy to a victim is to file their own civil action in an attempt to receive a restraining order.

APPROVED:

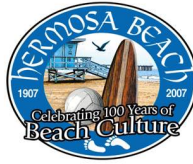
A handwritten signature in black ink, appearing to read 'AS', with a long horizontal flourish extending to the right.

Greg Savelli
Chief of Police

Attachments: Barking Dog Procedure
Animal Control Complaint Letter
What to Do When Your Dog Barks
Second Complaint Letter
What to Do When Your Neighbor's Dog Barks

FOR OFFICE USE ONLY

City of Hermosa Beach
Animal Noise Incident Report
 Community Services Department
 540 Pier Avenue
 Hermosa Beach, CA 90254
 (310) 318-0209



DATE	TIME
DR#	INC#
CLASSIFICATION	RD
OFFICER	ID#

COMPLETE ALL ITEMS BELOW

WITNESS INFORMATION		
NAME: (Last, First, Middle)		DATE OF BIRTH
ADDRESS (City, State, Zip Code)		
TELEPHONE		
Home	Work	Cell
INFORMATION ON NOISE		
LOCATION OF NOISE	NUMBER OF ANIMALS	TYPE OF ANIMAL
DATE/TIME OF NOISE	WHERE IS ANIMAL WHEN NOISE OCCURS (Inside, Outside, Front/Rear Yard, etc.)	
WHERE WERE YOU OR WITNESS WHEN THE NOISE WAS HEARD (Inside or Outside Residence, Front/Rear Yard)		
ADDITIONAL WITNESS INFORMATION		
NAME: (Last, First, Middle)		DATE OF BIRTH
ADDRESS (City, State, Zip Code)		
TELEPHONE		
Home	Work	Cell
DESCRIPTION OF NOISE		
COMMENTS (List details of the noise problem (i.e. Duration and circumstances on what causes the animal to make noise))		
PERSON MAKING REPORT		DATE/TIME OF REPORT

BARKING DOG PROCEDURE
OPEN FILE BY ADDRESS OF DOG OWNER

FIRST OFFENSE

OWNER HOME

OWNER NOT HOME

GIVE COPY OF WARNING LETTER

LEAVE DOORKNOB NOTICE

**NOTIFY COMPLAINING PARTY OF
ABOVE ACTION**

**FOLLOW UP CONTACT IF NO
RESPONSE IN 72 HOURS**

**MAIL WARNING LETTER IF
NO RESPONSE IN 72 HOURS**

**ADVISE COMPLAINING PARTY TO
KEEP DETAILED RECORD**

SECOND OFFENSE

**ANIMAL CONTROL OFFICER
WITNESSES OFFENSE**

**ANIMAL CONTROL OFFICER
DOES NOT WITNESS OFFENSE**

OFFICER COMPLETES INCIDENT REPORT

**COMPLAINANT COMPLETES
INCIDENT REPORT**

CONTACT OWNER

COOPERATIVE

NON-COOPERATIVE

REFER TO MEDIATION

ISSUE CITATION

NO OWNER AVAILABLE

LEAVE NOTICE FOR OWNER TO CALL

OWNER CALLS BACK

OWNER DOES NOT CALL

REFER TO MEDIATION

REFUSES MEDIATION

SEND SECOND LETTER

SEND SECOND LETTER

THIRD OFFENSE

MEDIATION UNSUCCESSFUL

NO MEDIATION

GIVE COMPLETE FILE TO CITY PROSECUTOR

GIVE FILE TO PROSECUTOR

Dear Resident:

This letter is to inform you that a complaint has been received by the City of Hermosa Beach Police Department, Animal Control Division, regarding a barking dog at your address.

Because you may not be aware of the disturbance to your neighbors caused by the barking we are sending you this courtesy notice. It is the responsibility of the dog owner, or the person in control of the dog, to ensure that the animal has a current Hermosa Beach dog license, and take the necessary steps to prevent excessive barking.

Please be advised that the first time violation of the Hermosa Beach Municipal Code Section 8.24.080 carries a fine of up to several hundred dollars, and further violations carry increased fines. You may wish to contact the South Bay Resolution Service at (310) 376-7007 for suggestions on dealing with this matter. If additional complaints are received, and a case is filed in court by the City Prosecutor, you will be notified regarding your court appearance.

Thank you in advance for your cooperation in this matter.

Sincerely,

*Animal Control
(310) 318-0209*

WHAT TO DO WHEN YOUR DOG BARKS

As a dog owner you are legally responsible for the care and well being of your pet. If you receive a complaint that your dog's bark is disturbing your neighbors, it's best that you take immediate action.

IF YOU RECEIVE A COMPLAINT

Stay calm and take time to understand the situation. If your neighbor approaches you, try to work out a reasonable solution. You may be living next to them for a long time, so it's best to make the situation livable for everyone involved. If the City receives a written complaint, you will receive a letter informing you of the disturbance. You will need to resolve the issue in a timely manner, or it could become a criminal matter. If the City receives a second written complaint within two months, the matter will be referred to mediation.

MEDIATION

The South Bay Center, a mediation service contracted by the City, attempts to work with the parties, by phone or in person, to find an acceptable solution through assisted negotiations.

SMALL CLAIMS COURT

Your neighbor has a right to take the matter to Small Claims Court, if they feel they are entitled to collect monetary compensation, up to \$5,000, for disturbances created by your dog.

DISTURBANCE VIOLATION

If, for some reason, the barking continues, the City has opted a program to charge owners for multiple responses to their residence by either an animal control officer or a police officer.

GET INFORMATION

If possible, find out what time of the day your dog's bark is the most disturbing. Many times the disturbance is created when dog owners are away from home for long periods of time. Many disturbance calls occur during the day, when most people are at work.

FIXING THE PROBLEM

Make sure your dog's mental and physical needs are met. See to it that your dog has a comfortable, dry area to sleep in and that they are left with plenty of food and water. Have plenty of things for your dog to chew on and toys to play with to keep them occupied. Perhaps changing your dog's eating habits may help. If you normally feed your dog in the evening, try feeding them in the morning before you leave. Get out and take your dog for a walk. Have a dog sitting service, or your neighbor, stop by during the day to visit with your dog or take him on a walk. Seek help from a professional trainer to correct behavioral problems. Use a barking collar which can emit a noise, a spray of citronella or an electrical shock when a dog barks.

Dear Resident:

This is the second time that the excessive barking of your dog(s) has caused your neighbor(s) to complain to the city regarding the noise.

As you have been previously advised, it is the responsibility of the dog owner, or person in control, to take whatever measures are necessary to prevent excessive barking.

Once again, each violation of HBMC Section 8.24.080 (each incident of disturbing barking) carries a fine that can exceed \$100 with additional mandatory penalty assessments added on. It is your choice at this time, whether or not you contact the South Bay Dispute Resolution Service at (310) 376-7007 for suggestions on abatement of this problem.

Please be aware that this is the final notice that you will receive. Further incidents will result in the filing of charges at court. If such action is necessary, you will be advised of the date of your mandatory appearance.

Thank you for your immediate attention to this problem.

Respectfully,

*Kerry F. Rosell
Community Services Supervisor*

WHAT TO DO WHEN YOUR NEIGHBOR'S DOG BARKS

The City of Hermosa Beach is committed to improving the quality of life for all residents. If you have a problem with barking dogs in your neighborhood, here are some of the things you can do.

TALK WITH YOUR NEIGHBOR

Give your neighbor the benefit of the doubt. Don't assume they are aware of the situation and refuse to take responsibility. Many disturbance calls occur during the day, when most people are at work. Dog owners may be unaware that their dog is even creating a disturbance. Dogs can bark out of loneliness, boredom, separation anxiety, being teased or because of nearby strangers.

PUT IT IN WRITING

If the problem continues, write a letter to your neighbors. State the situation and, without using threats. Let the owner know if things don't improve, you'll be forced to notify local authorities. Keep a record of the number of requests you have made to your neighbor. Also, keep a written record of the disturbances.

CALL ANIMAL CONTROL

When efforts to resolve the situation with your neighbor directly have been unsuccessful, call Animal Control at 310-318-0209 and a barking dog complaint form will be sent to you. Once you have completed and returned the form, a letter will be sent to the dog owner informing them of the seriousness of the disturbance, and the possibility of future criminal charges should the barking continue. Try to give the owner at least 10 days to remedy the situation. If the barking continues, submit another complaint form and the matter will be referred to mediation.

MEDIATION

The South Bay Center, a mediation service contracted by the City, attempts to work with the parties, by phone or in person, to find an acceptable solution to the problem. In most cases, the Center is successful in getting a lasting solution to the problem. Call the Center at 310-376-7007 for mediation assistance.

SMALL CLAIMS COURT

You may decide to collect monetary compensation for up to \$5,000 through Small Claims Court. The City Attorney's office **cannot** provide you with legal advice but it has prepared an informational guide to assist citizens through the process.

AS A LAST RESORT

If, for some reason, efforts fail and the barking continues, the City has adopted a program to charge owners of barking dogs for violation of Hermosa Beach Municipal Code 8.24.080.



HERMOSA BEACH POLICE DEPARTMENT

03.46 CANINES

Effective 4/29/2010

Updated 10/11/2021

PURPOSE AND SCOPE

This policy establishes guidelines for the use of canines to augment police services to the community including, but not limited to locating individuals and contraband and apprehending criminal offenders.

POLICY

It is the policy of the Hermosa Beach Police Department that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

ASSIGNMENT

Canine teams should be assigned to the Operations Division. However, they may be assigned by the Watch Commander to other functions, such as routine calls for service, based on the current operational needs. Officers appointed to the position of canine handler have no vested interest in the position. The assignment to the canine unit is not a promotion and is not compensated as such.

The officer must recognize that this position requires working unusual hours, weekends, nights, holidays, and is subject to call outs at any time. The officer must be willing to participate in speaking engagements and demonstrations while providing a positive image for the department.
(CALEA 41.1.5a)

CANINE COORDINATOR

The canine coordinator shall be appointed by and directly responsible to the Operations Division Commander.

The responsibilities of the coordinator include, but are not limited to:

- a) Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.
- b) Maintaining a liaison with the vendor kennel.
- c) Maintaining a liaison with command staff and functional supervisors.

- d) Maintaining a liaison with other agency canine coordinators.
- e) Maintaining accurate records to document canine activities.
- f) Recommending and overseeing the procurement and maintenance and periodic inspections of equipment and services for the teams of handlers and canines.
- g) Scheduling all canine-related activities
- h) Ensuring the canine teams are scheduled for regular training to maximize their capabilities.

REQUESTS FOR CANINE TEAMS

Operations Division members are encouraged to request the use of a canine. Requests for a canine team from department units outside of the Operations Division shall be reviewed by the Watch Commander.

I. OUTSIDE AGENCY REQUESTS

All requests for canine assistance from outside agencies must be approved by the Watch Commander and are subject to the following.

- a) Canine teams shall not be used for any assignment that is not consistent with this policy.
- b) The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.
- c) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.
- d) It shall be the responsibility of the canine handler to complete all necessary reports or as directed.

II. PUBLIC DEMONSTRATIONS

All public requests for a canine team shall be reviewed and, if appropriate, approved by the canine coordinator or the Operations Division Commander prior to making any resource commitment. The canine coordinator is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols. Canine handlers shall not demonstrate any apprehension work unless authorized to do so by the canine coordinator or the Operations Division Commander.

REPORTING DEPLOYMENTS, BITES, AND INJURIES

Any unintended bite or injury caused by a canine, whether on- or off-duty, shall be promptly reported to the canine coordinator and Watch Commander. Unintended bites or injuries caused by a canine should be documented in an Incident Report, not in a canine use report, which shall immediately be forwarded to the canine coordinator and the Operations Division Commander. The injured person shall be promptly treated by emergency medical services personnel and, if appropriate, transported to an appropriate medical facility for further treatment.

If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual's injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal and/or civil proceeding is completed and the time for any related civil proceeding has expired.

Each handler will be required to file all reports pertinent to his/her canine assignment along with other logs/reports at the end of each working day. All reports resulting from completed incidents shall be submitted per department regulations. All incidents with notable conclusions in which canines are used shall be brought to the attention of the Operations lieutenant via the canine supervisor

Canines used by law enforcement agencies are generally exempt from impoundment and reporting requirements. However, the canine shall be made available for examination at any reasonable time if requested by the local health department. The canine handler shall also notify the local health department if the canine exhibits any abnormal behavior after a bite (Health and Safety Code § 121685).

NON-APPREHENSIONS GUIDELINES

I. ARTICLE DETECTION

A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

II. BOMB/EXPLOSIVE DETECTION

Because of the high risk of danger to the public and officers when a bomb or other explosive device is suspected, the use of a canine team trained in explosive detection may be considered. When available, an explosive-detection canine team may be used in accordance with current law and under certain circumstances, including:

- a. Assisting in the search of a building, structure, area, vehicle, or article where an actual or suspected explosive device has been reported or located.
- b. Assisting with searches at transportation facilities and vehicles (e.g., buses, airplanes, trains).
- c. Preventive searches at special events, VIP visits, official buildings, and other restricted areas. Searches of individuals should remain minimally intrusive and shall be strictly limited to the purpose of detecting explosives.
- d. Assisting in the search of scenes where an explosion has occurred and an explosive device or secondary explosive device is suspected.

At no time will an explosive-detection trained canine be used to render a suspected device safe or clear.

CANINE SELECTION

The minimum qualifications for the selection of a canine include:

- a) Canine must have good temperament, be in a healthy condition, and must have aptitude to be trained in particular canine assignment
- b) Canine must complete POST training requirements before going into service

HANDLER SELECTION

The minimum qualifications for the assignment of canine handler include:

- a) An officer who is currently off probation.
- b) Residing in an adequately fenced, single-family residence (minimum 5-foot high fence with locking gates).
- c) The residence shall also have an area adequate to set up a city-supplied kennel. The kennel shall be made of chain link or equivalent material. The minimum size of the kennel will be 4' X 8' X 6' long. A roof will also be secured on the top of the kennel to prevent escape or injury to the canine.
- d) A garage that can be secured and can accommodate a canine vehicle.
- e) Living within 25 miles from the Hermosa Beach City limits.
- f) Agreeing to be assigned to the position for a minimum of four years.

- g) The assignment to canine handler does not prohibit the handler from promotion to a higher rank during the assignment.

(CALEA 41.1.5b)

HANDLER RESPONSIBILITIES

The canine handler shall ultimately be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection and living conditions.

(CALEA 41.1.5d)

The canine handler will be responsible for the following:

- a) Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
- b) The handler shall maintain all department equipment under his/her control in a clean and serviceable condition.
- c) When not in service, the handler shall maintain the canine vehicle in a locked garage, away from public view.
- d) When a handler is off-duty for an extended number of days (2 or more weeks), the assigned canine vehicle should be stored at the Hermosa Beach Police Department facility.
- e) Handlers shall permit the canine coordinator to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicles to verify that conditions and equipment conform to this policy.
- f) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the canine coordinator as soon as possible.
- g) When off-duty, the canine shall be in a kennel provided by the City at the home of the handler. When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, the canine may be let out of the kennel while under the direct control of the handler.
- h) The canine should be permitted to socialize in the home with the handler's family for short periods of time and under the direct supervision of the handler.
- i) Under no circumstances will the canine be lodged at another location unless approved by the canine coordinator or Watch Commander.
- j) When off-duty, the handler shall not involve the canine in any law enforcement

activity or official conduct unless approved in advance by the canine coordinator or Watch Commander.

- k) Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the canine coordinator so that appropriate arrangements can be made.
- l) The canine handler shall not take the dog with him/her on personal or family outings without prior approval from the canine coordinator.

EQUIPMENT

Each canine handler will be issued:

- (a) Dog collar
- (b) Six-foot leash
- (c) Water bowl
- (d) Grooming brush
- (e) Specialized canine patrol vehicle
(CALEA 41.1.5e)

CANINE IN PUBLIC AREAS

The canine should be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.

- a) A canine shall not be left unattended in any area to which the public may have access.
- b) When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the canine. The handler shall also ensure that the unattended vehicle remains inhabitable for the canine.

HANDLER COMPENSATION

The canine handler shall be available for call-out under conditions specified by the canine coordinator.

The canine handler shall be compensated in accordance to the Police Officer's Association MOU Article 28.

CANINE INJURY AND MEDICAL CARE

In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the canine coordinator or Watch Commander as soon as practicable and appropriately documented.

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained in the canine file.

TRAINING

Before assignment in the field, each canine team shall be trained and certified to meet current POST guidelines or other recognized and approved certification standards. Cross-trained canine teams or those canine teams trained exclusively for the detection of narcotics and/or explosives also shall be trained and certified by the California Narcotic Canine Association (CNCA) or other recognized and approved certification standards established for their particular skills.
(CALEA 41.1.5b)

The canine coordinator shall be responsible for scheduling periodic training for all department members in order to familiarize them with how to conduct themselves in the presence of department canines. Because canines may be exposed to dangerous substances, as resources are available, the canine coordinator should also schedule periodic training for the canine handlers about the risks of exposure and treatment of it.

All canine training shall be conducted while on-duty unless otherwise approved by the canine coordinator or Watch Commander

I. CONTINUED TRAINING

Each canine team shall thereafter be recertified to a current POST, CNCA or other recognized and approved certification standards on an annual basis. Additional training considerations are as follows:

- a) Canine teams should receive training as defined in the current contract with the Hermosa Beach Police Department canine training provider.
- b) Canine handlers are encouraged to engage in additional training with approval of the canine coordinator.
- c) To ensure that all training is consistent, no handler, trainer or outside vendor is authorized to train to a standard that is not reviewed and approved by the department.

II. FAILURE TO SUCCESSFULLY COMPLETE TRAINING

Any canine team failing to obtain and maintain certification shall not be deployed in the field for tasks the team is not certified to perform until certification is achieved. When reasonably practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties. If the canine team is unable to successfully complete the required training and certification, the canine and/or the canine handler may be removed from the canine program.

III. TRAINING RECORDS

All canine training records shall be maintained in the canine handler's and the canine's training file at the police department.

Performance records for the canine will be maintained to provide a basis for the Chief of Police to determine the effectiveness of the canine program. A record on each canine will be kept regarding performance while in training as well as the performance of the handler (CALEA 41.1.5c)

IV. TRAINING AIDS

Training aids are required to effectively train and maintain the skills of canines. Officers possessing, using or transporting controlled substances or explosives for canine training purposes must comply with federal and state requirements. Alternatively, the Hermosa Beach Police Department may work with outside trainers with the applicable licenses or permits.

CONTROLLED SUBSTANCES TRAINING AIDS

Officers acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection canine training in compliance with state and federal laws (Health & Safety Code § 11367.5; 21 USC § 823(f)).

The Chief of Police or the authorized designee may authorize a member to seek a court order to allow controlled substances seized by the Hermosa Beach Police Department to be possessed by the member or a narcotics-detection canine trainer who is working under the direction of this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.

As an alternative, the Chief of Police or the authorized designee may request narcotics training aids from the Drug Enforcement Agency (DEA) or other law enforcement agency.

These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled narcotics.

I. CONTROLLED SUBSTANCE PROCEDURES

Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the canine's accidental ingestion of these controlled substances, the following procedures shall be strictly followed:

- a) All substances issued to the handler will be from adjudicated cases only.
- b) All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler or trainer.
- c) The weight and test results shall be recorded and maintained by this department.
- d) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances. A representative from Property and Evidence, the Operations Division Commander or a Sergeant and the handler must be present when each drug is weighed.
- e) All controlled substance training samples will be inspected, weighed and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine coordinator with a copy forwarded to the dispensing agency. Any loss of a drug or a change in weight will immediately be reported in writing to the canine coordinator. The Operations Division Commander will conduct an inspection of the drugs and the logs biannually.
- f) All controlled substance training samples will be stored in locked, airtight and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container. Any exceptions to this procedure shall be approved by the canine coordinator.
- g) The canine coordinator shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.
- h) Any unusable controlled substance training samples shall be returned to the Property and Evidence Unit or to the dispensing agency.
- i) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.
- j) Assigned narcotics shall be documented for tracking purposes.

EXPLOSIVE TRAINING AIDS

Officers may possess, transport, store, or use explosives or destructive devices in compliance with state and federal laws (Penal Code § 18800; 18 USC § 842; 27 CFR 555.41).

Explosive training aids designed specifically for canine teams should be used whenever feasible. Due to the safety concerns in the handling and transportation of explosives, inert or non-hazardous training aids should be employed whenever feasible. The use of explosives or destructive devices for training aids by canine teams is subject to the following:

- a) All explosive training aids, when not in use, shall be properly stored in a secure facility appropriate for the type of materials.
- b) An inventory ledger shall be maintained to document the type and quantity of explosive training aids that are stored.
- c) The canine coordinator shall be responsible to verify for verifying the explosive training aids on hand against the inventory ledger once each quarter.
- d) Only members of the canine team shall have access to the explosive training aids storage facility.
- e) A primary and secondary custodian will be designated to minimize the possibility of loss of explosive training aids during and after the training. Generally, the handler will be designated as the primary custodian while the trainer or authorized second person on-scene will be designated as the secondary custodian.
- f) Any lost or damaged explosive training aids shall be promptly reported to the canine coordinator, who will determine if any further action will be necessary. Any loss of explosives will be reported to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

APPROVED:



Paul LeBaron
Chief of Police

Canines

I. GENERAL INFORMATION

The following contains general information, procedures, and guidelines for the canine unit and the officers assigned to the unit.

All dogs assigned for duty with the canine unit shall be purchased and maintained by the Department. The canines remain the property of the Department for the duration of the assignment.

A personnel file will be developed and all records of the use and maintenance of each dog will be submitted to and maintained by the canine coordinator. The canine handler shall keep the health records and shot records of the canines up to date. The records shall be maintained in the canine files.

Retirement and/or permanent separation of dogs assigned to the canine unit shall conform to city ordinance as it pertains to city owned property. The current handler may be offered the opportunity to purchase the retired canine from the city for a fee. Should the handler be allowed to purchase the dog, he/she shall assume all responsibility and liability for the dog thereafter.

Dogs selected for service with the City of Hermosa Beach shall satisfy recognized criteria and standards as adopted by the Department. The Operations lieutenant and the canine coordinator shall participate in the selection of the canine.

Employees assigned as canine handlers shall be selected on the basis of qualifications criteria established by policy 309- Canines.

Police service canines entrusted to a handler is the sole responsibility of the handler for health care, feeding, grooming, cleanliness, training, and maintenance of performance standards.

- Dogs shall be groomed, inspected, and worked daily.
- Dog kennels shall be cleaned daily and maintained in a sanitary condition.
- Dogs shall be fed only the prescribed diet and on a schedule established by the kennel master/trainer or department veterinarian.
- Canine vehicles shall be cleaned as often as required to ensure a sanitary condition.
- Clean up of any dog excretion in any place shall be the responsibility of the handler.

II MEDICAL

The department will contract with a qualified veterinarian who shall have the sole responsibility for medical care, routine and emergency examinations and issuance of directives relative to treatment of dog injuries/illnesses. This service is to be used for all non- emergency veterinary services. The dog will be taken to the veterinarian for examinations and medications. In the event of an emergency, any available qualified veterinarian may treat the dog. However when practical, the department veterinarian should be consulted prior. Handlers shall not diagnose or initiate

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treatment for medical problems associated with the dog unless necessitated by an emergency and no formal medical treatment is immediately available. All injuries, illness, check-ups and medical treatment will be documented and maintained in the canine file. The handler will notify the canine coordinator as soon as practical when emergency medical care is required.

III. OFF DUTY RESTRICTIONS

When the canine handler is unable to care for the canine or is away from home and the canine for a period of 24 hours or more (not planned/extended vacations), the handler may elect to house the canine with a department approved facility or leave the canine at their residence to be cared for by an adult family member, trainer, or authorized knowledgeable adult with prior approval by the canine coordinator. Before the canine is left at the residence with someone other than the assigned handler, the handler shall notify in writing the handler's length of time of absence and the name and telephone number of the person caring for the canine that has received approval. The canine coordinator shall immediately be notified of any injury, illness or incident involving the care and welfare of the canine. It is the responsibility of the handler to see this is done.

Whenever the canine handler anticipates taking a vacation or an extended number of days off, it may be necessary to temporarily relocate the police dog. In those situations, the handler shall give reasonable notice to the canine coordinator so that appropriate arrangements can be made.

IV. PUBLIC RELATIONS

All canine program personnel assigned to public relations duties shall prepare themselves, their canines, and all equipment in such a manner as to present a professional image to their audiences.

V. REPORTING PROCEDURES

Canine Review/Investigation:

All reports, narratives and photographs will be submitted to the canine coordinator. The canine coordinator will review the submitted material, and if needed, conduct any follow up investigation.

VI. CANINE VEHICLE AND EQUIPMENT

In addition to all other Hermosa Beach Police Department orders, policies, and procedures, the canine officers are responsible for the following:

- Maintaining clean and sanitary units, vehicle equipment and required canine K-9 equipment in vehicle.
- Off-street parking and reasonable security while parked at the officer's residence.

VII. TRAINING

Handlers shall utilize constant training techniques to keep their canines trained to their fullest capabilities.

Upon completion of the initial POST training certification, minimum training standards will be followed by each canine handler as follows:

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The canine teams train monthly with the department authorized kennels. These training records are forwarded to the canine program coordinator each month by the trainer.

Additionally, all handlers should devote a minimum of two hours per week to keep the dog at the level required for the work and to improve upon areas where there may be problems. This training is to be conducted and recorded on the handler's monthly training log. Narcotic Canine teams will attend annual POST drug detection re-certification.

VIII. INCIDENT FORMS AND PERFORMANCE RECORDS

A simple form titled Canine Incident Report has been devised which will be used by the handler each time he/she uses the canine in the field. The form describes the incident in which the dog was actually used and whether or not the arrest could have been made if the canine had not been present. This form is submitted to the canine coordinator and retained in the canine file. This form will not only provide the necessary statistics on the use of the canine, but will also be of benefit to the trainer. He/she may find problems the handler is encountering with his/her canine in the field and can direct training to correct the problem. Of course it must be realized that the deterrent factor, which is one of the program's greatest assets cannot be statistically evaluated.

Mobile Digital Computer Use

423.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Digital Computer (MDC) system in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and Dispatch.

423.2 POLICY

Heramosa Beach Police Department members using the MDC shall comply with all appropriate federal and state rules and regulations and shall use the MDC in a professional manner, in accordance with this policy.

423.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

423.4 RESTRICTED ACCESS AND USE

MDC use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDC system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDC by anyone to their supervisors or Watch Commanders.

Use of the MDC system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDC system is prohibited and may result in discipline.

It is a violation of this policy to transmit a message or access a law enforcement database under another member's name or to use the password of another member to log in to the MDC system unless directed to do so by a supervisor. Members are required to log off the MDC or secure the MDC when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

423.4.1 USE WHILE DRIVING

Use of the MDC by the vehicle operator should be limited to times when the vehicle is stopped. Information that is required for immediate enforcement, investigative, tactical or safety needs should be transmitted over the radio.

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Short transmissions, such as a license plate check, are permitted if it reasonably appears that it can be done safely. In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

423.5 DOCUMENTATION OF ACTIVITY

For a unit to be properly tracked, each unit must be entered or logged individually. Therefore, each unit must check in or out of service either verbally with the dispatcher or the unit may do so via their MDC. One unit shall not check in or out of service for another unit.

Except as otherwise directed by the Watch Commander or other established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the police radio and/or electronically via the MDC unless security or confidentiality prevents such broadcasting.

MDC and voice transmissions are used to document the member's daily activity. To ensure accuracy:

- (a) All contacts or activity shall be documented at the time of the contact.
- (b) Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.
- (c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDC.

423.5.1 STATUS CHANGES

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the police radio or through the MDC system.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDC when the vehicle is not in motion.

423.5.2 EMERGENCY ACTIVATION

If there is an emergency activation and the member does not respond to a request for confirmation of the need for emergency assistance or confirms the need, available resources will be sent to assist in locating the member. If the location is known, the nearest available officer should respond in accordance with the Officer Response to Calls Policy.

Members should ensure a field supervisor and the Watch Commander are notified of the incident without delay.

Officers not responding to the emergency should refrain from transmitting on the police radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

423.6 EQUIPMENT CONSIDERATIONS

423.6.1 MALFUNCTIONING MDC

Whenever possible, members will not use vehicles with malfunctioning MDCs. Whenever members must drive a vehicle in which the MDC is not working, they shall notify Dispatch and the

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Watch Commander. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio. The member and/or Watch Commander will document the malfunctioning MDC and submit the appropriate repair request(s).


423.6.2 BOMB CALLS

When investigating reports of possible bombs, members should not communicate on their MDCs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDC could cause some devices to detonate.

423.6.3 INSTALLATION OF EXTERNAL DEVICES AND SOFTWARE

Only authorized technicians shall install, uninstall, or otherwise modify peripherals, devices, or software on an MDC.

423.7 ISSUING AUTHORITY

	Effective Date	Updated Date
 W. Paul LeBaron, Chief of Police	August 10, 2010	December 23, 2019



HERMOSA BEACH POLICE DEPARTMENT

O3.48 MOUNTED ENFORCEMENT UNIT

**Effective 7/1/2010
Updated 10/8/2015**

PURPOSE

The purpose of this policy is to specify the circumstances in which the Mounted Enforcement Unit (MEU) may be used. In addition, the policy will provide a general overview of the Mounted Unit program for the benefit of personnel not assigned to the program.

ORGANIZATION

The MEU will be managed by a Lieutenant as directed by the Chief of Police. The MEU Lieutenant will assign a MEU Sergeant to supervise, coordinate, and/or handle administrative functions of the unit. The MEU will function as a citywide detail.

RESPONSIBILITIES

General responsibilities of the MEU include:

1. Officers should not position their horse close to a person who is sitting or lying on the ground as to constitute a hazard.
2. Officers shall not allow an on-duty mount to be fed by citizens.
3. Officers should not run the horse or gallop unless there is an emergency situation that is ongoing and only after due regard is given for the safety of the horse, officer, and citizens.
4. Only when the officer has control of the horse, and permission is given, will a citizen be allowed to approach and touch the horse. The officer will determine the number of persons who may touch or approach the horse so as not to constitute a hazard.
5. Horses are not to be left unattended while outside the trailer.
6. Horses should not be allowed to graze while on duty.
7. Prisoners shall not be transported on horseback, or led with a rope or other device.
8. Horses shall always be under the control of the MEU officer. The horse shall be secured with a lead rope if the officer intends to take a break
9. The MEU officer will attempt to keep the horse from defecating or urinating on the sidewalks or in a crosswalk. If the horse defecates, the officer will pick it up and carry it away, place it into a flowerbed or planter, or dispose of it in an appropriate manner.

10. All accidental injuries to citizens will be reported to the on duty field supervisor. The MEU Sergeant and MEU Lieutenant must be notified. A memorandum outlining the incident must be written to the Chief of Police. If the injury is sustained as a result of enforcement action, a use of force memorandum should be prepared following department policy.
11. A field supervisor, the MEU Sergeant and MEU Lieutenant will be notified of any injury(s) sustained by a horse while on duty. If the injury requires immediate medical attention, a veterinarian may be called. A written account of the incident will be submitted to the Chief of Police.
12. Civilians shall not be allowed to sit on or ride a police horse during deployments. Police officers who are not part of the mounted enforcement unit will not be allowed to ride the police horse.

OPERATIONAL PROCEDURES

The MEU assignment is a collateral duty for officers. It is not a full time function of the Police Department. All deployments will be at the discretion of the MEU Lieutenant or his/her designee. The request for any deployment shall be completed via chain of command.

MEU personnel are used to establish high visibility patrol to reduce crime, assist in crowd control at special events, including but not limited to parades, festivals, organized demonstrations, and to provide support for community events and special beat projects.

1. MEU officers should be deployed in teams of two to insure safety of officers and citizens. If an outside agency mounted officer is deployed in Hermosa Beach, a Hermosa Beach MEU officer will be his/her partner whenever possible.
2. Call out requests will be made to the MEU Sergeant via the MEU Lieutenant.
3. Horses must be bathed and/or brushed prior to any deployment. All issued safety equipment will be worn while on duty.
4. Reimbursement will be made for feed expenses up to \$150 per month per horse. Care and exercise for the horse is done on the officer's own time. MEU officers are considered on duty one hour prior to deployment and one hour after.
5. MEU officers train once a month or at the discretion of the MEU Sergeant. Personnel assigned to the unit must complete a POST Mounted Officer Basic course.
6. Prior to assignment to the MEU, officers must be willing to sign a Mounted Unit Enforcement Unit Agreement in regards to "Horse Training and Grooming." A copy of this agreement is attached.

(CALEA 41.1.4 a ,b, c)

SELECTION PROCDEURES

An officer off probation of any rank and qualified reserve officers may become a member of the unit. An interest memorandum will be submitted to the MEU Sergeant, which includes the officer's minimum qualifications, skills, and experience. The MEU Lieutenant will

review the memorandum and seek input from the applicant's current and previous supervisors, the MEU Sergeant, and members of the MEU. The MEU Lieutenant will then make a recommendation, via the chain of command to the Chief of Police. The Chief of Police, at his/her sole discretion, will decide on their selection to the unit or on their removal from the unit. Prior to a selection to the unit, the following is a list of minimal equipment requirements by the applicant:

1. Interested personnel must provide or have access to a western style saddle (brown or black), halter and lead rope, bit, headstall and reins, saddle pad and other required tack and equipment, baton/bokken, and all grooming equipment. A saddle pad and breast collar with "Police" designation is highly recommended.
 2. Unit members will have access to a horse trailer and tow vehicle.
 3. Unit members will provide a department authorized uniform.
- (CALEA 41.1.4 d)

APPROVED:



Sharon Papa
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

03.49 COMMUNICATIONS

Effective 8/10/2010
Updated 11/01/2016

PURPOSE

To establish proper radio procedure and conduct which conform to rules and regulations of the Federal Communications Commission (FCC), and establish procedures for radio broadcasts, dispatching, and field units response to incidents.

ADMINISTRATION

The South Bay Regional Public Communications Authority (RCC) is a joint powers authority currently owned by the Cities of Gardena, Hawthorne and Manhattan Beach, while also providing communications services under contract to the cities of El Segundo and Hermosa Beach. RCC processes approximately 250,000 police and fire incidents annually in the Southern California region, commonly referred to as the South Bay. (CALEA 81.1.1)

A. Administration

1. RCC provides the following services as part of the Communications Center function:
 - a. Radio communications
 - b. Mobile Data communications
 - c. Telephone communications
 - d. Dissemination of Emergency 9-1-1 calls for service
 - e. Dissemination of Non-Emergency 9-1-1 calls for service
 - f. CLETS and NCIC information
 - g. Local law enforcement records information
 - h. Teletype communications
 - i. Fax communications
 - j. TTY/TDD communications
 - k. Recording of radio and telephone communications
 - l. Inter-agency communications
 - m. Operations of the Computer Aided Dispatch System (CAD)

B. FCC Regulations

The Federal Communications Commission is a regulatory agency that is charged with managing the use of the radio spectrum in a manner that protects the public interest.

1. Radio operations by all employees shall be conducted in accordance with the procedures and requirements as established by the Federal

Communications Commission. The following items are the most crucial operating rules that all employees must adhere to:

- a. All radio transmissions will be restricted to a practical and minimal transmission time.
- b. Priority shall be given to communications involving potential harm to persons or property.

(South Bay Regional Public Communications Authority has access to all of FCC's current rules and regulations via the internet.)

2. Prohibited transmissions

- a. Use of profane, indecent, or obscene language. Your microphone can and often does pick up background conversations.
- b. Interrupt a distress or emergency message.
- c. Send false call letters or a false distress or emergency message.
- d. Create willful or malicious interference (clicking of the microphone button constitutes a violation as an unidentified signal and creates interference).
- e. Transmit unnecessary, unidentified or superfluous communications or signals.

3. All current FCC Licenses are maintained by the Hermosa Beach Police Department and RCC.
(CALEA 81.1.2)

C. Communications Center Access

Authorized personnel are limited to those persons who operate and command the Communications Center and to others specifically authorized by the Shift Managers i.e., Public Safety employees or maintenance/repair/cleaning personnel.
(CALEA 81.3.1 a, b)

D. Recording and Reviewing Recorded Radio Transmissions/Telephone Conversations

1. Recording

- a. The agency has the capability of immediate playback of recorded telephone and radio conversations while it maintains continuous recording of radio transmissions and emergency telephone conversations.

Recordings shall be retained in the Communications Center for a minimum of 100 days.

Unless a recording is to be retained for evidence purposes at the department's request, it is subject to destruction and/or recycling by the Communication Center. (CALEA (81.2.8a)

- b. Recordings shall be secured in a locked area in the Communications Center's server room. Archived media is stored in a secured access room

(CALEA 81.2.8 b)

Access to the Communications Center recordings is restricted to communications personnel who are authorized by the Communications Operations Manager and/or Administration Manager to produce copies of recordings as enumerated in this Policy.

2. Review (CALEA 81.2.8 c)

- a. Review of the recordings shall be limited to personnel with a legitimate need such as, investigative, administrative review, training, etc.

- b. Requests for a copy of a recording may be made by completing the "SBRPCA Tape Request" form, retrievable from the Communications Center intranet.

- 1) All recording requests must be referred to shift Supervisor via web email form or fax.

- 2) When the recording is made, the requester will be notified and may pick up the recording at the Communications 9-1-1 Center.

- c. The Department can request a copy of a recording if it is this Department's incident call. If not our incident call, permission must be obtained from the outside agency.

GENERAL

- A. The Department provides 24-hour, toll free voice and TTY telephone access for emergency calls for service, via the Communications Center, which can be contacted by any one of the following in an emergency situation:

(CALEA 81.2.1)

- 1. 9-1-1: (Emergency) Used primarily for calls for service that involved public safety or crimes in progress.

2. 310-524-2750: (Non-Emergency) Used to report incidents that may require an immediate response by a police officer, but the event does not involve an immediate threat to the public's safety.
 3. Operator assistance: May be used as an alternative means for requesting assistance.
 4. The telephone system is designed to separate emergency and non-emergency phone lines. (CALEA 81.3.3)
- B. Communications Center personnel have immediate access to the following departmental resources:
1. Officer in charge (via officer's MDC or radio sign-on). (CALEA 81.2.5 a)
 2. Duty roster for all personnel (via officer's MDC or radio sign-on). (CALEA 81.2.5 b)
 3. Residential telephone numbers of all department employees, via the Watch Commander. If the Watch Commander is unavailable, Records and Jail Personnel also have access to residential telephone numbers. (CALEA 81.2.5 c)
 4. Visual maps detailing Hermosa Beach Police Department's service area, located at each HBPD designated workstation. (CALEA 81.2.5 d)
 5. Officers' status indicator through CAD of all active units. (CALEA 81.2.5 e)
 6. Written procedures and telephone numbers for procuring emergency and necessary external services through use of the emergency call out binders and reference books are denoted on the individual information sheets for each external service. Following are actions to be taken during business/non-business hours: (CALEA 81.2.5 f)
 - a. Business Hours – During regular business hours, contact is accomplished by way of the allied agencies regular business telephone numbers located in the City Telephone Directory, CAD system, or reference books.
 - b. Non-Business Hours – After hour contact is conducted by following the call out guidelines denoted on the various external services call out sheets located in the CAD system, emergency call out binder, or reference books located at each workstation.
 7. Police Task Force tactical dispatching plans. (CALEA 81.2.5 g)
- C. Communications Center personnel answer all incoming calls in accordance with Chapter 3 of the South Bay Regional Public Communications Authority Training Manual. In addition, questions are asked of the caller to determine the validity, nature, whether an emergency or non-emergency response is required and priority of the call. (CALEA 81.2.6 a)

- D. Communications Center personnel will advise the caller that an officer will be dispatched as soon as possible if their situation requires police response. Communications Center personnel will refer a caller who does not require a police response to the appropriate assistance agency. (CALEA 81.2.6 b)
- E. The Communications Center shall serve as the 24-hour contact point to respond to victim/witness requests for information and/or services to include initial and subsequent requests, in accordance with Chapter 3 of the South Bay Regional Public Communications Authority Training Manual. (CALEA 81.2.7)
- F. Communications Center personnel will immediately relay information from misdirected emergency calls for service to the appropriate agency by either directly transferring or calling the agency directly.
(CALEA 81.2.12)
 - 1. If an employee must transfer a police, fire or emergency medical call that was received on a 9-1-1 line to another PSAP, they can do it by pressing the appropriate transfer button on the 9-1-1 phone equipment at the workstation. The call taker should remain on the line to insure the transfer is completed.
 - 2. If an employee must transfer a call received on a 7-digit phone line, they may transfer the call by establishing a three-way call, or they may relay pertinent information directly to the other PSAP or dispatch center phone, and advise the original caller to stay off their phone, if possible, so that the other dispatch center can call them.
- G. Communications Center Personnel are CPR certified and trained to provide emergency first aid instruction (EMD) over the telephone, radio, or MDC.
(CALEA 81.2.14)

COMMUNICATIONS TO AND FROM FIELD PERSONNEL

- A. To ensure employee safety and efficiency, field personnel maintain constant communications with the emergency dispatcher. This informs the emergency dispatcher, fellow officers, and supervisors of a patrol officer's status, location and the status of any incident to which he/she is responding. Field personnel are identified by unit number during all communications. (CALEA 81.2.4 a, c)
 - 1. Voice Dispatch

Priority E calls, priority one calls, priority two calls which have just occurred, those that require cover, and any other call at the officer's or dispatcher's discretion, shall be dispatched by both voice and MDC.

- B. For a unit to be properly tracked, each unit must be entered or logged individually. Therefore, each unit must check in or out of service either verbally with the dispatcher or the unit may do so via their MDC. One unit shall not check in or out of service for another unit. (CALEA 81.2.4 b)

- C. Twenty-four Hour Continuous Two-Way Communication Capability
 - 1. The Communications Center operates twenty-four hours a day to provide continuous two-way communication capability with on duty employees.

 - 2. Patrol Officers shall have portable radios to stay in constant radio contact with the Communications Center, whenever it is necessary for them to be away from their vehicles or out on foot. Constant contact with the Emergency Dispatcher permits employees to:
 - a. Respond to calls for service.
 - b. Request assistance, if necessary.
 - c. Receive orders or instructions.
 - d. Exchange pertinent information.

(CALEA 81.2.2)

PROCEDURES

- A. Incident Information
 - 1. Call histories for request for service or self-initiated activity will generally include the following information:
 - a. CAD incident number: Automatically assigned by the CAD system. (CALEA 81.2.3 a)

 - b. Date and time of request: Automatically assigned by the CAD system at the time the call is entered. (CALEA 81.2.3 b)

 - c. Name and address of the complainant, if available: Entered by the call-taker. (CALEA 81.2.3 c)

 - d. Type of incident reported: Entered by the call-taker. (81.2.3 d)

 - e. Location of incident reported: Entered by the call-taker (CALEA 81.2.3e)

- f. Identification of officers(s) assigned as primary and backup: Determined at the time the call is dispatched/entered by the dispatcher. (CALEA 81.2.3 f)
- g. Time of dispatch: Automatically assigned by the CAD system when the call is dispatched. (CALEA 81.2.3 g)
- h. Time of officer's arrival: Entered by the officer(s) or the dispatcher via a computer command. (CALEA 81.2.3 h)
- i. Time of officer's return to service: Entered by the officer(s) or the dispatcher via a computer command. (CALEA 81.2.3 i)
- j. Disposition of incident: Entered by the primary officer or dispatcher via a computer command. (CALEA 81.2.3 j)
- k. Information obtained by the reporting party that is pertinent to the call for service. Entered by the dispatcher via CAD.

B. Response to Incidents (CALEA 81.2.4 e)

- 1. Priorities have been established to provide for the most effective response to calls for service with available patrol officers. These priorities are determined by the severity of the crime, whether the incident is in progress or has just occurred, or whether the likelihood that a delay in response might cause the suspect to flee or to return.
- 2. The Computer Aided Dispatch System is designed and programmed to assist Communications Center personnel by prioritizing calls.
- 3. On calls that are high priority, in progress, involved violence or potential violence, besides the primary response unit, the emergency dispatcher will send one or more backup units to the location of the incident.
- 4. Whenever necessary, officers en route to, or on the scene of a call, may request backup units via radio or by activating their MDC emergency button. (CALEA 81.2.4 g)
- 5. When not already occupied by another incident of a serious nature, a supervisor or Watch Commander will be dispatched to an incident if requested by a member of the public, and under the following circumstances (not limited to):
 - a. Homicide
 - b. Serious Assault
 - c. Robbery
 - d. Natural/man-made disaster
 (CALEA 81.2.4 f)

D. Agency Assist Backups (CALEA 81.2.4 d)

Emergency dispatch will only dispatch an Allied Law Enforcement Agency as a backup when requested by the assigned unit or field supervisor and/or authorized by the on-duty Watch Commander.

E. Communications with Interacting Agencies (CALEA 81.2.4 d)

1. When employees of our Department enter into another jurisdiction for law enforcement purposes, they may contact the local agency to advise of their presence and activity.
2. When employees of outside agencies enter the City of Hermosa Beach for the purpose of carrying out law enforcement operations, they are requested to contact our Department to advise of their presence and activity.
3. When assisting on a call for service, field personnel from interacting agencies will be directed by dispatch to switch to the main frequency being utilized for the incident they are responding to.

F. Response to Private Security Alarms (CALEA 81.2.13)

The Hermosa Beach Police Department and RCC do not monitor private security alarms.

G.. Access to CLETS/NCIC Information Systems (CALEA 81.2.9)

1. South Bay Regional Public Communications Authority maintains the switch for access by local law enforcement agencies to the California Law Enforcement Telecommunications System (CLETS) and to National Crime Information Center (NCIC). The Department depends on CLETS and NCIC for information necessary to accomplish various aspects of the law enforcement function from their MDC's, and designated CAD access terminals in the station. The Police Department maintains a separate dedicated CLETS connection for other Police Department access.
2. Employees receiving CLETS and NCIC information are responsible for maintaining the confidentiality of the information. All employees are required to read and sign confidentiality statements at the time of hire, which advise of the penalties for misuse of criminal justice information. Statements are renewed annually.

H. Emergency Messages (CALEA 81.2.11)

Citizens or other law enforcement agencies may contact Communications Center personnel and request that our department notify third party individuals about an emergency situation.

1. Emergency messages may include, but are not limited to:
 - a. Serious illness of a family member.
 - b. Injury as a result of an accident or crime
 - c. A hospital needing to speak to a family member
 - d. Law enforcement agency needing to speak to a family member.
 - e. Requests approved by the Watch Commander.
2. All emergency notification requests will be entered as a call for service into the CAD system and dispatched to the appropriate beat officer.
3. Personal notification will be attempted. If personal contact cannot be made, a note to contact the requesting party will be left at the residence.
4. The procedure to follow when accepting a request for emergency notification includes:
 - a. Obtain as much information from the requesting party as may be necessary to answer questions that may be asked by the person being notified.
 - b. Obtain the name and telephone number of the person(s) the party being notified should contact for additional information.
 - c. If appropriate, obtain the name and address of a third party that may act as a support for the person to be notified.

EQUIPMENT

- A. Equipment such as antennas and electrical power distribution points shall be fenced with entry restricted to authorized personnel only. (CALEA 81.3.1 a, d)
- B. All Communication Center personnel shall follow internal policies regarding the appropriate use and care of agency equipment and are responsible for the security and protection of the equipment. (CALEA 81.3.1 b)
- C. In the event of a power failure, the emergency generator will automatically engage, supplying power to the Communication Center to maintain operations. (CALEA 81.3.1c)
 1. Emergency backup power supplies will be inspected and tested at full load on a weekly basis by the Communications Center Staff. A log is maintained documenting each inspection and test. (CALEA 81.3.2)

- D. The alternate 9-1-1 Answer Point, located in the City of Torrance Police Department Communications Center, is the site of the alternate answering point for South Bay Regional Public Communications Authority calls. If it is necessary to implement alternate routing for 9-1-1 calls, South Bay Regional Public Communications Authority will send personnel to staff the alternate PSAP and as soon as that occurs, the tandem switch will be activated in order to divert the calls via automatic re-routing by the area telephone company. (CALEA 81.3.1 c)
- E. The Communications Center radio system has the necessary equipment capability to access an inter-jurisdictional, regional, or area law enforcement radio system.
- F. The Communications Center has multi-channel mobile and portable radio equipment capable of two-way operation on a joint safety frequency or frequencies. Systems available through the South Bay Regional Public Communications Authority are:
(CALEA 81.3.4)
1. California Law Enforcement Mutual Aid Radio System (CLEMARS) – A statewide radio system for law enforcement agencies which can be accessed on the desk-top radios in the Communications Center.
 2. California On Scene Emergency Coordination Radio System (CALCORD) – A statewide local public safety and Special Emergency agencies radio system for use during disaster or other emergencies where Interagency coordination is required. The Communications Center cannot broadcast or monitor this frequency, as it is not authorized for local base station installation.
 3. County Law Enforcement Radio System – This system provides mutual aid communications for Los Angeles County managed by the LACO Sheriff's office.
 4. County Fire Radio System – This system provides communications with all fire districts and departments within Los Angeles County.
 5. City and County Local Government Radio Systems – These systems provide communications to various city and county agencies.

APPROVED:



Sharon Papa
Chief of Police

Domestic Violence

310.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of this department to take enforcement action when appropriate, to provide assistance to victims and to guide officers in the investigation of domestic violence.

310.1.1 DEFINITIONS

Definitions related to this policy include:

Court order - All forms of orders related to domestic violence that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

310.2 POLICY

The Hermosa Beach Police Department's response to incidents of domestic violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic violence is criminal behavior. It is also the policy of this department to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

310.3 OFFICER SAFETY

The investigation of domestic violence cases often places officers in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all officers to exercise due caution and reasonable care in providing for the safety of any officers and parties involved.

310.4 INVESTIGATIONS

The following guidelines should be followed by officers when investigating domestic violence cases:

- (a) Calls of reported, threatened, imminent, or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- (b) When practicable, officers should obtain and document statements from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence.
- (c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.

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- (d) When practicable and legally permitted, video or audio record all significant statements and observations.
- (e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Detective Bureau in the event that the injuries later become visible.
- (f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.
- (g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement, and make an arrest or seek an arrest warrant if appropriate.
- (h) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence. If the domestic violence involved threats of bodily harm, any firearm discovered in plain view or pursuant to consent or other lawful search must be taken into temporary custody (Penal Code § 18250).
- (i) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order, and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.
- (j) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:
 - 1. Whether the suspect lives on the premises with the victim.
 - 2. Claims by the suspect that the victim provoked or perpetuated the violence.
 - 3. The potential financial or child custody consequences of arrest.
 - 4. The physical or emotional state of either party.
 - 5. Use of drugs or alcohol by either party.
 - 6. Denial that the abuse occurred where evidence indicates otherwise.
 - 7. A request by the victim not to arrest the suspect.
 - 8. Location of the incident (public/private).
 - 9. Speculation that the complainant may not follow through with the prosecution.
 - 10. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or marital status of the victim or suspect.
 - 11. The social status, community status, or professional position of the victim or suspect.

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310.4.1 IF A SUSPECT IS ARRESTED

If a suspect is arrested, officers should:

- (a) Advise the victim that there is no guarantee the suspect will remain in custody.
- (b) Provide the victim's contact information to the jail staff to enable notification of the victim upon the suspect's release from jail.
- (c) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

310.4.2 IF NO ARREST IS MADE

If no arrest is made, the officer should:

- (a) Advise the parties of any options, including but not limited to:
 1. Voluntary separation of the parties.
 2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness unit).
- (b) Document the resolution in a report.

310.5 VICTIM ASSISTANCE

Because victims may be traumatized or confused, officers should be aware that a victim's behavior and actions may be affected:

- (a) Victims should be provided with the department's domestic violence information handout, even if the incident may not rise to the level of a crime.
- (b) Victims should also be alerted to any available victim advocates, shelters, and community resources.
- (c) When an involved person requests law enforcement assistance while removing essential items of personal property, officers should stand by for a reasonable amount of time.
- (d) If the victim has sustained injury or complaints of pain, officers should seek medical assistance as soon as practicable.
- (e) Officers should ask the victim whether the victim has a safe place to stay and assist in arranging transportation to an alternate shelter if the victim expresses a concern for the victim's safety or if the officer determines that a need exists.
- (f) Officers should make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- (g) If appropriate, officers should seek or assist the victim in obtaining an emergency order if appropriate.

An officer shall advise an individual protected by a Canadian domestic violence protection order of available local victim services (Family Code § 6452).

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310.6 DISPATCH ASSISTANCE

All calls of domestic violence, including incomplete 9-1-1 calls, should be dispatched as soon as practicable.

Dispatchers are not required to verify the validity of a court order before responding to a request for assistance. Officers should request that dispatchers check whether any of the involved persons are subject to the terms of a court order.

310.7 FOREIGN COURT ORDERS

Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe, or territory shall be enforced by officers as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court or foreign order shall be enforced, regardless of whether the order has been properly registered with this state (Family Code § 6403).

Canadian domestic violence protection orders shall also be enforced in the same manner as if issued in this state (Family Code § 6452).

310.8 VERIFICATION OF COURT ORDERS

Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and where appropriate and practicable:

- (a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms and efforts to respond to the order.
 1. If a determination is made that a valid foreign order cannot be enforced because the subject has not been notified or served the order, the officer shall inform the subject of the order, make a reasonable effort to serve the order upon the subject, and allow the subject a reasonable opportunity to comply with the order before enforcing the order. Verbal notice of the terms of the order is sufficient notice (Family Code § 6403).
- (b) Check available records or databases that may show the status or conditions of the order.
 1. Registration or filing of an order in California is not required for the enforcement of a valid foreign order (Family Code § 6403).
- (c) Contact the issuing court to verify the validity of the order.
- (d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

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Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.

310.9 STANDARDS FOR ARRESTS

Officers investigating a domestic violence report should consider the following:

- (a) An arrest should be made when there is probable cause to believe that a felony or misdemeanor domestic violence offense has been committed (Penal Code § 13701). Any decision to not arrest an adult when there is probable cause to do so requires supervisor approval.
 - 1. Officers are only authorized to make an arrest without a warrant for a misdemeanor domestic violence offense if the officer makes the arrest as soon as probable cause arises (Penal Code § 836).
- (b) An officer responding to a domestic violence call who cannot make an arrest will advise the victim of the victim's right to make a private person's arrest. The advisement should be made out of the presence of the suspect and shall include advising the victim how to safely execute the arrest. Officers shall not dissuade victims from making a lawful private person's arrest. Officers should refer to the provisions in the Private Persons Arrests Policy for options regarding the disposition of private person's arrests (Penal Code § 836(b)).
- (c) Officers shall not cite and release a person for the following offenses (Penal Code § 853.6(a)(3)):
 - 1. Penal Code § 243(e)(1) (battery against spouse, cohabitant)
 - 2. Penal Code § 273.5 (corporal injury on spouse, cohabitant, fiancé/fiancée, person of a previous dating or engagement relationship, mother/father of the offender's child)
 - 3. Penal Code § 273.6 (violation of protective order) if violence or threats of violence have occurred or the suspect has gone to the workplace or residence of the protected party
 - 4. Penal Code § 646.9 (stalking)
 - 5. Other serious or violent felonies specified in Penal Code § 1270.1
- (d) In responding to domestic violence incidents, including mutual protective order violations, officers should generally be reluctant to make dual arrests. Officers shall make reasonable efforts to identify the dominant aggressor in any incident. The dominant aggressor is the person who has been determined to be the most significant, rather than the first, aggressor (Penal Code § 13701). In identifying the dominant aggressor, an officer shall consider:
 - 1. The intent of the law to protect victims of domestic violence from continuing abuse.
 - 2. The threats creating fear of physical injury.

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3. The history of domestic violence between the persons involved.
 4. Whether either person acted in self-defense.
- (e) An arrest shall be made when there is probable cause to believe that a violation of a domestic violence court order has been committed (Penal Code § 13701; Penal Code § 836), regardless of whether the offense was committed in the officer's presence. After arrest, the officer shall confirm that a copy of the order has been registered, unless the victim provides a copy (Penal Code § 836).

310.10 REPORTS AND RECORDS

- (a) A written report shall be completed on all incidents of domestic violence. All such reports should be documented on the appropriate form, which includes information and notations specific to domestic violence incidents as required by Penal Code § 13730.
- (b) Reporting officers should provide the victim with the case number of the report. The case number may be placed in the space provided on the domestic violence victim information handout provided to the victim. If the case number is not immediately available, an explanation should be given regarding how the victim can obtain the information at a later time.
- (c) Officers who seize any firearm, ammunition, or other deadly weapon in a domestic violence incident shall issue the individual possessing such weapon a receipt that includes the name and residential mailing address of the owner or person who possessed the weapon and notice of where the weapon may be recovered, along with the applicable time limit for recovery (Penal Code § 18250; Penal Code § 18255; Penal Code § 33800; Family Code § 6389(c)).

310.11 RECORD-KEEPING AND DATA COLLECTION

This department shall maintain records of court orders related to domestic violence and the service status of each (Penal Code § 13710), as well as records on the number of domestic violence related calls reported to the Department, including whether weapons were used in the incident or whether the incident involved strangulation or suffocation (Penal Code § 13730). This information is to be reported to the Attorney General monthly. It shall be the responsibility of the Records Supervisor to maintain and report this information as required.

310.12 SERVICE OF COURT ORDERS

- (a) An officer who obtains an emergency protective order from the court shall serve it on the restrained person if the person can be reasonably located and shall provide the person protected or the person's parent/guardian with a copy of the order. The officer shall file a copy with the court as soon as practicable and shall have the order entered into the computer database system for protective and restraining orders maintained by the Department of Justice (Family Code § 6271; Penal Code § 646.91).
- (b) A temporary restraining order, emergency protective order, or an order issued after a hearing shall, at the request of the petitioner, be served on the restrained person

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by an officer who is present at the scene of a reported domestic violence incident or when the officer receives a request from the petitioner to provide service of the order (Family Code § 6383; Penal Code § 13710).

- (c) Any officer serving a protective order that indicates that the respondent possesses weapons or ammunition shall request that the firearm/ammunition be immediately surrendered (Family Code § 6389(c)).
- (d) During the service of a protective order any firearm discovered in plain view or pursuant to consent or other lawful search shall be taken into temporary custody (Penal Code § 18250).
 1. An officer should ensure that the Records Bureau is notified of any firearm obtained for entry into the Automated Firearms System (Family Code § 6383) (see the Records Bureau Policy for additional guidance).
- (e) If a valid Canadian order cannot be enforced because the person subject to the order has not been notified or served with the order, the officer shall notify the protected individual that reasonable efforts shall be made to contact the person subject to the order. The officer shall make a reasonable effort to inform the person subject to the order of the existence and terms of the order and provide the person with a record of the order, if available, and shall allow the person a reasonable opportunity to comply with the order before taking enforcement action (Family Code § 6452).

310.13 PUBLIC ACCESS TO POLICY

A copy of this domestic violence policy will be provided to members of the public upon request (Penal Code § 13701).

310.14 DECLARATION IN SUPPORT OF BAIL INCREASE

Any officer who makes a warrantless arrest for a felony or misdemeanor violation of a domestic violence restraining order shall evaluate the totality of the circumstances to determine whether reasonable cause exists to seek an increased bail amount. If there is reasonable cause to believe that the scheduled bail amount is insufficient to assure the arrestee's appearance or to protect the victim or family member of a victim, the officer shall prepare a declaration in support of increased bail (Penal Code § 1269c).

310.15 DOMESTIC VIOLENCE DEATH REVIEW TEAM

This department should cooperate with any interagency domestic violence death review team investigation. Written and oral information relating to a domestic violence death that would otherwise be subject to release restrictions may be disclosed to the domestic violence death review team upon written request and approval of a supervisor (Penal Code § 11163.3).

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310.16 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police July 11, 2011

September 18, 2023

Civil Disputes

432.1 PURPOSE AND SCOPE

This policy provides members of the Hermosa Beach Police Department with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g., civil matters), with the goal of minimizing any potential for violence or criminal acts.

The Domestic Violence Policy will address specific legal mandates related to domestic violence court orders. References in this policy to “court orders” apply to any order of a court that does not require arrest or enforcement by the terms of the order or by California law.

432.2 POLICY

The Hermosa Beach Police Department recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, members of this department will assist at the scene of civil disputes with the primary goal of safeguarding persons and property, preventing criminal activity and maintaining the peace. When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides and refrain from giving legal or inappropriate advice.

432.3 GENERAL CONSIDERATIONS

When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While not intended to be an exhaustive list, members should give considerations to the following when handling civil disputes:

- (a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.
- (b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.
- (c) Members shall not provide legal advice, however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.
- (d) Members are reminded that they shall not enter a residence or other non-public location without legal authority including valid consent.
- (e) Members should not take an unreasonable amount of time assisting in these matters and generally should contact a supervisor if it appears that peacekeeping efforts longer than 30 minutes are warranted.

Civil Disputes

432.4 COURT ORDERS

Disputes involving court orders can be complex. Where no mandate exists for an officer to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating officer should consult a supervisor prior to making any arrest.

If a person appears to be violating the terms of a court order but is disputing the validity of the order or its applicability, the investigating officer should document the following:

- (a) The person's knowledge of the court order or whether proof of service exists.
- (b) Any specific reason or rationale the involved person offers for not complying with the terms of the order.

A copy of the court order should be attached to the report when available. The report should be forwarded to the appropriate prosecutor. The report should also be forwarded to the court issuing the order with a notice that the report was also forwarded to the prosecutor for review.

432.4.1 STANDBY REQUESTS

Officer responding to a call for standby assistance to retrieve property should meet the person requesting assistance at a neutral location to discuss the process. The person should be advised that items that are disputed will not be allowed to be removed. The member may advise the person to seek private legal advice as to the distribution of disputed property.

Members should accompany the person to the location of the property. Members should ask if the other party will allow removal of the property or whether the other party would remove the property.

If the other party is uncooperative, the person requesting standby assistance should be instructed to seek private legal advice and obtain a court order to obtain the items. Officers should not order the other party to allow entry or the removal of any items. If there is a restraining or similar order against the person requesting standby assistance, that person should be asked to leave the scene or they may be subject to arrest for violation of the order.

If the other party is not present at the location, the member will not allow entry into the location or the removal of property from the location.

432.5 VEHICLES AND PERSONAL PROPERTY

Officers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Officers may review documents provided by parties or available databases (e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, officers should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented.

432.6 REAL PROPERTY

Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled through a person seeking a court order.

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Civil Disputes

432.7 SECTION TITLE



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police July 11, 2011

March 12, 2024

License to Carry a Firearm

207.1 PURPOSE AND SCOPE

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

A Concealed Carry Weapon (CCW) license authorizes the license holder to carry a pre-approved firearm concealed on their person in some situations outside their home or place of business. California Penal Code § 26155 vests the Chief of Police of the Department with the authority to approve or deny CCW licenses to applicants who reside within the City. A CCW license can be issued for up to two years, or three years if the licensee is a judge, court commissioner, or magistrate.

In California, the decision to issue a CCW license is discretionary. Penal Code § 26155 provides that the Chief of Police "may" issue, but is not required to issue, a CCW license if certain minimum statutory criteria are satisfied. The Chief of Police's decision to issue a CCW license will depend on the circumstances in each individual case, and there is no guarantee that an applicant will receive a CCW license even if he or she satisfies all of the criteria listed below. If the circumstances warrant, the Chief also has the discretion to waive some of the listed requirements.

207.1.1 APPLICATION OF POLICY

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

207.2 POLICY

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

207.3 QUALIFIED APPLICANTS

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

- (a) Submit proof of residency in the City of Hermosa Beach (via a current utility bill, in the applicant's name, showing the current residency address). The applicant must have been a resident of the City for a minimum of one year prior to submitting an application for a CCW license, subject to a demonstration of proof upon request by the issuing authority.
- (b) Submit proof of citizenship or legal residency in the United States (via original birth certificate, or naturalization certificate, or valid U.S. passport).

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License to Carry a Firearm

- (c) Submit proof of being at least 21 years of age (via original birth certificate, California Driver's License, or California Identification Card).
- (d) Be free from criminal arrests and/or convictions that would disqualify the applicant from carrying a firearm. Fingerprints will be required and a complete criminal background check will be conducted. Examples of arrests or convictions that would disqualify an applicant are:
 - 1. Any no-contest plea entered within the last 5 years, regardless of the offense
 - 2. Any conviction in the last 7 years
 - 3. Any arrest within the last 5 years, regardless of the offense or disposition, may disqualify an applicant, in the discretion of the Chief of Police.
- (e) Be of good moral character, subject to discretionary determination by the Chief of Police. This determination will be based on the totality of circumstances presented in each individual case, and may include verifying that the applicant at a minimum:
 - 1. Has no history of citations, arrests, convictions, civil lawsuits, employment discharges, license denials, license revocations, or other actions indicating a possible propensity for violence, moral turpitude, drug and/or alcohol abuse, carelessness with weapons, and/or dishonesty or untrustworthiness.
 - 2. Has provided at least three signed letters of character reference from individuals other than relatives. At least one letter must be from a current or former employer of the applicant (or a current or former customer or client, if applicant is self-employed); at least one must be from a person who knows the applicant through participation in an organization, club, church, or other recreational activity together; and at least one must be from a person who has known the applicant for not less than ten years (this requirement can be met by providing one of the previous two required letters, although a total of at least three letters must be provided).
 - 3. If required by the Department, has completed an in-person interview with the Chief of Police or designee which indicates that the applicant is honest, trustworthy, diligent, cautious with firearms, has respect for the law and the rights of others, lacks racist or other discriminatory characteristics, and that the applicant has been candid and forthcoming with the interviewing agent.
 - 4. Does not have a history of concerning online conduct, which may be independently verified by the Department's examination of the applicant's publicly available online and social media activity.
- (f) Pay all associated application fees. These fees are set by statute and may not be refunded if the application is denied.
- (g) Provide proof of ownership or registration of any firearm to be licensed.
- (h) Be free from any psychological conditions that might make the applicant unsuitable for carrying a firearm. These may include, but are not necessarily limited to:

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1. The applicant having been adjudicated by a state or federal court as being mentally incompetent to stand trial, having been committed to a mental institution, or found not guilty by reason of insanity for a felony.
 2. The applicant having been discharged from custody in the preceding 20 years after a finding of not guilty of a crime by reason of mental disease or defect; or confined to a mental hospital in the 12 months before applying for a permit or certificate.
 3. The applicant being a danger to themselves or others due to a past pattern of behavior or threats, demonstrated through police calls, complaints, or arrests relating to the applicant, or evidence in letters of reference received on behalf of the applicant, involving unlawful violence (including threats or attempts of suicide).
 4. The applicant demonstrating a pattern, demonstrated through any past police calls, complaints or arrests, or evidence in letters of reference received on behalf of the applicant, of violence, instability, hatred, racism, misogyny, discrimination, dishonesty, domestic abuse, or other concerning behavioral issues which are not necessarily criminal in nature but which reflect an inability to safely manage the responsibility of possessing a concealed weapon.
- (i) Complete a required training course acceptable to the Department, at the applicant's own expense, which must include at a minimum:
1. 16 hours' worth of training time.
 2. Instruction on firearm safety, firearm handling, shooting technique, and laws regarding the permissible use of a firearm.
 3. Live-fire shooting exercises on a firing range and a demonstration by the applicant of safe handling of, and shooting proficiency with, each firearm that the applicant is applying to be licensed to carry. The live-fire shooting exercise must include 50 number of rounds fired, at a minimum, and a minimum passing score of 80% at a firing distance of 25 feet.
- (j) Agree to, upon issuance of the license, accept and assume all responsibility and liability for, injury to, or death of any person, or damage to any property, which may result through an act or omission of either the licensee or the City of Hermosa Beach in connection with the issuance, possession, and exercise of rights under the license. In the event any claim, suit or action is brought against the City or any employee of the City in connection with the issuance of the license, by reason of or in connection with any such act or omission, the licensee must defend, indemnify, and hold harmless the City and any of its employees from such claim, suit, or action.

207.4 APPLICATION PROCESS

The application process for a license to carry a firearm shall consist of two phases. Upon the successful completion of each phase, the applicant will advance to the next phase until the process is completed and the license is either issued or denied.

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No person determined to fall within a prohibited class described in Penal Code § 29800, Penal Code § 29900, Welfare and Institutions Code § 8100, or Welfare and Institutions Code § 8103 will be issued a license to carry a firearm. A license shall not be issued if the California Department of Justice (DOJ) determines that the applicant is prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm (Penal Code § 26195).

207.4.1 PHASE ONE (TO BE COMPLETED BY ALL APPLICANTS)

- (a) Any individual applying for a license to carry a firearm shall first fully complete a California DOJ application to be signed under penalty of perjury. Any applicant who provides false information or statements on the application will be removed from further consideration and may be prosecuted for a criminal offense (Penal Code § 26180).
 - 1. In the event of any discrepancies in the application or background investigation, the applicant may be required to undergo a polygraph examination, at no cost to the applicant.
 - 2. If an incomplete application package is received, the Chief of Police or the authorized designee may do any of the following:
 - (a) Require the applicant to complete the package before any further processing.
 - (b) Advance the incomplete package to phase two for conditional processing pending completion of all mandatory conditions.
 - (c) Issue a denial if the materials submitted at the time demonstrate that the applicant would not qualify for a license to carry a firearm even if the package was completed (e.g., not a resident, disqualifying criminal conviction).
- (b) Applicant fees shall be submitted and processed according to department-established procedures and Penal Code § 26190.
 - 1. Additional fees may be required for fingerprinting, training, or psychological testing, in addition to the application fee.
 - 2. Full payment of the remainder of the application fee will be required upon issuance of a license.
 - 3. Payment of related fees may be waived if the applicant is a duly appointed reserve peace officer as defined in Penal Code § 830.6 (a) or (b) (Penal Code § 26170).
- (c) The applicant shall be required to submit to fingerprinting and a complete criminal background check by the California DOJ. A second set of fingerprints may be required for retention in department files. Two recent passport-size photos (2 inches by 2 inches) of the applicant shall be submitted for department use.
- (d) The applicant should submit at least three signed letters of character reference from individuals other than relatives.

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

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

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

207.4.2 PHASE TWO

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

- (a) Upon successful completion of phase one, the applicant shall be scheduled for a personal interview with the Chief of Police or the authorized designee. During this stage, there will be further discussion of any potential restrictions or conditions that might be placed on the license.
- (b) The Chief of Police may, based upon criteria established by the Chief of Police, require that the applicant be referred to an authorized psychologist used by the Department for psychological testing. The cost of such psychological testing (not to exceed \$150) shall be paid by the applicant. The purpose of any such psychological testing is intended only to identify any outward indications or history of psychological problems that might render the applicant unfit to carry a firearm. This testing is not intended to certify in any other respect that the applicant is psychologically fit. If it is determined that the applicant is not a suitable candidate for carrying a firearm, the applicant shall be removed from further consideration (Penal Code § 26190). Upon application for a renewal license, additional psychological testing and/or examination will only be required if there is compelling evidence to indicate that it is necessary. The cost to the applicant for such additional testing and/or examination will not exceed \$150.
- (c) The applicant shall complete a course of training approved by the department, which complies with Penal Code § 26165 (Penal Code § 26165), as may be amended from time to time.
- (d) The applicant shall submit any firearm to be considered for a license to the Rangemaster or other department authorized gunsmith, at no cost to the applicant, for a full safety inspection. The Chief of Police reserves the right to deny a license for any firearm that has been altered from the manufacturer's specifications or that is unsafe, or that is illegal based on current laws (Penal Code § 31910).
- (e) The applicant shall successfully complete a firearms safety and proficiency examination with the firearm to be licensed, or provide proof of successful completion of another department-approved firearms safety and proficiency examination, including completion of all releases and other forms. The cost of any outside inspection/examination shall be the responsibility of the applicant.

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

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

207.5 LIMITED BUSINESS LICENSE TO CARRY A CONCEALED FIREARM

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

207.6 ISSUED FIREARMS PERMITS

In the event a license to carry a firearm is issued by the Chief of Police, the following shall apply:

- (a) The license will be subject to any and all reasonable restrictions or conditions the Chief of Police has deemed warranted, including restrictions as to the time, place, manner, and circumstances under which the person may carry the firearm.
 - 1. All such restrictions or conditions shall be conspicuously noted on any license issued (Penal Code § 26200).
 - 2. The licensee will be required to sign a Restrictions and Conditions Agreement. Any violation of any of the restrictions and conditions may result in the immediate revocation of the license. Licensees are required to self-report any violations of restrictions or conditions placed upon their license to the Department within 48 hours of such violation.
- (b) The license shall be laminated, bearing a photograph of the licensee with the expiration date, type of firearm, restrictions, and other pertinent information clearly visible.
 - 1. Each license shall be numbered and clearly identify the licensee.
 - 2. All licenses shall be subjected to inspection by the Chief of Police or any law enforcement officer.
- (c) The license will be valid for a period not to exceed two years from the date of issuance (Penal Code § 26220).
 - 1. A license issued to a state or federal magistrate, commissioner, or judge will be valid for a period not to exceed three years.
 - 2. A license issued to any reserve peace officer as defined in Penal Code § 830.6(a) or (b), or a custodial officer employed by the Sheriff as provided in Penal Code § 831.5 will be valid for a period not to exceed four years, except that such license shall be invalid upon the individual's conclusion of service as a reserve officer.

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- (d) If the licensee's place of residence was the basis for issuance of a license and the licensee moves out of the county of issuance, the license shall expire 90 days after the licensee has moved (Penal Code § 26210).
- (e) The licensee shall notify this department in writing within 10 days of any change of place of residency. The Chief of Police or designee should make this requirement clear to the applicant at the time of issuing the license.

207.6.1 LICENSE RESTRICTIONS

- (a) The Chief of Police may place special restrictions limiting time, place, manner and circumstances under which any license shall be valid. In general, these restrictions will prohibit the licensee from:
 - 1. Consuming any alcoholic beverage while armed.
 - 2. Falsely representing him/herself as a peace officer.
 - 3. Unjustified or unreasonable displaying of a firearm.
 - 4. Committing any crime.
 - 5. Being under the influence of any medication or drug while armed.
 - 6. Interfering with any law enforcement officer's duties.
 - 7. Refusing to display his/her license or firearm for inspection upon demand of any peace officer.
 - 8. Loading the permitted firearm with illegal ammunition.
 - 9. Carrying the permitted firearm in any area prohibited by state or local law or by property owner.
- (b) The Chief of Police reserves the right to inspect any license or licensed firearm at any time.
- (c) The alteration of any previously approved firearm including, but not limited to adjusting the trigger pull, adding laser sights or modifications shall void any license and serve as grounds for revocation.

207.6.2 AMENDMENTS TO LICENSES

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

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

In the event that any amendment to a valid license is approved by the Chief of Police, a new license will be issued reflecting the amendment. An amendment to any license will not serve to

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extend the original expiration date and an application for an amendment will not constitute an application for renewal of the license.

207.6.3 REVOCATION OF LICENSES

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

- (a) The licensee has violated any of the restrictions or conditions placed upon the license.
- (b) The licensee becomes psychologically unsuitable to carry a firearm.
- (c) The licensee is determined to be within a prohibited class described in Penal Code § 29800, Penal Code § 29900, Welfare and Institutions Code § 8100, Welfare and Institutions Code § 8103, or any state or federal law.
- (d) The licensee engages in any conduct which involves a lack of good moral character for the original issuance of the license.

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

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

207.6.4 LICENSE RENEWAL

No later than 90 days nor earlier than 180 days prior to the expiration of any valid license to carry a firearm, the licensee may apply to the Chief of Police for a renewal by:

- (a) Verifying all information submitted in the original application under penalty of perjury.
- (b) Completing a department-approved training course pursuant to Penal Code § 26165.
- (c) Ensure that the applicant has demonstrated to the Chief of Police's satisfaction, through proof obtained by a licensed third party inspector or through other designated means, that the firearm to be used has been inspected for safety purposes. The Chief of Police reserves the right to deny a license for any firearm that has been altered from the manufacturer's specifications or that is unsafe (Penal Code § 31910).
- (d) Ensure that the licensee has not engaged in any conduct which involves a lack of good moral character since the issuance of the original license. The Chief of Police or designee may consider all relevant factors as part of this process, including but not limited to any complaints the Department may have received regarding the applicant, any arrests or citations issued to the applicant, or a review of the applicant's online presence.
- (e) Paying a non-refundable renewal application fee.

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

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

207.7 DEPARTMENT REPORTING AND RECORDS

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

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

The Chief of Police shall annually submit to the State Attorney General the total number of licenses to carry firearms issued to reserve peace officers and judges.

207.8 CONFIDENTIAL RECORDS

The home address and telephone numbers of any peace officer, public defender, prosecutor, magistrate, court commissioner, or judge contained in an application shall not be considered public record (Government Code § 7923.808).

Any information in an application for a license to carry a firearm that indicates when or where the applicant is vulnerable to attack or that concerns the applicant's medical or psychological history or that of the applicant's family shall not be considered public record (Government Code § 7923.800).

207.9 ISSUING AUTHORITY



W. Paul LeBaron, Chief of Police

Effective Date

February 2, 2023



HERMOSA BEACH POLICE DEPARTMENT

O3.51 RETIRED OFFICER CCW ENDORSEMENTS

Effective 04/10/2012

Updated 11/2/2015

PURPOSE AND SCOPE

The purpose of this policy is to outline the process and conditions associated with the issuance, revocation, and denial of a concealed weapons (CCW) endorsement for retired officers of the Hermosa Beach Police Department.

POLICY AND QUALIFICATIONS

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

- a. For the purpose of this policy, honorably retired includes all peace officers who have qualified for, and accepted, a service or disability retirement, however, shall not include any officer who retires in lieu of termination.
- b. No CCW Approved endorsement shall be issued to any officer retiring because of a psychological disability (Penal Code 26305).

MAINTAINING A CCW ENDORSEMENT

In order to maintain a "CCW Approved" endorsement on an identification card, the retired officer shall (Penal Code § 26305):

- a. Qualify annually with the authorized firearm at a course approved by this Department at the retired officer's expense.
- b. Remain subject to all Department rules and policies as well as all federal, state and local laws.
- c. Have weapon(s) inspected by the qualifying Range Master, who will certify that the weapon is safe or unsafe for operation.

CARRYING FIREARMS OUT OF STATE

Subject to 18 United States Code 926C qualified retired officers of this department may be authorized to carry a concealed weapon in other states.

IDENTIFICATION CARD FORMAT

The identification card issued to any qualified and honorably retired officer shall be two inches by three inches and minimally contain the following (Penal Code § 25460):

- a. Photograph of the retiree.
- b. Retiree's name and date of birth.
- c. Date of retirement.
- d. Name and address of this department.
- e. A stamped endorsement "CCW Approved" along with the date by which the endorsement must be renewed. In the case in which a CCW endorsement has been denied or revoked, the identification card shall be stamped "No CCW Privilege".
- f. If applicable, a notation that "This person is in compliance with 18 USC § 926C (d)(1)."

DENIAL OR REVOCATION OF STATE CCW ENDORSEMENT

The CCW endorsement under Penal Code § 12027 for any officer retired from this department may be denied or permanently revoked only upon a showing of good cause. Any denial or revocation under this section shall also be considered disqualification under 18 U.S.C. § 926C(d). The CCW endorsement may be immediately and temporarily revoked by the Chief of Police or his/her designee when the conduct of a retired peace officer compromises public safety. Good cause, if challenged, shall be determined in the following manner:

- a. In the event that a CCW endorsement is initially denied, the retired officer shall have 15 days from the date of denial to request a formal hearing. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received.
- b. Prior to revocation of any CCW endorsement, the Department shall provide the affected retiree with written notice of a hearing by either personal service or first class mail, postage prepaid, return receipt requested to the retiree's last known address (Penal Code § 12027.1(b)(2)).
 1. The retiree shall have 15 days from the date of service to file a written request for a hearing.

2. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received (Penal Code § 12027.1).
 3. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right.
- c. The hearing for the denial or revocation of any CCW endorsement shall be conducted before a hearing board composed of three members, one selected by the Department one selected by the retiree or his/her employee organization and one selected jointly (Penal Code § 12027.1(d)).
1. The decision of such hearing board shall be binding on the Department and the retiree.
 2. Any retiree who waives the right to a hearing or whose CCW endorsement has been revoked at a hearing shall immediately surrender his/her identification card. The Department will then reissue a new identification card which shall be stamped "No CCW Privilege".

WATCH COMMANDER RESPONSIBILITY

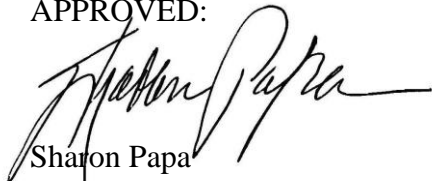
Employees who have reason to suspect a retiree's conduct has compromised public safety shall notify the Watch Commander as soon as practicable. The Watch Commander shall take the following steps in these instances:

- a. Notify the Operations Division Commander immediately.
- b. Take appropriate steps to promptly look into the matter.
- c. If warranted, contact the retiree in person and advise him/her in writing of the following:
 1. The retiree's CCW endorsement is immediately and temporarily revoked.
 2. The retiree will have 15 days to request a hearing to determine whether the temporary revocation should become permanent.
 3. The retiree will forfeit his/ her right to a hearing and the CCW endorsement will be permanently revoked if the retiree fails to respond to the notice of hearing within the 15-day period.
- d. A current copy of Penal Code § 12027.1 should be attached to the written notice.
- e. In the event that personal contact with the retiree cannot be reasonably achieved in a timely manner, the Watch Commander should attempt to

make the above notice of temporary suspension through another peace officer. For example, if a retiree was arrested or detained by a distant agency, the Watch Commander may request that a peace officer of that agency act as the Department's agent to deliver the written notification.

- f. Notification of the temporary suspension should also be promptly mailed to the retiree via first class mail, postage prepaid, return receipt requested (Penal Code § 12027.1 (a)(1)(C).
- g. The Watch Commander shall document the investigation, the actions taken, and, if applicable, any notification made to the retiree. The memo shall be forwarded to the Chief of Police.

APPROVED:



Sharon Papa
Chief of Police

Automated License Plate Readers (ALPRs)

429.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the capture, storage and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology.

429.2 POLICY

The policy of the Hermosa Beach Police Department is to utilize ALPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public.

All data and images gathered by the ALPR are for the official use of this department. Because such data may contain confidential information, it is not open to public review.

429.3 ADMINISTRATION

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Hermosa Beach Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. It may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Administrative Services Division Commander. The Administrative Services Division Commander will assign members under his/her command to administer the day-to-day operation of the ALPR equipment and data.

429.3.1 ALPR ADMINISTRATOR

The Administrative Services Division Commander shall be responsible for developing guidelines and procedures to comply with the requirements of Civil Code § 1798.90.5 et seq. This includes, but is not limited to (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) A description of the job title or other designation of the members and independent contractors who are authorized to use or access the ALPR system or to collect ALPR information.
- (b) Training requirements for authorized users.
- (c) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.
- (d) Procedures for system operators to maintain records of access in compliance with Civil Code § 1798.90.52.
- (e) The title and name of the current designee in overseeing the ALPR operation.
- (f) Working with the Custodian of Records on the retention and destruction of ALPR data.

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- (g) Ensuring this policy and related procedures are conspicuously posted on the department's website.

429.4 OPERATIONS

Use of an ALPR is restricted to the purposes outlined below. Department members shall not use, or allow others to use the equipment or database records for any unauthorized purpose (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

- (a) An ALPR shall only be used for official law enforcement business.
- (b) An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an ALPR.
- (c) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.
- (d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (e) No ALPR operator may access department, state or federal data unless otherwise authorized to do so.
- (f) If practicable, the officer should verify an ALPR response through the California Law Enforcement Telecommunications System (CLETS) before taking enforcement action that is based solely on an ALPR alert.

429.5 DATA COLLECTION AND RETENTION

The Administrative Services Division Commander is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. Data will be transferred from vehicles to the designated storage in accordance with department procedures.

The Hermosa Beach Police Department utilizes two separate ALPR vendors: Motorola Solutions and Flock Safety. All ALPR data downloaded to the server will be stored in accordance with the established records retention schedule. Motorola Solutions data will be retained for no more than one year. Flock Safety data will be retained for no more than thirty-days. Thereafter, ALPR data should be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a discovery request or other lawful action to produce records. In those circumstances, the applicable data should be downloaded from the server onto portable media and booked into evidence.

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429.6 ACCOUNTABILITY

All data will be closely safeguarded and protected by both procedural and technological means. The Hermosa Beach Police Department will observe the following safeguards regarding access to and use of stored data (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) All ALPR data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time (Civil Code § 1798.90.52).
- (b) Members approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.
- (c) ALPR system audits should be conducted on a regular basis.

For security or data breaches, see the Records Release and Maintenance Policy.

429.7 RELEASING ALPR DATA

The ALPR data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law, using the following procedures:

- (a) The agency makes a written request for the ALPR data that includes:
 - 1. The name of the agency.
 - 2. The name of the person requesting.
 - 3. The intended purpose of obtaining the information.
- (b) The request is reviewed by the Administrative Services Division Commander or the authorized designee and approved before the request is fulfilled.
- (c) The approved request is retained on file.

Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy (Civil Code § 1798.90.55).

429.8 TRAINING

The Training Sergeant should ensure that members receive department-approved training for those authorized to use or access the ALPR system (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

429.9 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police June 5, 2013

September 5, 2023

Public Safety Video Surveillance System

339.1 PURPOSE AND SCOPE

This policy provides guidance for the placement and monitoring of department public safety video surveillance, as well as the storage and release of the captured images.

This policy only applies to overt, marked public safety video surveillance systems operated by the Department. It does not apply to mobile audio/video systems, covert audio/video systems, rapid deploy cameras or any other image-capturing devices used by the Department.

339.2 POLICY

The Hermosa Beach Police Department operates a public safety video surveillance system to complement its anti-crime strategy, to effectively allocate and deploy personnel, and to enhance public safety and security in public areas. Cameras may be placed in strategic locations throughout the City to detect and deter crime, to help safeguard against potential threats to the public, to help manage emergency response situations during natural and man-made disasters and to assist City officials in providing services to the community.

Video surveillance in public areas will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy.

339.3 OPERATIONAL GUIDELINES

Only department-approved video surveillance equipment shall be utilized. Members authorized to monitor video surveillance equipment should only monitor public areas and public activities where no reasonable expectation of privacy exists. The Chief of Police or the authorized designee shall approve all proposed locations for the use of video surveillance technology and should consult with and be guided by legal counsel as necessary in making such determinations. All camera placement will be approved by Council and no camera(s) will be moved or added without the prior approval of Council.

339.3.1 PLACEMENT AND MONITORING

Camera placement will be guided by the underlying purpose or strategy associated with the overall video surveillance plan. As appropriate, the Chief of Police should confer with other affected City divisions and designated community groups when evaluating camera placement. Environmental factors, including lighting, location of buildings, presence of vegetation, or other obstructions, should also be evaluated when determining placement.

Recorded images may be used for a variety of purposes, including criminal investigations and monitoring of activity around high-value or high-threat areas. The public video surveillance system may be useful for the following purposes:

- (a) To prevent, deter, and identify criminal activity.
- (b) To target identified areas of gang and narcotics complaints or activity.

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Public Safety Video Surveillance System

- (c) To respond to critical incidents.
- (d) To assist in identifying, apprehending, and prosecuting offenders.
- (e) To document officer and offender conduct during interactions to safeguard the rights of the public and officers.
- (f) To augment resources in a cost-effective manner.
- (g) To monitor pedestrian and vehicle traffic activity.

Images from each camera should be recorded in a manner consistent with the underlying purpose of the particular camera. Images should be transmitted to monitors installed at the police station and Dispatch. When activity warranting further investigation is reported or detected at any camera location, the available information should be provided to responding officers in a timely manner. The Watch Commander or other trained personnel are authorized to adjust the cameras to more effectively view a particular area for any legitimate public safety purpose.

The Chief of Police may authorize video feeds from the public safety video surveillance system to be forwarded to a specified location for monitoring by other than police personnel, such as allied government agencies, road or traffic crews, or fire or emergency operations personnel.

Unauthorized recording, viewing, reproduction, dissemination, or retention is prohibited.

339.3.2 CAMERA MARKINGS

All public areas monitored by public safety surveillance equipment shall be marked in a conspicuous manner with appropriate signs to inform the public that the area is under police surveillance. Signs should be well lit, placed appropriately and without obstruction to ensure visibility.

339.3.3 INTEGRATION WITH OTHER TECHNOLOGY

The Department may elect to integrate its public safety video surveillance system with other technology to enhance available information. Systems such as gunshot detection, incident mapping, crime analysis, license plate recognition, facial recognition and other video-based analytical systems may be considered based upon availability and the nature of department strategy.

The Department should evaluate the availability and propriety of networking or otherwise collaborating with appropriate private sector entities and should evaluate whether the use of certain camera systems, such as pan-tilt-zoom systems and video enhancement or other analytical technology, requires additional safeguards.

339.4 STORAGE AND RETENTION OF MEDIA

All downloaded media shall be stored in a secure area with access restricted to authorized persons. A recording needed as evidence shall be copied to a suitable medium and booked into evidence in accordance with established evidence procedures. All actions taken with respect to retention of media shall be appropriately documented.

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The type of video surveillance technology employed and the manner in which recordings are used and stored will affect retention periods. The recordings should be stored and retained in accordance with the established records retention schedule and for a minimum of one year. Prior to destruction, written consent shall be obtained from the City Attorney. If recordings are evidence in any claim filed or any pending litigation, they shall be preserved until pending litigation is resolved (Government Code § 34090.6).

Any recordings needed as evidence in a criminal or civil proceeding shall be copied to a suitable medium and booked into evidence in accordance with current evidence procedures.

339.4.1 EVIDENTIARY INTEGRITY

All downloaded and retained media shall be treated in the same manner as other evidence. Media shall be accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, digital masking of innocent or uninvolved individuals to preserve anonymity, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

339.5 RELEASE OF VIDEO IMAGES

All recorded video images gathered by the public safety video surveillance equipment are for the official use of the Hermosa Beach Police Department. The review or the release of video images shall be done only with the authorization of the Chief of Police or his/her designee and only with the properly completed written request.

Requests for recorded video images from the public or the media shall be processed in the same manner as requests for department public records.

Urgent requests for recorded images from other law enforcement agencies shall be referred to the Watch Commander for release in accordance with a specific and legitimate law enforcement purpose.

Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established department subpoena process.

339.6 VIDEO SURVEILLANCE AUDIT

The Investigative/Administrative Services Division Commander will conduct an annual review of the public safety video surveillance system. The review should include an analysis of the cost, benefit and effectiveness of the system, including any public safety issues that were effectively addressed or any significant prosecutions that resulted, and any systemic operational or administrative issues that were identified, including those related to training, discipline or policy.

The results of each review shall be appropriately documented and maintained by the Chief of Police or the authorized designee and other applicable advisory bodies. Any recommendations for training or policy should be promptly addressed.

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Public Safety Video Surveillance System

339.7 TRAINING

All department members authorized to operate or access public video surveillance systems shall receive appropriate training. Training should include guidance on the use of cameras, interaction with dispatch and patrol operations and a review regarding relevant policies and procedures, including this policy. Training should also address state and federal law related to the use of video surveillance equipment and privacy.

339.8 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police June 30, 2015

May 7, 2024

Facial Recognition

609.1 PURPOSE AND SCOPE

This policy aims to establish procedures for the acceptable use of the images (probe and candidate), information, and tools within the facial recognition system. Facial recognition shall only be used when there is reasonable suspicion that such use will provide information relevant to an active investigation, imminent threat to health or safety ("at-risk") or help in the identification of deceased persons or persons unable to identify themselves. This policy applies to all law enforcement personnel who are granted direct access to the facial recognition system and the personnel permitted to request facial recognition searches. Any outside agency, or personnel from an outside agency, requesting facial recognition assistance with an investigation must also adhere to this policy and fill out a request form, which affirms adherence to these policies.

609.1.1 DEFINITIONS AND TERMS AS DEFINED BY LACRIS

Digital Mugshot System (DMS) – DMS is the repository of all criminal booking photos (mugshots) associated with criminal tenprint fingerprints and a criminal history record, including a Facial Recognition application.

Facial Recognition – The automated searching of a facial image (probe) against a known database(s), resulting in a list of candidates ranked by computer-evaluated similarity score. This is commonly referred to as a one-to-many comparison.

Facial Reviewer- A person who successfully completed facial recognition training by the Federal Bureau of Investigations (FBI) or LACRIS capable of performing comparisons of candidate images against probe images.

Los Angeles County Regional Identification System (LACRIS) - The California Department of Justice's CAL-ID program, is responsible for providing biometric identification services to Los Angeles County law enforcement agencies.

Probe- The facial image or template is searched against a known mugshot database in a Facial Recognition System.

Surveillance- Lawful close watch kept over someone or something.

609.2 POLICY

This policy of the Hermosa Beach Police Department is intended to solely utilize facial recognition technology as an investigative tool during investigations while protecting the privacy of the public and civil liberties.

609.3 PROHIBITIVE USES

- (a) Members shall not use facial recognition to actively surveil members of the public through any camera or video device unless the person(s) are under an active criminal investigation or the surveillance is in response to an imminent threat of life.

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- (b) Members shall not use facial recognition on live stream video unless there is an imminent threat to life or it involves at-risk individuals.
- (c) Members shall not use facial recognition for predictive analysis

609.4 FIRST AMENDMENT ACTIVITY

Facial recognition must be used in accordance with all federal and state laws, and all Departmental policies.

Hermosa Beach Police Department and its personnel will not perform or request facial recognition searches about individuals or organizations that will violate the First, Fourth, and Fourteenth Amendments of the US Constitution and shall not be based solely on any of the following:

- (a) Their religious, political, or social views or activities.
- (b) Their participation in a particular noncriminal organization.
- (c) Their race, ethnicity, citizenship, place of origin, age, disability, gender, gender identification, sexual orientation, or other protected classification.

609.5 DATABASE AND DATA LIMITATIONS

- (a) The Hermosa Beach Police Department will not maintain, utilize, or keep any database to conduct facial recognition searches.
- (b) The Hermosa Beach Police Department will utilize the LACRIS DMS facial recognition system, and Vigilant Systems to conduct facial recognition searches. The LACRIS DMS system, and Vigilant Systems facial recognition systems shall be maintained separately with no interface between them, nor shall they share the same database.
- (c) No non-mugshot databases, such as the California driver's license photo database, or publicly sourced image databases, are linked to or accessible via the LACRIS DMS or Vigilant.
- (d) Potential matches returned by the facial recognition system are to be considered investigative leads only and cannot be used as the sole basis for an arrest, detention, or identification. Investigative leads require investigative follow-up to corroborate the lead before any action is taken.

609.6 DOCUMENTATION

With any potential match where an investigative lead is generated on the facial recognition software, the facial reviewer and/or investigator should write a detailed report on the information they have obtained.

609.7 INVESTIGATIVE SEARCHES

- (a) Probe images will only be used from legally obtained sources.
- (b) Facial reviewers will determine if probe image(s) is suitable for facial recognition searches and may process images to conduct a facial recognition search.

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609.8 TRAINING

The Hermosa Beach Police Department personnel accessing the facial recognition system shall have successfully completed training provided by the FBI or LACRIS, which meets the Criminal Justice Information Services (CJIS) minimum training criteria for using facial recognition systems.

Investigative searches shall only be conducted by trained facial reviewers. Trained Facial Reviewers are qualified to assess image quality and suitability for face recognition searches and to perform one-to-many and one-to-one face image comparisons.

609.9 AUDITS

The use of the LACRIS facial recognition system is controlled by state law pertaining to Criminal Offender Record Information (CORI). All use(s) of the LACRIS and Vigilant facial recognition systems shall be performed on a right-to-know and need-to-know basis per CORI regulations. All use(s) of the LACRIS facial recognition system, Vigilant Systems and search requests are subject to audit by the Cal-DOJ, LACRIS, and the local administrator from Hermosa Beach Police Department. In the event of an audit, the user will be required to provide appropriate justification for the use or request of a facial recognition search.

The local administrator must conduct monthly audits of all User activities within the Facial Recognition system as defined by LACRIS. Monthly audits shall be retained for a period of five (5) years and submitted to Cal-DOJ or LACRIS upon request.

Appropriate justification shall include a situation description and purpose for the search, including a detailed account of circumstances amounting to reasonable suspicion, a case/complaint number, and a file class/crime type, if available.

609.10 ISSUING AUTHORITY



Effective Date

W. Paul LeBaron, Chief of Police

June 8, 2023



HERMOSA BEACH POLICE DEPARTMENT

03.54 ACTIVE THREATS

Effective 9/21/2016
Updated

PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedural guidelines to properly respond to an in progress active threat situation in a way as to minimize the number of casualties and stop the use of deadly force as quickly as possible. This policy is to serve as a supplement to the City of Hermosa Beach's Emergency Operation Plan (EOP) and Police Department Policy 03.41 Critical Incidents-All Hazards Plan which serves as the department's primary guide for planning and responding to critical incidents.

The Hermosa Beach Police Department will rapidly respond to any active threat situation in order to restore safety to the community and those involved. Officers responding to an active threat situation will intervene to neutralize the threat, prevent access to additional victims, attempt to rescue injured persons and potential victims by using any legal means at their disposal to make contact and eliminate the threat. This may include arrest, containment, or use of lethal force when justified.

(CALEA 46.1.10)

DEFINITIONS

- A. Active Threat: Any incident which by its deliberate nature creates an immediate threat or present imminent danger to the community. An active threat may involve firearms or other types of weapons. Active threats may include, but are not limited to: active shooters, hostage situations, snipers, suicide bombers, and/or terrorist threats.
- B. Active Shooter: One or more suspects who participate in a random or systematic shooting spree, demonstrating their intent to continuously harm others. Their specific objective is to inflict serious bodily harm and/or mass casualties rather than other forcible felonies such as robbery, hostage-taking, etc.
- C. Contact Team: The first group of officers, a team consisting of at least two (2), but ideally four (4) officers, whose priority is locating and neutralizing the threat.
- D. Lethal force: Lethal force is that force likely to cause serious physical injury or death, also known as deadly force.
- A. Directed Fire: Gunfire aimed at an offender, or an area held by the offender, or an area an officer reasonably believes the offender to be located for the purpose of stopping the threat, rescuing victims/citizens, or movement to a tactically advantageous position.

- a. The use of directed gunfire is a tactic of last resort to be utilized when officers reasonably believe no other option is available to accomplish the situation set forth above. Directed fire is lethal force and all legal principles apply, including the need for the use of force to be objectively reasonable.
- B. Emergency Operations Plan (EOP): A pre-written and adopted primary guide for planning city/departmental response to critical incidents.
- C. Rescue Team: A secondary group of officers, ideally a team consisting of at least two (2) officers and when available two to four Emergency Medical Technicians (EMT's), whose priority is the rescue and recovery of the victims.
- D. Serious Physical Injury: A bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in long-term loss or impairment of the functioning of any bodily member or organ.

RESPONSE GUIDELINES

By way of this Policy, The Hermosa Beach Department recognizes that active threat incidents must be stopped decisively, if possible, before further loss of innocent life. Initial responding officers will be forced to make critical decisions in tense, dynamic, uncertain, rapidly developing situations that may be impossible to control. In order to assist officers, the prioritization of tactical options in the order of importance is as follows:

- A. Stop the active threat
- B. Rescue of victims
- C. Provision of medical assistance
- D. Protection of the crime scene

It must be noted that nothing in this Policy prohibits officers from changing priorities based on informed judgment at the time of the response.
(CALEA 46.1.10c)

I. USE OF FORCE

Hermosa Beach Department officers will follow the guidelines set forth in the Police Department Policy O3.16-Use of Force of this manual.

II. FIRST RESPONDERS

A. Upon arriving at the scene where aggressive deadly behavior is ongoing, intelligence may be sparse and fragmented. As soon as practical, the following information should be obtained:

- Assailant location
- Assailant description
- Weapons possessed by the assailant
- Assailant's specialized knowledge or tactical abilities
- Assailant identity
- Assailant's motive or agenda

B. The first priority is to locate the assailant(s) and stop the aggressive deadly behavior. First responders should:

- a. Form a Contact Team(s);
- b. Notify the Communications Center of Contact Team numbers (Contact Team 1, 2, etc.);
- c. Communicate a brief overview of the incident while deploying;
- d. Communicate team movement; and
- e. Contact the assailant.

III. COMMAND AND CONTROL

A. An active threat incident is a complex situation requiring considerable assets for success. A successful outcome requires command and control be established early; otherwise it may never be obtained. The Incident Commander should:

- Assess the situation
- Establish communication with the initial Contact Team(s);
- Assemble additional Contact and Rescue Teams;
- Communicate location and number of assailants.

- Estimate the size of the crowd and number of casualties/fatalities, if known.
 - Coordinate and deploy responding resources (mutual aid response, SWAT, Fire, Medical. Etc.);
(CALEA 46.1.10b)
 - Identify and request additional assistance needed.
- B. Establish Incident Command to coordinate resources and gather/disseminate information.
- a. Location of staging area, incident command post, media staging area, family staging area, and reunification area.
 - b. Ingress/egress routes for emergency vehicles
 - c. Public sheltering and incident containment.
(CALEA 46.1.10d)
- C. Establish command and control. The Incident Commanders primary objectives are to:
- a. Stop the threat
 - b. Rescue victims
 - c. Isolate and contain the incident
 - d. Provide and monitor resources

IV. CONTACT TEAMS

- A. The primary mission of the Contact Team is to stop the assailant's deadly behavior and prevent escape. Communication is maintained with the Incident Commander and other officers to keep them informed of the Contact Team's progress.
- B. The secondary mission is to direct victims out of the crisis site through secured areas to the staging location or to shelter in place. The goal is to save lives by containing the assailant and allowing the safe and orderly evacuation of victims.
- C. Contact Team priorities tasks are:
- a. Locate the assailant(s)
 - b. Stop the assailant's deadly behavior
 - c. Limit the assailant's movement

- d. Prevent the assailant's escape
- e. Communicate progress
- f. Notify Incident Command of victim location for rescue
- g. Direct ambulatory victims to a safe area and communicate that help is coming.

V. EXPLOSIVE DEVICES

Active threat situations may include the use of bombs or unexploded improvised explosive devices (IED). Upon locating a potential IED officers should:

- A. Quickly conduct a visual inspection and avoid tampering with the suspected device;
- B. Consider an alternate route;
- C. Move away from the device as quickly as possible;
- D. Verbalize the location of the device to the rest of the contact team;
- E. Limit the use of radios, cell phones, or other electronic devices;
- F. Notify Incident Command of the device and location from a safe distance;
- G. Mark location of the device to warn others;
- H. Move past the device quickly and continue to search; and
- I. Be aware of additional devices, booby traps.

When encountering bombing threats, officers should follow procedures outlined in Policy O3.40-Procedures for Bombing Threats of this manual.
(CALEA 46.1.10c)

VI. PUBLIC NOTIFICATION

- A. The Watch Commander may initiate a NIXLE public notification, as outlined in the Administrative Memorandum No. A-18. Information may include:
 - a. Road closures
 - b. Evacuation Routes
 - c. Staging areas

- d. Emergency Shelters and Reunification Areas; and
 - e. Other relevant public safety instructions.
- B. A field supervisor or their designee should contact the Public Information Officer (PIO) in order to coordinate public notification for awareness and safety.

In addition, the police department should publicize updated information through various news and social media networks.
(CALEA 46.1.10a)

VII. POLICY AND TRAINING REVIEW

- A. Regular training using this protocol is vital to its successful application in response to an actual incident.
- B. Such training should:
- a. Be consistent with the basic guidelines and tactics outlined in this protocol;
 - b. Emphasize the multi-agency organization, teamwork, and communication aspects of an active shooter/terrorist response;
 - c. Include management and communications personnel, police department personnel, and other city departments/personnel; and
 - d. Include role-playing scenarios to add realism to the training
- C. At least annually the Administrative Sergeant will conduct a documented review of this policy, all related procedures and training, and all incidents which may have occurred to identify any needed revisions.
(CALEA 46.1.10e)

This Order supersedes all previous written and unwritten policies of the HERMOSA POLICE DEPARTMENT on the above subject.

APPROVED:



Sharon Papa
Chief of Police

Service Animals

341.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to ensure the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act of 1990 (ADA).

341.1.1 DEFINITIONS

Definitions related to this policy include:

Service animal - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability (28 CFR 35.104; Health and Safety Code § 113903).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, is under the handler's control, the facility can accommodate the horse's type, size and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

341.2 POLICY

It is the policy of the Hermosa Beach Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

341.3 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.

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- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

341.4 MEMBER RESPONSIBILITIES

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Hermosa Beach Police Department affords to all members of the public (28 CFR 35.136).

341.4.1 INQUIRY

If it is apparent or if a member is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the member should ask the individual only the following questions (28 CFR 35.136(f)):

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

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. The individual should not be questioned about his/her disability nor should the person be asked to provide any license, certification or identification card for the service animal.

341.4.2 CONTACT

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

341.4.3 REMOVAL

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an officer may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services as are reasonably available to an individual with a disability, with or without a service animal.

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341.4.4 COMPLAINTS

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their handlers into the same areas that other customers or members of the public are allowed (28 CFR 36.302).

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice (DOJ).

341.5 SECTION TITLE

Last updated by:

Chief of Police, Sharon Papa

Effective Date

May 7, 2018

Watch Commanders

421.1 PURPOSE AND SCOPE

Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with department policies, procedures, practices, functions and objectives. To accomplish this goal, a Sergeant heads each watch.

421.2 DESIGNATION AS ACTING WATCH COMMANDER

When a Sergeant is unavailable for duty as Watch Commander, in most instances the senior qualified officer shall be designated as acting Watch Commander. This policy does not preclude designating a less senior officer as an acting Watch Commander when operational needs require or training permits.

421.3 WATCH COMMANDER RESPONSIBILITIES

In addition to general and individual responsibilities of all members and employees, the Watch Commander is specifically responsible for the following:

- **Good Order:** The general and good order of his/her command during tour of duty to include proper discipline, conduct, welfare, field training and efficiency.
- **Briefing:** Conduct of prescribed shift briefing, communication of all orders or other information at briefings and inspection and correction of his/her command, as necessary.
- **Reporting:** Reporting as required by the Operations Lieutenant. Maintenance of such records as specified by higher authority.
- **Personnel Complaints:** Inquiry into personnel complaints against officers or employees under his/her command in accordance with the appropriate departmental directive.
- In the absence of those members of the Department who regularly exercise authority over the Department, the Watch Commander shall be designated as the ranking authority of the Department

421.4 ISSUING AUTHORITY

Last updated by:

Chief of Police, Sharon Papa

Effective Date

August 6, 2018

Watch Commanders

I. SELECTION CRITERIA

To be considered for the Acting Watch Commander List, sworn officers should meet the below minimum criteria:

- At least 5 years of experience as a full-time sworn peace officer, with at least the last year being with the Hermosa Beach Police Department
- An overall rating of meets or exceeds expectation on their last evaluation
- Has demonstrated good judgment, insight, community engagement, communication skills and maturity
- Strong understanding of laws, policies, and procedures
- Has not received any formal discipline in the last year

Ideally, candidates for the Acting Watch Commander list will have diverse experience in all areas of the Department such as a Field Training Officer, Detective, Traffic Officer or other specialized assignment.

II. SELECTION PROCESS

To be considered for the Acting Watch Commander list, the following procedure will be used:

- The officer will submit an interest memo to their direct supervisor. The interest memo should include all relevant experience and qualifications listed in the above criteria.
- The supervisor will forward the interest memo to the Division Commander and discuss their qualifications
- The Division Commander will meet with the Sergeant's group for additional input
- The Division Commander will forward the interest memo to the Chief via the chain of command
- The Chief may schedule and interview with the officer to discuss their qualifications

The Chief of Police shall have the right to establish criteria for selection of officers to be placed on the Watch Commander's list. The Chief shall select any number to be placed on the list and may remove officers or add officers to the list at any time.



HERMOSA BEACH POLICE DEPARTMENT

03.57 IDENTITY THEFT

Effective 08/05/2019
Updated

PURPOSE AND SCOPE

Identity theft is a growing trend that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

REPORTING

- I. In an effort to maintain uniformity in reporting, officers presented with the crime of identity theft (Penal Code § 530.6) shall initiate a report for victims residing within the jurisdiction of this department when the crime occurred. For incidents of identity theft occurring outside this jurisdiction, officers should observe the following:
 - a. For any victim not residing within this jurisdiction, the officer may either take a courtesy report to be forwarded to the victim's residence agency or the victim should be encouraged to promptly report the identity theft to the law enforcement agency where he or she resides.
- II. While the crime of identity theft should be reported to the law enforcement agency where the victim resides, officers of this department should investigate and report crimes occurring within this jurisdiction which have resulted from the original identity theft (e.g., the identity theft occurred elsewhere, but the credit card fraud occurred and is reported in this jurisdiction).
- III. Officers should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim's name when the victim has never made such an application).
- IV. Officers should also cross-reference all known reports made by the victim (e.g., U.S. Secret Service, credit reporting bureaus, U.S. Postal Service and DMV) with all known report numbers.
- V. The reporting officer should inform victims of identity theft that the California Identity Theft Registry is available to help those who are wrongly linked to crimes. The registry can be checked by law enforcement and other authorized persons to investigate whether a criminal history or want was created in the victim's name (Penal Code § 530.7). Information regarding the California Identity Theft Registry can be obtained by calling toll free (888) 880-0240.

- VI. Following supervisory review and department processing, the initial report should be forwarded to the appropriate detective for follow up investigation, coordination with other agencies and prosecution as circumstances dictate.

APPROVED:



Milton McKinnon
Acting Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

O3.58 SEXUAL ASSAULT INVESTIGATIONS

**Effective 08/05/2019
Updated**

PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims.

Mandatory notifications requirements are addressed in the Child Abuse and Adult Abuse policies.

DEFINITIONS

Definitions related to this policy include:

Sexual assault - Any crime or attempted crime of a sexual nature, to include, but not limited to, offenses defined in Penal Code § 243.4, Penal Code § 261 et seq., and Penal Code § 285 et seq.

Sexual Assault Response Team (SART) - A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault forensic examiners (SAFEs) or sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims.

POLICY

It is the policy of the Hermosa Beach Police Department that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

QUALIFIED INVESTIGATORS

Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

- (a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations.
- (b) Conduct follow-up interviews and investigation.
- (c) Present appropriate cases of alleged sexual assault to the prosecutor for review.

- (d) Coordinate with other enforcement agencies, social service agencies and medical personnel as needed.
- (e) Provide referrals to therapy services, victim advocates and support for the victim.
- (f) Participate in or coordinate with SART.

REPORTING

In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

VICTIM INTERVIEWS

The primary considerations in sexual assault investigations, which begin with the initial call to Dispatch, should be the health and safety of the victim, the preservation of evidence, and preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

Whenever possible, a member of SART should be included in the initial victim interviews. An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified investigator.

No opinion of whether the case is unfounded shall be included in the report.

Victims shall not be asked or required to take a polygraph examination (34 USC § 10451; Penal Code § 637.4).

Victims should be apprised of applicable victim's rights provisions, as outlined in the Victim and Witness Assistance Policy.

I. VICTIMS RIGHTS

Whenever there is an alleged sexual assault, the assigned officer shall accomplish the following:

- (a) Advise the victim in writing of the right to have a victim advocate and a support person of the victim's choosing present at any interview or contact by law enforcement, any other rights of a sexual assault victim pursuant to Penal Code § 680.2 and the right to have a person of the same or opposite gender present in the room during any interview with a law enforcement official unless no such person is reasonably available (Penal Code § 679.04).

- (b) If the victim is transported to a hospital for any medical evidentiary or physical examination, the officer shall immediately cause the local rape victim counseling center to be notified (Penal Code § 264.2).
1. The officer shall not discourage a victim from receiving a medical evidentiary or physical examination (Penal Code § 697.04).
 2. A support person may be excluded from the examination by the officer or the medical provider if his/her presence would be detrimental to the purpose of the examination (Penal Code § 264.2).

II. VICTIM CONFIDENTIALITY

Officers investigating or receiving a report of an alleged sex offense shall inform the victim, or the victim's parent or guardian if the victim is a minor, that his/her name will become a matter of public record unless the victim requests that his/her name not be made public. The reporting officer shall document in his/her report that the victim was properly informed and shall include any related response made by the victim, or if a minor, any response made by the victim's parent or guardian (Penal Code § 293).

Except as authorized by law, members of this department shall not publicly disclose the name of any victim of a sex crime who has exercised his/her right to confidentiality (Penal Code § 293).

COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE

Whenever possible, a SART member should be involved in the collection of forensic evidence from the victim.

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practicable.

Subject to requirements set forth in this policy, biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be submitted for testing.

Victims who choose not to assist with an investigation, do not desire that the matter be investigated or wish to remain anonymous may still consent to the collection of evidence under their control. In these circumstances, the evidence should be collected and stored appropriately.

I. COLLECTION AND TESTING REQUIREMENTS

Members investigating a sexual assault offense should take every reasonable step to ensure that DNA testing of such evidence is performed in a timely manner and within the time

periods prescribed by Penal Code § 803(g). Generally, rape kits should be submitted to the crime lab within 20 days after being booked into evidence (Penal Code § 680).

In order to maximize the effectiveness of such testing and identify the perpetrator of any sexual assault, the assigned officer shall ensure that an information profile for the sexual assault kit evidence has been created in the California Department of Justice (DOJ) SAFE-T database within 120 days of collection and should further ensure that the results of any such test have been timely entered into and checked against both the DOJ Cal-DNA database and the Combined DNA Index System (CODIS) (Penal Code § 680.3).

If the assigned officer determines that a kit submitted to a private laboratory for analysis has not been tested within 120 days after submission, the officer shall update the SAFE-T database to reflect the reason for the delay in testing. The assigned officer shall continue to update the status every 120 days thereafter until the evidence has been analyzed or the statute of limitations has run (Penal Code § 680.3).

If, for any reason, DNA evidence in a sexual assault case in which the identity of the perpetrator is in issue and is not going to be analyzed within 18 months of the crime, the assigned officer shall notify the victim of such fact in writing no less than 60 days prior to the expiration of the 18 month period (Penal Code § 680(d)).

Additional guidance regarding evidence retention and destruction is found in the Property and Evidence Policy.

II. DNA TEST RESULTS

A SART member should be consulted regarding the best way to deliver biological testing results to a victim so as to minimize victim trauma, especially in cases where there has been a significant delay in getting biological testing results (e.g., delays in testing the evidence or delayed DNA databank hits). Members should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as provided in the Victim and Witness Assistance Policy.

- (a) Upon receipt of a written request from a sexual assault victim or the victim's authorized designee, members investigating sexual assault cases shall inform the victim of the status of the DNA testing of any evidence from the victim's case (Penal Code § 680).
 1. Although such information may be communicated orally, the assigned officer should thereafter follow-up with and retain a copy of confirmation by either written or electronic mail.
 2. Absent a written request, no member of this department is required to, but may, communicate with the victim or the victim's authorized designee regarding the status of any DNA testing.
- (b) Subject to the commitment of sufficient resources to respond to requests for information, sexual assault victims shall further have the following rights (Penal Code § 680):

1. To be informed if a DNA profile of the assailant was obtained from the testing of the rape kit or other crime scene evidence from their case.
 2. To be informed if there is a match between the DNA profile of the assailant developed from the evidence and a DNA profile contained in the DOJ Convicted Offender DNA Database, providing that disclosure would not impede or compromise an ongoing investigation.
 3. To be informed if the DNA profile of the assailant developed from the evidence has been entered into the DOJ Databank of case evidence.
- (c) Provided that the sexual assault victim or the victim's authorized designee has kept the assigned officer informed with regard to current address, telephone number and email address (if available), any victim or the victim's authorized designee shall, upon request, be advised of any known significant changes regarding the victim's case (Penal Code § 680).
1. Although such information may be communicated orally, the assigned officer should thereafter follow-up with and retain a copy of confirmation by either written or electronic mail.

No officer shall be required or expected to release any information which might impede or compromise any ongoing investigation.

DISPOSITION OF CASES

All allegations of sexual assault will be presented to the prosecutor for consideration. The assigned investigator will include all available information, evidence, statements and circumstances for the prosecutor to be able to evaluate if the case has merit. All cases alleging sexual assault will either be filed for prosecution, or "rejected" by the prosecutor.

CASE REVIEW

The Detective Bureau supervisor should ensure case dispositions are reviewed on a periodic basis, at least annually, using an identified group that is independent of the investigation process.

The reviews should include an analysis of:

- Case dispositions.
- Decisions to collect biological evidence.
- Submissions of biological evidence for lab testing.

The SART and/or victim advocates should be considered for involvement in this audit. Summary reports on these reviews should be forwarded through the chain of command to the Chief of Police.

RELEASING INFORMATION TO THE PUBLIC

In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Detective Bureau supervisor should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes. The Chief of Police will make the final determination regarding any information released to the public.

TRAINING

Subject to available resources, periodic training will be provided to:

- (a) Members who are first responders. Training should include:
 - 1. Initial response to sexual assaults.
 - 2. Legal issues.
 - 3. Victim advocacy.
 - 4. Victim's response to trauma.
- (b) Qualified investigators who should receive advanced training on additional topics. Advanced training should include:
 - 1. Interviewing sexual assault victims.
 - 2. SART.
 - 3. Medical and legal aspects of sexual assault investigations.
 - 4. Serial crimes investigations.
 - 5. Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (ViCAP).
 - 6. Techniques for communicating with victims to minimize trauma.

APPROVED:



Milton McKinnon
Acting Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

O3.59 BODY ARMOR

**Effective 02/19/2020
Updated**

PURPOSE AND SCOPE

The purpose of this policy is to provide Police Officers and Community Service Officers with guidelines for the proper use of body armor.

POLICY

It is the policy of the Hermosa Beach Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

ISSUANCE OF BODY ARMOR

The Administrative Sergeant shall ensure that body armor is issued to all Police Officers, Reserve Officers and full-time Community Service Officers, when the officer begins service at the Hermosa Beach Police Department and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Department-issued body armor shall, at minimum, satisfy the requirements for ballistic threat level IIA. The body armor will minimally consist of front and back panels; wraparound side panels are recommended.

The Investigative and Administrative Services Division Commander or their designee shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to the schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

I. USE OF SOFT BODY ARMOR

Generally, the use of body armor is required subject to the following:

- a) Officers shall only wear agency-approved body armor.
- b) Officers shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action including any pre-planned "high-risk" tactical duties (i.e. search warrant execution, drug "raids", etc.).
- c) Body armor shall be worn when an officer is working in uniform.
- d) Non-uniformed officers may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action.

- e) An officer may be excused from wearing body armor when he/she is involved in undercover or plainclothes work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.
- f) Officers wearing the Class "A" uniform for the purpose of honor guard are not required to wear body armor.
- g) Community Service Officers assigned to Meter Technician duties are excused from wearing body armor as they are not expected to engage in enforcement activities

II. INSPECTIONS OF BODY ARMOR

Supervisors should ensure that body armor is worn and maintained in accordance with this policy through routine observation and periodic documented inspections. Officers should continuously inspect their body armor to ensure proper fit, cleanliness, and signs of damage, abuse and wear.

III. CARE AND MAINTENANCE OF SOFT BODY ARMOR

Soft body armor should never be stored for any period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks.

Soft body armor should be cared for and cleaned pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

RANGEMASTER RESPONSIBILITIES

The Rangemaster should:

- a) Monitor technological advances in the body armor industry for any appropriate changes to Department approved body armor.
- b) Assess weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.
- c) Provide training that educates officers about the safety benefits of wearing body armor.

APPROVED:



Michael McCrary
Interim Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

O3.60 FOOT PURSUITS

Effective 09/28/20

PURPOSE AND SCOPE

This policy provides guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot.

POLICY

It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.

DECISION TO PURSUE

The safety of department members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department members.

Officers may be justified in initiating a foot pursuit of any individual the officer reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Mere flight by a person who is not suspected of criminal activity shall not serve as justification for engaging in an extended foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity or being wanted by law enforcement.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place department members and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

- a) Containment of the area.

- b) Saturation of the area with law enforcement personnel, including assistance from other agencies.
- c) A canine search.
- d) Thermal imaging or other sensing technology.
- e) Air support.
- f) Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

GENERAL GUIDELINES

When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

- a) Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory
- b) The officer is acting alone.
- c) Two or more officers become separated, lose visual contact with one another, or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.
- d) The officer is unsure of his/her location and direction of travel.
- e) The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspect should a confrontation occur.
- f) The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.
- g) The officer loses radio contact with the dispatcher or with assisting or backup officers.
- h) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.
- i) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.
- j) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.
- k) The officer loses possession of his/her firearm or other essential equipment.

- l) The officer or a third party is injured during the pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.
- m) The suspect's location is no longer definitely known.
- n) The identity of the suspect is established or other information exists that will allow for the suspect's apprehension at a later time, and it reasonably appears that there is no immediate threat to department members or the public if the suspect is not immediately apprehended.
- o) The officer's ability to safely continue the pursuit is impaired by inclement weather, darkness or other environmental conditions.

RESPONSIBILITIES IN FOOT PURSUITS

I. INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

- a) Location and direction of travel
- b) Call sign identifier
- c) Reason for the foot pursuit, such as the crime classification
- d) Number of suspects and description, to include name if known
- e) Whether the suspect is known or believed to be armed with a dangerous weapon

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the foot pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify the dispatcher of his/her location and the status of the pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects or members of the public.

II. ASSISTING OFFICER RESPONSIBILITIES

Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize non-essential radio traffic to permit the involved officers maximum access to the radio frequency.

III. SUPERVISOR RESPONSIBILITIES

Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever possible; the supervisor does not, however, need not be physically present to exercise control over the foot pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

IV. DISPATCH RESPONSIBILITIES

Upon notification or becoming aware that a foot pursuit is in progress, the dispatcher is responsible for:

- a) Clearing the radio channel of non-emergency traffic.
- b) Coordinating pursuit communications of the involved officers.
- c) Broadcasting pursuit updates as well as other pertinent information as necessary.
- d) Ensuring that a field supervisor is notified of the foot pursuit.
- e) Notifying and coordinating with other involved or affected agencies as practicable.
- f) Notifying the Watch Commander as soon as practicable.
- g) Assigning an incident number and logging all pursuit activities.

REPORTING REQUIREMENTS

The initiating officer shall complete appropriate crime/arrest reports documenting, at minimum:

- a) Date and time of the foot pursuit.
- b) Initial reason and circumstances surrounding the foot pursuit.
- c) Course and approximate distance of the foot pursuit.
- d) Alleged offenses.
- e) Involved vehicles and officers.
- f) Whether a suspect was apprehended as well as the means and methods used.

1. Any use of force shall be reported and documented in compliance with the Use of Force Policy.

- g) Arrestee information, if applicable.
- h) Any injuries and/or medical treatment.
- i) Any property or equipment damage.
- j) Name of the supervisor at the scene or who handled the incident.

Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

The supervisor reviewing the report will make a preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.

In any case in which a suspect is not apprehended and there is insufficient information to support further investigation, a supervisor may authorize that the initiating officer need not complete a formal report.

APPROVED:



Paul LeBaron
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

O3.61 72-HOUR PARKING VIOLATIONS

**Effective 11/05/2020
Updated**

PURPOSE AND SCOPE

This policy provides procedures for the marking, recording, and storage of vehicles parked in violation of the Hermosa Beach City Ordinance regulating 72-hour parking violations and abandoned vehicles under the authority of Vehicle Code § 22669

MARKING VEHICLES

Vehicles suspected of being in violation of the City of Hermosa Beach 72-Hour Parking Ordinance shall be marked and noted on the Hermosa Beach Police Department vehicle notice card. No case number is required at this time.

A visible chalk mark that includes the date and time should be placed on the vehicle's tire tread at the fender level unless missing tires or other vehicle conditions prevent marking. Weather permitting, a chalk outline of the vehicle tire(s) should be placed on the ground. A warning citation and the vehicle notice card shall be placed on the vehicle. A photograph should be taken showing the vehicle's position. Any deviation in markings shall be noted on the vehicle notice card.

All vehicle notice cards shall be submitted to the Community Services Division for data entry and assigned to an Officer for follow up at a later date.

Parking citations for the 72-hour parking ordinance shall not be issued when the vehicle is stored for the 72-hour parking violation.

I. MARKED VEHICLE FILE

The Community Services Division shall be responsible for maintaining a file for all vehicle notice cards.

Community Services Officers shall be responsible for the follow up investigation of all 72-hour parking violations noted on the vehicle notice cards.

II. VEHICLE STORAGE

Any vehicle in violation shall be issued a notice of parking violation and stored by the authorized towing service. A vehicle storage report shall be completed by the officer authorizing the storage of the vehicle.

The storage report form shall be submitted to the Records Bureau immediately following the storage of the vehicle. It shall be the responsibility of the Records Bureau to immediately notify the Stolen Vehicle System (SVS) of the Department of Justice in Sacramento (Vehicle Code § 22851.3(b)). Notification may also be made to the National Law Enforcement Telecommunications System (NLETS) (Vehicle Code § 22854.5).

Within 48 hours of the storage of any such vehicle, excluding weekends and holidays, it shall be the responsibility of the Records Bureau to determine the names and addresses of any individuals having an interest in the vehicle through DMV or CLETS computers. Notice to all such individuals shall be sent first-class or certified mail pursuant to Vehicle Code § 22851.3(d).

APPROVED:

A handwritten signature in cursive script, appearing to read "Paul LeBaron".

Paul LeBaron
Chief of Police

Registered Offender Information

328.1 PURPOSE AND SCOPE

This policy establishes guidelines by which the Hermosa Beach Police Department will address issues associated with certain offenders who are residing in the jurisdiction and how the Department will disseminate information and respond to public inquiries for information about registered sex, arson and drug offenders.

328.2 POLICY

It is the policy of the Hermosa Beach Police Department to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

328.3 REGISTRATION

The Police Service Officer (PSO) Supervisor shall establish a process to reasonably accommodate registration of certain offenders. The process should rebut any allegation on the part of the offender that the registration process was too confusing, burdensome, or difficult for compliance. If it is reasonable to do so, an investigator assigned to related investigations should conduct the registration in order to best evaluate any threat the person may pose to the community. Those assigned to register offenders should receive appropriate training regarding the registration process.

Upon conclusion of the registration process, the PSO Supervisor shall ensure that the registration information is provided to the California Department of Justice (DOJ) in accordance with applicable law (Penal Code § 457.1; Penal Code § 290 et seq.).

The refusal of a registrant to provide any of the required information or complete the process should initiate a criminal investigation for failure to register.

328.3.1 CONTENTS OF REGISTRATION

The information collected from the registering offenders shall include a signed statement as required by the California DOJ, fingerprints and a photograph, and any other information required by applicable law (Penal Code § 457.1; Penal Code § 290 et seq.).

328.4 MONITORING OF REGISTERED OFFENDERS

The Detective Bureau supervisor should establish a system to periodically, and at least once annually, verify that a registrant remains in compliance with his/her registration requirements after the initial registration. This verification should include:

- (a) Efforts to confirm residence using an unobtrusive method.
- (b) Review of information on the California DOJ website for sex offenders.
- (c) Contact with a registrant's parole or probation officer.

Any discrepancies should be reported to the California DOJ.

Hermosa Beach Police Department

HBPD Policy Manual

Registered Offender Information

328.5 DISSEMINATION OF PUBLIC INFORMATION

Members will not unilaterally make a public notification advising the community of a particular registrant's presence in the community. Members who identify a significant risk or other public safety issue associated with a registrant should promptly advise their supervisor. The supervisor should evaluate the request and forward the information to the Chief of Police if warranted. A determination will be made by the Chief of Police, with the assistance of legal counsel as necessary, whether such a public alert should be made.

Members of the public requesting information on sex registrants should be provided the Megan's Law website.


The Records Supervisor may release local registered offender information to residents only in accordance with applicable law and in compliance with a California Public Records Act request (Government Code § 7920.000 et seq.; Penal Code § 290.45; Penal Code § 290.46; Penal Code § 457.1).

328.5.1 RELEASE NOTIFICATIONS

Registrant information that is released should include notification that:

- (a) The offender registry includes only those persons who have been required by law to register and who are in compliance with the offender registration laws.
- (b) The information is provided as a public service and may not be current or accurate.
- (c) Persons should not rely solely on the offender registry as a safeguard against offenses in their communities.
- (d) The crime for which a person is convicted may not accurately reflect the level of risk.
- (e) Anyone who uses information contained in the registry to harass registrants or commit any crime may be subject to criminal prosecution.
- (f) The purpose of the release of information is to allow members of the public to protect themselves and their children from sex offenders (Penal Code 290.45).

328.6 ISSUING AUTHORITY

	Effective Date	Updated Date
 W. Paul LeBaron, Chief of Police	November 5, 2020	May 7, 2024



HERMOSA BEACH POLICE DEPARTMENT

O3.63 EYEWITNESS IDENTIFICATION

Effective 11/05/2020
Updated

PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques (Penal Code § 859.7).

I. DEFINITIONS

Definitions related to the policy include:

Eyewitness identification process - Any field identification, live lineup or photographic identification.

Field identification - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

Filler - Either a person or a photograph of a person who is not suspected of an offense and is included in an identification procedure.

Live lineup - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

Photographic lineup - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

POLICY

The Hermosa Beach Police Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

INTERPRETIVE SERVICES

Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

EYEWITNESS IDENTIFICATION PROCESS AND FORM

The Detective Bureau supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process should include appropriate forms or reports that provide (Penal Code § 859.7):

- The date, time and location of the eyewitness identification procedure.
- The name and identifying information of the witness.
- The name of the person administering the identification procedure.
- If applicable, the names of all of the individuals present during the identification procedure.
- An instruction to the witness that it is as important to exclude innocent persons as it is to identify a perpetrator.
- An instruction to the witness that the perpetrator may or may not be among those presented and that the witness is not obligated to make an identification.
- If the identification process is a photographic or live lineup, an instruction to the witness that the perpetrator may not appear exactly as he/she did on the date of the incident.
- An instruction to the witness that the investigation will continue regardless of whether an identification is made by the witness.
- A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.
- A statement from the witness in the witness's own words describing how certain he/she is of the identification or non-identification. This statement should be taken at the time of the identification procedure.
- Any other direction to meet the requirements of Penal Code § 859.7, including direction regarding blind or blinded administrations and filler selection.

The process and related forms should be reviewed at least annually and modified when necessary.

EYEWITNESS IDENTIFICATION

Members are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case.

Members should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.

- Other witnesses have identified or failed to identify the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

Whenever feasible, the eyewitness identification procedure should be audio and video recorded and the recording should be retained according to current evidence procedures (Penal Code § 859.7).

DOCUMENTATION

A thorough description of the eyewitness process and the result of any eyewitness identification should be documented in the case report.

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report.

I. DOCUMENTATION RELATED TO RECORDINGS

The handling member shall document the reason that a video recording or any other recording of an identification was not obtained (Penal Code § 859.7).

II. DOCUMENTATION RELATED TO BLIND ADMINISTRATION

If a presentation of a lineup is not conducted using blind administration, the handling member shall document the reason (Penal Code § 859.7).

FIELD IDENTIFICATION CONSIDERATIONS

Field identifications, also known as field show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identifications. A field show-up or one-on-one identification should not be used when independent probable cause exists to arrest a suspect. In such cases a live or photo lineup is the preferred course of action if eyewitness identification is contemplated.

When initiating a field identification, the member should observe the following guidelines:

- a) Obtain a complete description of the suspect from the witness.
- b) Assess whether a witness should be included in a field identification process by considering:
 1. The length of time the witness observed the suspect.
 2. The distance between the witness and the suspect.
 3. Whether the witness could view the suspect's face.
 4. The quality of the lighting when the suspect was observed by the witness.
 5. Whether there were distracting noises or activity during the observation.

6. Any other circumstances affecting the witness's opportunity to observe the suspect.
 7. The length of time that has elapsed since the witness observed the suspect.
- c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.
 - d) When feasible, members should bring the witness to the location of the subject of the show-up, rather than bring the subject of the show-up to the witness.
 - e) The person who is the subject of the show-up should not be shown to the same witness more than once.
 - f) In cases involving multiple suspects, witnesses should only be permitted to view the subjects of the show-up one at a time.
 - g) The person who is the subject of the show-up should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.

PHOTOGRAPHIC LINEUP AND LIVE LINEUP CONSIDERATIONS

When practicable, the member presenting the lineup should not be involved in the investigation of the case or know the identity of the suspect. In no case should the member presenting a lineup to a witness know which photograph or person in the lineup is being viewed by the witness (Penal Code § 859.7). Techniques to achieve this include randomly numbering photographs, shuffling folders, or using a computer program to order the persons in the lineup.

Individuals in the lineup should reasonably match the description of the perpetrator provided by the witness and should bear similar characteristics to avoid causing any person to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup (Penal Code § 859.7).

The member presenting the lineup should do so sequentially (i.e., show the witness one person at a time) and not simultaneously. The witness should view all persons in the lineup.

A live lineup should only be used before criminal proceedings have been initiated against the suspect. If there is any question as to whether any criminal proceedings have begun, the investigating member should contact the appropriate prosecuting attorney before proceeding.

I. OTHER SAFEGUARDS

Witnesses should be asked for suspect descriptions as close in time to the incident as possible and before conducting an eyewitness identification. No information concerning a suspect should be given prior to obtaining a statement from the witness describing how certain he/she is of the identification or non-identification. Members should not say anything to a witness that may validate or invalidate an eyewitness' identification. In photographic lineups, writings or information concerning any previous arrest of a suspect shall not be visible to the witness (Penal Code § 859.7).

APPROVED:

A handwritten signature in cursive script, appearing to read "Paul LeBaron".

Paul LeBaron
Chief of Police

November 13, 2020

Emergency Utility Service

415.1 PURPOSE AND SCOPE

The City Public Works Department has personnel available to handle emergency calls 24 hours per day. Calls for service during non-business hours are frequently directed to the Police Department. Requests for such service received by this department should be handled in the following manner.

415.1.1 BROKEN WATER LINES

The City's responsibility ends at the water meter; any break or malfunction in the water system from the water meter to the citizen's residence or business is the customer's responsibility. Public Works can only turn off the valve at the meter. The citizen can normally accomplish this.

If a break occurs on the City side of the meter, emergency personnel should be called as soon as practical by Dispatch.

415.1.2 ELECTRICAL LINES

City Public Works does not maintain electrical lines to street light poles. When a power line poses a hazard, an officer should be dispatched to protect against personal injury or property damage that might be caused by power lines. The Electric Company or Public Works should be promptly notified, as appropriate.

415.1.3 RESERVOIRS, PUMPS, WELLS, ETC.

Public Works maintains the reservoirs and public water equipment, as well as several underpass and other street drainage pumps. In the event of flooding or equipment malfunctions, emergency personnel should be contacted as soon as possible.

415.1.4 EMERGENCY NUMBERS

A current list of emergency personnel who are to be called for municipal utility emergencies is maintained by Dispatch.

415.2 TRAFFIC SIGNAL MAINTENANCE

The City of Hermosa Beach contracts with a private maintenance company to furnish maintenance for all traffic signals within the City, other than those maintained by the State of California.

415.2.1 OFFICER'S RESPONSIBILITY

Upon observing a damaged or malfunctioning signal, the officer will advise the Dispatch of the location and problem with the signal. The dispatcher should make the necessary notification to the proper maintenance agency.

415.3 ISSUING AUTHORITY



Effective Date

W. Paul LeBaron, Chief of Police

November 13, 2020

Bicycle Patrol Unit

427.1 PURPOSE AND SCOPE

The Hermosa Beach Police Department has established the Bicycle Patrol Unit (BPU) for the purpose of enhancing patrol efforts in the community. Bicycle patrol has been shown to be an effective way to increase officer visibility in congested areas and their quiet operation can provide a tactical approach to crimes in progress. The purpose of this policy is to provide guidelines for the safe and effective operation of the patrol bicycle.

427.2 POLICY

Patrol bicycles may be used for regular patrol duty, traffic enforcement, parking control, or special events. The use of the patrol bicycle will emphasize their mobility and visibility to the community.

Bicycles may be deployed to any area at all hours of the day or night, according to Department needs and as staffing levels allow.

Requests for specific deployment of bicycle patrol officers shall be coordinated through the Watch Commander.

427.3 SELECTION OF PERSONNEL

Interested sworn personnel should submit an interest memo to their Division Commander to request required training. Personnel shall be evaluated by the following criteria:

- (a) Recognized competence and ability as evidenced by performance.
- (b) Special skills or training as it pertains to the assignment.
- (c) Good physical condition.
- (d) Willingness to perform duties using the bicycle as a mode of transportation.

427.4 TRAINING

Participants in the bicycle program must complete an initial Department approved bicycle-training course. The initial training shall minimally include the following:

- Bicycle patrol strategies.
- Bicycle safety and accident prevention.
- Operational tactics using bicycles.

427.5 UNIFORMS AND EQUIPMENT

Officers shall wear the department-approved uniform and safety equipment while operating the department bicycle. Safety equipment includes department-approved helmet, riding gloves, protective eyewear and approved footwear.

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Bicycle Patrol Unit

The bicycle patrol unit uniform consists of the standard short-sleeve uniform shirt or other department-approved shirt with department badge and patches, and department-approved bicycle patrol pants or shorts.

Optional equipment includes a radio head set and microphone, and jackets in colder weather. Turtleneck shirts or sweaters are permitted when worn under the uniform shirt.

Bicycle patrol officers shall carry the same equipment on the bicycle patrol duty belt as they would on a regular patrol assignment.

Officers will be responsible for obtaining the necessary forms, citation books and other department equipment needed while on bicycle patrol.

427.6 CARE AND USE OF PATROL BICYCLES

Bicycles utilized for uniformed bicycle patrol shall be primarily black or white in with a "POLICE" decal affixed to each side of the crossbar or the bike's saddlebag. Every such bicycle shall be equipped with front and rear reflectors front lights and a siren/horn satisfying the requirements of Vehicle Code §2800.1(b).

Each bicycle shall be equipped with a steady or flashing blue warning light that is visible from the front, sides, or rear of the bicycle. (Vehicle Code § 21201.3)

Bicycle officers shall conduct an inspection of the bicycle and equipment prior to use to insure proper working order of the equipment. Officers are responsible for the routine care and maintenance of their assigned equipment (e.g., tire pressure, chain lubrication, overall cleaning).

If a needed repair is beyond the ability of the bicycle officer, a repair work order will be completed and forwarded to the program supervisor for repair by an approved technician.

At the end of a bicycle assignment, the bicycle shall be returned clean and ready for deployment

Electric patrol bicycle batteries shall be rotated on the assigned charger at the end of each deployment. During prolonged periods of non-use, the batteries of an electric bicycle should be periodically rotated to increase battery life.

Officers shall not modify the patrol bicycle, remove, modify or add components except with the expressed approval of the bicycle supervisor, or in the event of an emergency.

Vehicle bicycle racks are available should the officer need to transport the patrol bicycle. Due to possible component damage, transportation of the patrol bicycle in a trunk or on a patrol car push-bumper is discouraged.

Bicycles shall be properly secured when not in the officer's immediate presence.

427.7 OFFICER RESPONSIBILITY

Officers must operate the bicycle in compliance with the vehicle code under normal operation. Officers may operate the bicycle without lighting equipment during hours of darkness when such

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operation reasonably appears necessary for officer safety and tactical considerations. Officers must use caution and care when operating the bicycle without lighting equipment.

Officers are exempt from the rules of the road under the following conditions (Vehicle Code § 21200(b)(1)):

- (a) In response to an emergency call.
- (b) While engaged in rescue operations.
- (c) In the immediate pursuit of an actual or suspected violator of the law.

427.8 ISSUING AUTHORITY



W. Paul LeBaron, Chief of Police

Effective Date

September 24, 2020



HERMOSA BEACH POLICE DEPARTMENT

O3.66 COMPUTERS AND DIGITAL EVIDENCE

**Effective 11/12/2020
Update**

PURPOSE AND SCOPE

This policy establishes procedures for the seizure and storage of computers, personal communications devices (PCDs) digital cameras, digital recorders and other electronic devices that are capable of storing digital information; and for the preservation and storage of digital evidence. All evidence seized and/or processed pursuant to this policy shall be done so in compliance with clearly established Fourth Amendment and search and seizure provisions.

SEIZING COMPUTERS AND RELATED EVIDENCE

Computer equipment requires specialized training and handling to preserve its value as evidence. Officers should be aware of the potential to destroy information through careless or improper handling, and utilize the most knowledgeable available resources. When seizing a computer and accessories the following steps should be taken:

- (a) Photograph each item, front and back, specifically including cable connections to other items. Look for a phone line or cable to a modem for Internet access.
- (b) Do not overlook the possibility of the presence of physical evidence on and around the hardware relevant to the particular investigation such as fingerprints, biological or trace evidence, and/or documents.
- (c) If the computer is off, do not turn it on.
- (d) If the computer is on, do not shut it down normally and do not click on anything or examine any files.
 1. Photograph the screen, if possible, and note any programs or windows that appear to be open and running.
 2. Disconnect the power cable from the back of the computer box or if a portable notebook style, disconnect any power cable from the case and remove the battery).

- (e) Label each item with case number, evidence sheet number, and item number.
- (f) Handle and transport the computer and storage media (e.g., tape, discs, memory cards, flash memory, external drives) with care so that potential evidence is not lost.
- (g) Lodge all computer items in the Property Room. Do not store computers where normal room temperature and humidity is not maintained.
- (h) At minimum, officers should document the following in related reports:
 1. Where the computer was located and whether or not it was in operation.
 2. Who was using it at the time.
 3. Who claimed ownership.
 4. If it can be determined, how it was being used.
- (i) In most cases when a computer is involved in criminal acts and is in the possession of the suspect, the computer itself and all storage devices (hard drives, tape drives, and disk drives) should be seized along with all media. Accessories (printers, monitors, mouse, scanner, keyboard, cables, software and manuals) should not be seized unless as a precursor to forfeiture.

I. BUSINESS OR NETWORKED COMPUTERS

If the computer belongs to a business or is part of a network, it may not be feasible to seize the entire computer. Cases involving networks require specialized handling. Officers should contact a certified forensic computer examiner for instructions or a response to the scene. It may be possible to perform an on-site inspection, or to image the hard drive only of the involved computer. This should only be done by someone specifically trained in processing computers for evidence.

II. FORENSIC EXAMINATION OF COMPUTERS

If an examination of the contents of the computer's hard drive, or floppy disks, compact discs, or any other storage media is required, forward the following items to a computer forensic examiner:

- (a) Copy of report(s) involving the computer, including the Evidence/Property sheet.
- (b) Copy of a consent to search form signed by the computer owner or the person in possession of the computer, or a copy of a search warrant authorizing the

search of the computer hard drive for evidence relating to investigation.

- (c) A listing of the items to search for (e.g., photographs, financial records, e-mail, documents).
- (d) An exact duplicate of the hard drive or disk will be made using a forensic computer and a forensic software program by someone trained in the examination of computer storage devices for evidence.

SEIZING DIGITAL STORAGE MEDIA

Digital storage media including hard drives, floppy discs, CD's, DVD's, tapes, memory cards, or flash memory devices should be seized and stored in a manner that will protect them from damage.

- (a) If the media has a write-protection tab or switch, it should be activated.
- (b) Do not review, access or open digital files prior to submission. If the information is needed for immediate investigation request the Property and Evidence Unit to copy the contents to an appropriate form of storage media.
- (c) Many kinds of storage media can be erased or damaged by magnetic fields. Keep all media away from magnetic devices, electric motors, radio transmitters or other sources of magnetic fields.
- (d) Do not leave storage media where they would be subject to excessive heat such as in a parked vehicle on a hot day.
- (e) Use plastic cases designed to protect the media, or other protective packaging, to prevent damage.

SEIZING PCDS

Personal communication devices such as cell phones, PDAs or other hand-held devices connected to any communication network must be handled with care to preserve evidence that may be on the device including messages, stored data and/or images.

- (a) Officers should not attempt to access, review or search the contents of such devices prior to examination by a forensic expert. Unsent messages can be lost, data can be inadvertently deleted and incoming messages can override stored messages.
- (b) Do not turn the device on or off. The device should be placed in a solid metal

container such as a paint can or in a faraday bag, to prevent the device from sending or receiving information from its host network.

- (c) When seizing the devices, also seize the charging units and keep them plugged in to the chargers until they can be examined. If the batteries go dead all the data may be lost.

SEIZING FAX MACHINES

Fax machines can contain: Speed dial lists, Stored faxes both incoming and outgoing, Fax transmission logs both incoming and outgoing, and Header line Clock settings.

- (a) If a fax machine is found “ON”, powering it down may cause the loss of the last number dialed and/or stored faxes.
- (b) Record the telephone number the fax line is plugged into.
- (c) Header line should be the same as the phone line; user sets the header line.
- (d) All manuals should be seized with the equipment, if possible.

SEIZING CALLER ID DEVICES

Caller ID Devices: May contain telephone numbers and subscriber information from incoming telephone calls. Interruption of the power supply to the device may cause loss of data if it is not protected by an internal battery backup.

- (a) Document all stored data prior to seizure or a loss of data may occur.

DIGITAL EVIDENCE RECORDED BY OFFICERS

Officers handling and submitting recorded and digitally stored evidence from digital cameras and audio or video recorders will comply with these procedures to ensure the integrity and admissibility of such evidence. This section does not apply to Department issued cameras or other recording equipment.

I. COLLECTION OF DIGITAL EVIDENCE

Once evidence is recorded it shall not be erased, deleted or altered in any way prior to submission. All photographs taken will be preserved regardless of quality, composition or relevance. Video and audio files will not be altered in any way.

II. SUBMISSION OF DIGITAL MEDIA

The following are required procedures for the submission of digital media used by cameras or other recorders:

- (a) The recording media (smart card, compact flash card or any other media) shall be brought to the Property and Evidence Unit as soon as possible for submission into evidence.
- (b) Officers may review the contents of memory cards if necessary for investigative purposes.

III. DOWNLOADING OF DIGITAL FILES

Digital information such as video or audio files recorded on devices using internal memory must be downloaded to storage media. The following procedures are to be followed:

Where possible, the device should be connected to a computer and the files accessed directly from the computer directory or downloaded to a folder on the host computer for copying to the storage media.

IV. PRESERVATION OF DIGITAL EVIDENCE

- (a) Only evidence technicians are authorized to copy original digital media that is held as evidence. The original digital media shall remain in evidence and shall remain unaltered.
- (b) Digital images that are enhanced to provide a better quality photograph for identification and investigative purposes must only be made from a copy of the original media.
- (c) If any enhancement is done to the copy of the original, it shall be noted in the corresponding incident report.

APPROVED BY:



Paul LeBaron
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

O3.68 PUBLIC ALERTS

**Effective 11/12/2020
Updated**

PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

POLICY

Public alerts may be employed using the Emergency Alert System (EAS), community notification systems (e.g. Nixle, Everbridge etc.) local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria. Refer to Administrative Memorandum A-18.

RESPONSIBILITIES

I. EMPLOYEE RESPONSIBILITIES

Employees of the Hermosa Beach Police Department should notify their supervisor, Watch Commander or Detective Bureau Supervisor as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person or gathering information.

II. SUPERVISOR RESPONSIBILITIES

A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the Chief of Police, the appropriate Division Commander and the Public Information Officer when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

- a) Updating alerts
- b) Canceling alerts
- c) Ensuring all appropriate reports are completed

- d) Preparing an after-action evaluation of the investigation to be forwarded to the Division Commander

AMBER ALERTS

The AMBER Alert™ Program is a voluntary partnership between law enforcement agencies, broadcasters, transportation agencies and the wireless industry, to activate urgent bulletins in child abduction cases. The AMBER Alert is not intended for cases involving runaways, missing children in which there is no evidence of foul play, or custody disputes that are not reasonably believed to endanger the life or physical health of a child.

I. CRITERIA FOR AMBER ALERT

The following conditions must be met before activating an AMBER Alert (Government Code § 8594(a)):

- a) A child has been abducted or taken by anyone, including but not limited to a custodial parent or guardian.
- b) The victim is 17 years of age or younger, or has a proven mental or physical disability.
- c) The victim is in imminent danger of serious injury or death.
- d) There is information available that, if provided to the public, could assist in the child's safe recovery.

II. PROCEDURE FOR AMBER ALERT

The supervisor in charge will ensure the following:

- a) An initial press release is prepared that includes all available information that might aid in locating the child:
 - 1. The child's identity, age and description
 - 2. Photograph if available
 - 3. The suspect's identity, age and description, if known
 - 4. Pertinent vehicle description
 - 5. Detail regarding location of incident, direction of travel, potential destinations, if known
 - 6. Name and telephone number of the Public Information Officer or other authorized individual to handle media liaison
 - 7. A telephone number for the public to call with leads or information

- b) The local California Highway Patrol communications center should be contacted to initiate a multi-regional or statewide EAS broadcast, following any policies and procedures developed by CHP (Government Code § 8594).
- c) The press release information is forwarded to the Sheriff's Department Emergency Communications Bureau so that general broadcasts can be made to local law enforcement agencies.
- d) Information regarding the missing person should be entered into the California Law Enforcement Telecommunication System (CLETS).
- e) Information regarding the missing person should be entered into the California Department of Justice Missing and Unidentified Persons System (MUPS)/National Crime Information Center (NCIC).
- f) The following resources should be considered as circumstances dictate:
 - 1. The local FBI office
 - 2. National Center for Missing and Exploited Children (NCMEC)

BLUE ALERTS

Blue Alerts may be issued when an officer is killed, injured or assaulted and the suspect may pose a threat to the public or other law enforcement personnel

I. CRITERIA FOR BLUE ALERTS

All of the following conditions must be met before activating a Blue Alert (Government Code § 8594.5):

- a) A law enforcement officer has been killed, suffered serious bodily injury or has been assaulted with a deadly weapon, and the suspect has fled the scene of the offense.
- b) The investigating law enforcement agency has determined that the suspect poses an imminent threat to the public or other law enforcement personnel.
- c) A detailed description of the suspect's vehicle or license plate is available for broadcast.
- d) Public dissemination of available information may help avert further harm or accelerate apprehension of the suspect

II. PROCEDURE FOR BLUE ALERT

The Supervisor in charge should ensure the following:

- a) An initial press release is prepared that includes all available information that might aid in locating the suspect:

1. The license number and/or any other available description or photograph of the vehicle
 2. Photograph, description and/or identification of the suspect
 3. The suspect's identity, age and description, if known
 4. Detail regarding location of incident, direction of travel, potential destinations, if known
 5. Name and telephone number of the Public Information Officer or other authorized individual to handle media liaison
 6. A telephone number for the public to call with leads or information
- b) The local California Highway Patrol communications center is contacted to initiate a multi-regional or statewide EAS broadcast.
- c) The information in the press release is forwarded to the Sheriff's Department Emergency Communications Bureau so that general broadcasts can be made to local law enforcement agencies.
- d) The following resources should be considered as circumstances dictate:
1. Entry into the California Law Enforcement Telecommunication System (CLETS)
 2. The FBI local office

SILVER ALERTS

Silver Alerts® is an emergency notification system for people who are 65 years of age or older, developmentally disabled or cognitively impaired and have been reported missing (Government Code § 8594.10).

I. CRITERIA FOR SILVER ALERTS

All of the following conditions must be met before activating a Silver Alert (Government Code § 8594.10):

- a) The missing person is 65 years of age or older, developmentally disabled or cognitively impaired.
- b) The department has utilized all available local resources.
- c) The investigating officer or supervisor has determined that the person is missing under unexplained or suspicious circumstances.

- d) The investigating officer or supervisor believes that the person is in danger because of age, health, mental or physical disability, environment or weather conditions, that the person is in the company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril.
- e) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

II. PROCEDURE FOR SILVER ALERT

Requests for a Silver Alert shall be made through the California Highway Patrol (Government Code § 8594.10).

MUTUAL AID

The experiences of other law enforcement jurisdictions that have implemented similar plans indicate an AMBER Alert or Blue Alert will generate a high volume of telephone calls to the handling agency.

The Sheriff's Department Emergency Communications Bureau facilities and staff can be made available in the event of a high call volume.

If the Watch Commander or Detective Bureau Supervisor elects to use the services of the Sheriff's Department, the following will apply:

- a) Notify the Sheriff's Department Watch Commander of the incident and the request for assistance. He/she will provide you with a telephone number for the public to call.
- b) In the press release, direct the public to the telephone number provided by the Sheriff's Department Watch Commander.
- c) The Public Information Officer will continue to handle all press releases and media inquiries. Any press inquiries received by the Sheriff's Department will be referred back to this department.

The Hermosa Beach Police Department shall assign a minimum of two detectives/officers to respond to the Sheriff's Department Emergency Communications Bureau to screen and relay information and any clues received from incoming calls. As circumstances dictate, more staff resources from the handling law enforcement agency may be necessary to assist the staff at the Emergency Communications Bureau.

APPROVED BY:

A handwritten signature in cursive script, appearing to read 'Paul LeBaron', written in black ink.

Paul LeBaron
Chief of Police

Search and Seizure

311.1 PURPOSE AND SCOPE

Both the federal and state Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Hermosa Beach Police Department personnel to consider when dealing with search and seizure issues.

311.2 POLICY

It is the policy of the Hermosa Beach Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to officers as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

311.3 SEARCHES

The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Vehicle searches under certain circumstances
- Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property, and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

Hermosa Beach Police Department

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Search and Seizure

311.4 SEARCH PROTOCOL

Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

- (a) Members of this department will strive to conduct searches with dignity and courtesy.
- (b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.
- (c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.
- (d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.
- (e) When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:
 1. Another officer or a supervisor should witness the search.
 2. The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

311.5 DOCUMENTATION

Officers are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

- Reason for the search
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
- What, if any, injuries or damage occurred
- All steps taken to secure property
- The results of the search, including a description of any property or contraband seized
- If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witness officer

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.

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Search and Seizure

311.6 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police June, 3, 2009

November 12, 2020

Search and Seizure

SEARCHES

I. PLAIN VIEW

Objects in plain view of an officer can provide probable cause to obtain a warrant or for a seizure.

Objects in plain view may be seized without a warrant when the following conditions exist:

- (a) The officer must be in a place where he/she has a right to be;
- (b) The item to be seized was inadvertently viewed and no type of prying quest was made; and
- (c) The item was immediately recognized as evidence, contraband, ora weapon.

Objects, including evidence or contraband, observed in plain view does not automatically mean that you may legally enter without a warrant to seize it, but it can serve as probable cause for a search warrant. The scene can be protected until a search warrant can be obtained.

II. SEARCH BY CONSENT

1. A search that is based on proper consent, that is freely given, not coerced, or given under duress, either expressed or implied.
2. The person giving the consent must have the authority to do so. A valid consent to a search can only be given by a person who has a valid right to do so and can only transfer property rights that he/she actually has.
3. When two or more people have equal right of access to property/premises, a consent search may be given by any such person and the search and any evidence seized will usually be valid against all occupants.
4. Consent must be clear, explicit, and in writing, whenever possible.
5. Even with valid consent, the search you conduct will be invalid if it exceeds the scope (limits) of the consent given.
6. When consent is revoked prior to completion of a search, evidence recovered prior to the revocation may be used to establish probable cause for a search warrant or for an arrest and subsequent search incident to arrest.

III. FIELD SEARCHES (SEARCH OF AN INDIVIDUAL SUBSEQUENT TO A LAWFUL ARREST)

A Field Search shall be utilized when:

- (a) The search is based upon a properly issued warrant
- (b) The search is connected to a lawful arrest
- (c) A field search should be systematic top to bottom search of the person's body which includes headwear, hair, bags and other personal belongings

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Search and Seizure

IV. SEARCH OF A VEHICLE

1. The courts have distinguished between warrantless searches of motor vehicles and buildings.
 - (a) The distinction comes from the ease in moving or hiding a motor vehicle or trailer before a police officer can obtain a search warrant.
 - (b) Lesser privacy interests are vested in motor vehicles.
2. The courts have placed strict limits on warrantless searches of motor vehicles, based on probable cause, that the vehicle contains contraband or evidence of a crime.
 - (a) If you have probable cause to believe that an item is located somewhere inside the vehicle, then you are entitled to look inside any portion of the vehicle (trunk, glove compartment, hood, etc.)
 - (b) The U. S. Supreme Court ruled that police need a warrant to search the vehicle of someone they have arrested if the person is locked up in a patrol cruiser and poses no safety threat to officers. Warrantless searches may be conducted if a car's passenger compartment is in reach of a suspect who has been removed from the vehicle or there is reason to believe evidence of a crime will be found.

V. SEARCH AT THE SCENE OF A CRIME

1. Incidental to an arrest, the suspect and the areas in the suspect's immediate control may be searched. The purpose of these searches is to protect the officer (by locating weapons) and to prevent the destruction of evidence or contraband.
2. The United States Supreme Court decided in *Mincey v. Arizona*, 437 U.S. 385 (1978), that in the absence of exigent circumstances or consent, police officers are required by the Fourth Amendment to obtain a search warrant before a thorough search of any crime scene can be conducted, unless the scene is a public place or another exception to requiring a search warrant exists.
3. A police officer can, without a search warrant, secure a crime scene, search the area for victims or perpetrators and seize evidence, which if not seized, may be lost or destroyed, removed or is within plain view.

VI. EXIGENT CIRCUMSTANCES (EMERGENCY SEARCHES)

1. An officer may enter an area where there is an expectation of privacy for the purpose of protecting life, health or property. The necessity to enter must involve a substantial immediate threat to life, health or property or in the fresh pursuit of a criminal suspect.
2. Once the emergency abates, a warrant is required.
3. An officer cannot create the exigent circumstances.



HERMOSA BEACH POLICE DEPARTMENT

O3.70 MEDICAL AID AND RESPONSE

Effective 12/16/2020
Update

PURPOSE AND SCOPE

This policy recognizes that members often encounter persons in need of medical aid and establishes a law enforcement response to such situations.

POLICY

It is the policy of the Hermosa Beach Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

FIRST RESPONDING MEMBER RESPONSIBILITIES

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR, use of an automated external defibrillator (AED)) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact Dispatch and request response by Emergency Medical Services (EMS) as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide Dispatch with information for relay to EMS personnel in order to enable an appropriate response, including:

- (a) The location where EMS is needed.
- (b) The nature of the incident.
- (c) Any known scene hazards.
- (d) Information on the person in need of EMS, such as:
 1. Signs and symptoms as observed by the member.

2. Changes in apparent condition.
3. Number of patients, sex, and age, if known.
4. Whether the person is conscious, breathing, and alert, or is believed to have consumed drugs or alcohol.
5. Whether the person is showing signs or symptoms of excited delirium or other agitated chaotic behavior.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS. Members should not direct EMS personnel whether to transport the person for treatment.

TRANSPORTING ILL AND INJURED PERSONS

Except in extraordinary cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

PERSONS REFUSING EMS CARE

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive care or be transported. However, members may assist EMS personnel when EMS personnel determine the person lacks mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should consider proceeding with a 72- hour treatment and evaluation commitment (5150 commitment) process in accordance with the Mental Illness Commitments Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses, he/she should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person who is in custody still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

MEDICAL ATTENTION RELATED TO USE OF FORCE

Members should provide or procure medical aid as quickly as reasonably possible following any law enforcement action in which injuries have been sustained. Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies.

AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE

A member may use an AED only after receiving appropriate training from an approved public safety first aid and CPR course (22 CCR 100014; 22 CCR 100017; 22 CCR 100018).

I. AED USER RESPONSIBILITY

Members who are issued AEDs for use in department vehicles should check the AED at the beginning of the shift to ensure it is properly charged and functioning. Any AED that is not functioning properly will be taken out of service and given to the AED Coordinator who is responsible for ensuring appropriate maintenance.

Following use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads will be replaced as recommended by the AED manufacturer.

Any member who uses an AED should contact Dispatch as soon as possible and request response by EMS.

II. AED REPORTING

Any member using an AED will complete an incident report detailing its use.

III. AED TRAINING AND MAINTENANCE

The Training Sergeant should ensure appropriate training and refresher training is provided to members authorized to use an AED. A list of authorized members and training records shall be made available for inspection by the local EMS agency (LEMSA) or EMS authority upon request (22 CCR 100021; 22 CCR 100022; 22 CCR 100029). The AED Coordinator is responsible for ensuring AED devices are appropriately maintained and will retain records of all maintenance in accordance with the established records retention schedule (22 CCR 100021).

ADMINISTRATION OF OPIOID OVERDOSE MEDICATION

Trained members may administer opioid overdose medication (Civil Code § 1714.22; Business and Professions Code § 4119.9).

I. OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES

Members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Training Sergeant.

Any member who administers an opioid overdose medication should contact Dispatch as soon as possible and request response by EMS.

II. OPIOID OVERDOSE MEDICATION REPORTING

Any member administering opioid overdose medication should detail its use in an appropriate report.

The Training Sergeant will ensure that the Records Supervisor is provided enough information to meet applicable state reporting requirements.

III. OPIOID OVERDOSE MEDICATION TRAINING

The Training Sergeant should ensure initial and refresher training is provided to members authorized to administer opioid overdose medication. Training should be coordinated with the local health department and comply with the requirements in 22 CCR 100019 and any applicable POST standards (Civil Code § 1714.22).

IV. DESTRUCTION OF OPIOID OVERDOSE MEDICATION

The Training Sergeant shall ensure the destruction of any expired opioid overdose medication (Business and Professions Code § 4119.9).

V. OPIOID OVERDOSE MEDICATION RECORD MANAGEMENT

Records regarding acquisition and disposition of opioid overdose medications shall be maintained and retained in accordance with the established records retention schedule and at a minimum of three years from the date the record was created (Business and Professions Code § 4119.9).

SICK OR INJURED ARRESTEE

If an arrestee appears ill or injured, or claims illness or injury, he/she should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the officer should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.

Arrestees who appear to have a serious medical issue should be transported by ambulance. Officers shall not transport an arrestee to a hospital without a supervisor's approval.

Nothing in this section should delay an officer from requesting EMS when an arrestee reasonably appears to be exhibiting symptoms that appear to be life threatening, including breathing problems or an altered level of consciousness, or is claiming an illness or injury that reasonably warrants an EMS response in accordance with the officer's training.

FIRST AID TRAINING

The Training Sergeant should ensure officers receive initial first aid training within one year of employment and refresher training every two years thereafter (22 CCR 100016; 22 CCR 100022).

APPROVED BY:



Paul LeBaron
Chief of Police

Foot Pursuits

428.1 PURPOSE AND SCOPE

This policy provides guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot.

428.2 POLICY

It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.

428.3 DECISION TO PURSUE

The safety of department members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department members.

Officers may be justified in initiating a foot pursuit of any individual the officer reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Mere flight by a person who is not suspected of criminal activity shall not serve as justification for engaging in an extended foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity or being wanted by law enforcement.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place department members and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

- (a) Containment of the area.
- (b) Saturation of the area with law enforcement personnel, including assistance from other agencies.
- (c) A canine search.
- (d) Thermal imaging or other sensing technology.

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- (e) Air support.
- (f) Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

428.4 GENERAL GUIDELINES

When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

- (a) Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory
- (b) The officer is acting alone.
- (c) Two or more officers become separated, lose visual contact with one another, or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.
- (d) The officer is unsure of his/her location and direction of travel.
- (e) The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspect should a confrontation occur.
- (f) The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.
- (g) The officer loses radio contact with the dispatcher or with assisting or backup officers.
- (h) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.
- (i) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.
- (j) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.
- (k) The officer loses possession of his/her firearm or other essential equipment.
- (l) The officer or a third party is injured during the pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.
- (m) The suspect's location is no longer definitely known.

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- (n) The identity of the suspect is established or other information exists that will allow for the suspect's apprehension at a later time, and it reasonably appears that there is no immediate threat to department members or the public if the suspect is not immediately apprehended.
- (o) The officer's ability to safely continue the pursuit is impaired by inclement weather, darkness or other environmental conditions.

428.5 RESPONSIBILITIES IN FOOT PURSUITS

428.5.1 INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

- (a) Location and direction of travel
- (b) Call sign identifier
- (c) Reason for the foot pursuit, such as the crime classification
- (d) Number of suspects and description, to include name if known
- (e) Whether the suspect is known or believed to be armed with a dangerous weapon

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the foot pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify the dispatcher of his/her location and the status of the pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects or members of the public.

428.5.2 ASSISTING OFFICER RESPONSIBILITIES

Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize non-essential radio traffic to permit the involved officers maximum access to the radio frequency.

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428.5.3 SUPERVISOR RESPONSIBILITIES

Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever possible; the supervisor does not, however, need not be physically present to exercise control over the foot pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

428.5.4 DISPATCH RESPONSIBILITIES

Upon notification or becoming aware that a foot pursuit is in progress, the dispatcher is responsible for:

- (a) Clearing the radio channel of non-emergency traffic.
- (b) Coordinating pursuit communications of the involved officers.
- (c) Broadcasting pursuit updates as well as other pertinent information as necessary.
- (d) Ensuring that a field supervisor is notified of the foot pursuit.
- (e) Notifying and coordinating with other involved or affected agencies as practicable.
- (f) Notifying the Watch Commander as soon as practicable.
- (g) Assigning an incident number and logging all pursuit activities.

428.6 REPORTING REQUIREMENTS

The initiating officer shall complete appropriate crime/arrest reports documenting, at minimum:

- (a) Date and time of the foot pursuit.
- (b) Initial reason and circumstances surrounding the foot pursuit.
- (c) Course and approximate distance of the foot pursuit.
- (d) Alleged offenses.
- (e) Involved vehicles and officers.
- (f) Whether a suspect was apprehended as well as the means and methods used.
 - 1. Any use of force shall be reported and documented in compliance with the Use of Force Policy.
- (g) Arrestee information, if applicable.
- (h) Any injuries and/or medical treatment.

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- (i) Any property or equipment damage.
- (j) Name of the supervisor at the scene or who handled the incident.

Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

The supervisor reviewing the report will make a preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.

In any case in which a suspect is not apprehended and there is insufficient information to support further investigation, a supervisor may authorize that the initiating officer need not complete a formal report.

428.7 ISSUING AUTHORITY



W. Paul LeBaron, Chief of Police

Effective Date

January 29, 2024

Homeless Persons

430.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that personnel understand the needs and rights of the homeless and to establish procedures to guide officers during all contacts with the homeless, whether consensual or for enforcement purposes. The Hermosa Beach Police Department recognizes that members of the homeless community are often in need of special protection and services. The Hermosa Beach Police Department will address these needs in balance with the overall mission of this department. Therefore, officers will consider the following when serving the homeless community.

430.1.1 POLICY

It is the policy of the Hermosa Beach Police Department to provide law enforcement services to all members of the community, while protecting the rights, dignity and private property of the homeless. Homelessness is not a crime and members of this department will not use homelessness solely as a basis for detention or law enforcement action.

430.2 HOMELESS COMMUNITY LIAISON

The Chief of Police will designate a member of this department to act as the Homeless Liaison Officer. The responsibilities of the Homeless Liaison Officer include the following:

- (a) Maintain and make available to all department employees a list of assistance programs and other resources that are available to the homeless.
- (b) Meet with social services and representatives of other organizations that render assistance to the homeless.
- (c) Remain abreast of laws dealing with the removal and/or destruction of the personal property of the homeless. This will include:
 1. Proper posting of notices of trespass and clean-up operations.
 2. Proper retention of property after clean-up, to include procedures for owners to reclaim their property in accordance with the Property and Evidence Policy and other established procedures.
- (d) Be present during any clean-up operation conducted by this department involving the removal of personal property of the homeless to ensure that the rights of the homeless are not violated.
- (e) Develop training to assist officers in understanding current legal and social issues relating to the homeless.

430.3 FIELD CONTACTS

Officers are encouraged to contact the homeless for purposes of rendering aid, support and for community-oriented policing purposes. Nothing in this policy is meant to dissuade an officer from taking reasonable enforcement action when facts support a reasonable suspicion of criminal activity. However, when encountering a homeless person who has committed a non-violent

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misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace, officers are encouraged to consider long-term solutions to problems that may relate to the homeless, such as shelter referrals and counseling in lieu of physical arrest.

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent that such services may be appropriate.

430.3.1 OTHER CONSIDERATIONS

Homeless members of the community will receive the same level and quality of service provided to other members of the community. The fact that a victim or witness is homeless can, however, require special considerations for a successful investigation and prosecution. Officers should consider the following when handling investigations involving homeless victims, witnesses or suspects:

- (a) Document alternate contact information. This may include obtaining addresses and phone numbers of relatives and friends.
- (b) Document places the homeless person may frequent.
- (c) Provide homeless victims with victim/witness resources when appropriate.
- (d) Obtain statements from all available witnesses in the event that a homeless victim is unavailable for a court appearance.
- (e) Consider whether the person may be a dependent adult or elder, and if so, proceed in accordance with the Senior and Disability Victimization Policy.
- (f) Arrange for transportation for investigation-related matters, such as medical exams and court appearances.
- (g) Consider whether a crime should be reported and submitted for prosecution, even when a homeless victim indicates that he/she does not desire prosecution.

430.4 PERSONAL PROPERTY

The personal property of homeless persons must not be treated differently than the property of other members of the public. Officers should use reasonable care when handling, collecting and retaining the personal property of homeless persons and should not destroy or discard the personal property of a homeless person.

When a homeless person is arrested or otherwise removed from a public place, officers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, the personal property should be collected for safekeeping. If the arrestee has more personal property than can reasonably be collected and transported by the officer, a supervisor should be consulted. The property should be photographed and measures should be taken to remove or secure the property. It will be the supervisor's responsibility to coordinate the removal and safekeeping of the property.

Officers should not conduct or assist in clean-up operations of belongings that reasonably appear to be the property of homeless persons without the prior authorization of a supervisor or

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the department Homeless Liaison Officer. When practicable, requests by the public for clean-up of a homeless encampment should be referred to the Homeless Liaison Officer.

Officers who encounter unattended encampments, bedding or other personal property in public areas that reasonably appears to belong to a homeless person should not remove or destroy such property and should inform the department Homeless Liaison Officer if such property appears to involve a trespass, blight to the community or is the subject of a complaint. It will be the responsibility of the Homeless Liaison Officer to address the matter in a timely fashion.

430.5 MENTAL ILLNESS AND MENTAL IMPAIRMENT

Some homeless persons may suffer from a mental illness or a mental impairment. Officers shall not detain a homeless person under a mental illness commitment unless facts and circumstances warrant such a detention (see the Crisis Intervention Incidents Policy).

When a mental illness hold is not warranted, the contacting officer should provide the homeless person with contact information for mental health assistance as appropriate. In these circumstances, officers may provide transportation to a mental health specialist if requested by the person and approved by a supervisor.

430.6 ECOLOGICAL ISSUES

Sometimes homeless encampments can impact the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Officers are encouraged to notify other appropriate agencies or departments when a significant impact to the environment has or is likely to occur. Significant impacts to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.

430.7 ISSUING AUTHORITY



W. Paul LeBaron, Chief of Police

Effective Date

May 7, 2024

Gun Violence Restraining Orders

344.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for petitioning and serving gun violence restraining orders and accounting for the firearms obtained pursuant to those orders (Penal Code § 18108).

344.1.1 DEFINITIONS

Definitions related to this policy include:

Gun violence restraining order - Civil restraining order prohibiting a named person from controlling, owning, purchasing, possessing, receiving, or otherwise having custody of any firearms or ammunition, including an ammunition magazine (Penal Code § 18100).

344.2 POLICY

It is the policy of the Hermosa Beach Police Department to petition for and serve gun violence restraining orders in compliance with state law and to properly account for firearms and ammunition obtained by the Department pursuant to such orders.

344.3 GUN VIOLENCE RESTRAINING ORDERS

An officer who reasonably believes a person is a present danger to self or another person by controlling, owning, purchasing, possessing, receiving, or otherwise having custody of a firearm may request permission from the officer's supervisor to petition the court for a gun violence restraining order.

Officers petitioning the court should use the forms established by the Judicial Council (Penal Code § 18105). The petition should describe the number, types, and locations of any firearms and ammunition that the officer believes to be possessed or controlled by the person (Penal Code § 18107). The petition should also describe why less-restrictive alternatives are ineffective or inadequate for the circumstances (Penal Code § 18125; Penal Code § 18150; Penal Code § 18175).

If it is not practical under the circumstances to submit a written petition, an officer may submit the petition electronically or orally request a temporary order (Penal Code § 18122; Penal Code § 18140).

344.3.1 ADDITIONAL CONSIDERATIONS

Officers should also consider requesting permission to petition the court for a gun violence restraining order (Penal Code § 18108):

- (a) When responding to a domestic disturbance where the residence is associated with a firearm registration or record.
- (b) When responding to any call or incident when a firearm is present or when one of the involved parties owns or possesses a firearm.

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- (c) During a contact with a person exhibiting mental health issues, including suicidal thoughts, statements, or actions if that person owns or possesses a firearm.

Officers should consider obtaining a mental health evaluation if the encounter involves a situation where there is a reasonable cause to believe that the person poses an immediate and present danger of causing personal injury to themselves or another person by having custody or control of a firearm (see the Mental Illness Commitments Policy) (Penal Code § 18108).

344.4 SERVICE OF GUN VIOLENCE RESTRAINING ORDERS

An officer serving any gun violence restraining order shall:

- (a) Verbally ask the subject of the order if he/she has any firearm, ammunition, or magazine in his/her possession or under his/her custody or control (Penal Code § 18160).
- (b) Request that any firearms or ammunition be immediately surrendered and issue a receipt for the surrendered items (Penal Code § 18120).
- (c) Take into temporary custody any firearm or other deadly weapon discovered in plain view or pursuant to consent or other lawful search (Penal Code § 18250).
- (d) Inform the restrained person of any scheduled hearing regarding the order (Penal Code § 18160).
- (e) Transmit the original proof of service form to the issuing court as soon as practicable but within one business day (Penal Code § 18115).
- (f) As soon as practicable, but by the end of his/her shift, submit proof of service to the Records Supervisor for prompt entry into the California Restraining and Protective Order System (Penal Code § 18115).

The officer should also inform the restrained person that he/she is required, within 24 hours, to surrender to a law enforcement agency any other firearms and ammunition he/she owns or that are in his/her custody or control or sell them to a firearms dealer. This notification should be documented.

All firearms and ammunition collected shall be handled and booked in accordance with the Property and Evidence Policy.

344.4.1 TEMPORARY EMERGENCY GUN VIOLENCE RESTRAINING ORDERS

An officer requesting a temporary emergency gun violence restraining order shall (Penal Code § 18140):

- (a) For oral requests, sign a declaration under penalty of perjury reciting the oral statements provided to the judicial officer and memorialize the order of the court on the form approved by the Judicial Council.
- (b) Serve the order on the restrained person if the person can be reasonably located.
- (c) Forward a copy of the order to the Records Supervisor for filing with the court and appropriate databases.

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344.5 SEARCH WARRANTS

If a person who has been served with a gun violence restraining order refuses to surrender any firearm or ammunition, the officer should consider whether to seek a search warrant. If a search warrant is to be obtained, the preparation and service of the search warrant shall be done in accordance with the Warrant Service Policy. Additionally, (Penal Code § 1542.5):

- (a) The officer serving the warrant shall take custody of any firearm or ammunition that is controlled, possessed or owned by the person who is the subject of the gun violence restraining order, including any discovered pursuant to the warrant, a consensual search or other lawful search.
- (b) If the location being searched is jointly occupied and the firearm or ammunition is owned by a person other than the restrained person, the firearm or ammunition should not be seized if the following conditions are met:
 - 1. The firearm or ammunition can be stored in a manner that does not allow the restrained person to have control or access.
 - 2. There is no evidence that the owner unlawfully possesses the firearm or ammunition.
- (c) If a locked gun safe belonging to someone other than the subject of a gun violence restraining order is discovered, the officer shall not search the contents of the safe unless the owner consents or there is a valid search warrant for the safe. Any search of the safe must be done in the owner's presence.

344.6 RECORDS SUPERVISOR RESPONSIBILITIES

The Records Supervisor is responsible for ensuring:

- (a) Proof of service of any gun violence restraining order served by an officer or received from the clerk of the court is entered in the computer database system for protective and restraining orders maintained by the Department of Justice within one business day of service if served by an officer, or within one business day of receipt of proof of service if served by a person other than a law enforcement officer (Penal Code § 18115).
- (b) Temporary orders are entered into the California Restraining and Protective Order System (Penal Code § 18140).
- (c) Copies of temporary orders are filed with the court as soon as practicable, but no later than three court days, after issuance (Penal Code § 18140).
- (d) Copies of receipts of surrendered firearms or ammunition issued by other agencies for gun violence restraining orders issued by the Department are properly maintained (Penal Code § 18120).
- (e) Any relinquishment of firearm rights form received from the court is entered into the California Restraining and Protective Order System within one business day of receipt (Penal Code § 18115).

Gun Violence Restraining Orders

344.7 COURT-ORDERED FIREARMS AND AMMUNITION SURRENDERS

Authorized members shall accept firearms and ammunition from any individual who is the subject of a gun violence restraining order. The member receiving any firearm or ammunition shall:

- (a) Record the individual's name, address and telephone number.
- (b) Record the serial number of the firearm.
- (c) Prepare an incident report and property report.
- (d) Provide a property receipt to the individual who surrendered the firearms and ammunition.
- (e) Package and submit the firearms and ammunition in accordance with the Property and Evidence Policy.

344.8 RELEASE OF FIREARMS AND AMMUNITION

Firearms and ammunition that were taken into temporary custody or surrendered pursuant to a gun violence restraining order shall be returned to the restrained person upon the expiration of the order and in accordance with Penal Code § 18120 and the Property and Evidence Policy.

344.9 GUN VIOLENCE RESTRAINING ORDER COORDINATOR

The Chief of Police will appoint a gun violence restraining order coordinator. The responsibilities of the coordinator include:

- (a) Developing and maintaining procedures for the filing of a petition for an order or a renewal of an order by department members, also including procedures for requesting and serving (Penal Code § 18108):
 1. A temporary emergency gun violence restraining order.
 2. An ex parte gun violence restraining order.
 3. A gun violence restraining order issued after notice and hearing.
- (b) Developing and maintaining factors to consider when assessing the need to seek an order, including:
 1. Whether threats have been made, and if so, whether the threats are credible and specific.
 2. Whether the potential victim is within close proximity.
 3. Whether the person has expressed suicidal tendencies.
 4. Whether the person has access to firearms.
 5. The criminal history of the person, in particular any history of criminal violence, including whether the person is currently on parole, probation, or monitored release.
 6. The mental health history of the person, in particular whether the person has any history of mental illness or has ever been detained for being a danger to themselves or others.

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7. Any upcoming holidays, anniversaries, or other dates of significance that may serve as a trigger for the person, such as the death of a family member.
 8. Whether the person has any history of drug or alcohol abuse.
- (c) Developing and maintaining procedures for the receipt and service of orders consistent with the requirements of Penal Code § 18115; Penal Code § 18120; Penal Code § 18135; Penal Code § 18140; and Penal Code § 18160. Procedures should include:
1. Evaluation of an order to determine appropriate service and necessary precautions (see the Warrant Service Policy and the Operations Planning and Deconfliction Policy).
 2. Forwarding orders to the Records Supervisor for recording in appropriate databases and required notice to the court, as applicable.
 3. Preparing or obtaining a search warrant prior to attempting service of an order, when appropriate (Penal Code § 18108).
 4. Seizure procedures of firearms and ammunition at the time of issuance of a temporary emergency gun violence restraining order.
 5. Verification procedures for the removal of firearms and ammunition from the subject of a gun violence restraining order.
- (d) Coordinating with the Training Sergeant to provide officers who may be involved in petitioning for or serving orders with training on such orders. Training should include determining when a petition is appropriate, the process for seeking an order, and the service of such orders.
- (e) Reviewing each petition and any associated court documents for an order prepared by members, for compliance with this policy, department procedures, and state law.
- (f) Developing and maintaining procedures for members to accept voluntarily surrendered prohibited items at times other than when an order is being served by the Department.
1. Procedures should include preparing and providing a receipt identifying all prohibited items to the person surrendering the items.
- (g) Coordinating review of notices of court hearings and providing notice to the appropriate officer of the hearing date and the responsibility to appear (Penal Code § 18108).

344.10 RENEWAL OF GUN VIOLENCE RESTRAINING ORDERS

The Detective Bureau supervisor is responsible for the review of a gun violence restraining order obtained by the Department to determine if renewal should be requested within the time prescribed by law (Penal Code § 18190).

344.11 POLICY AVAILABILITY

The Chief of Police or the authorized designee shall be responsible for making this policy available to the public upon request (Penal Code § 18108).

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344.12 TRAINING

The Training Sergeant should ensure that members receive periodic training on the requirements of this policy (Penal Code § 18108).

344.13 ISSUING AUTHORITY



Effective Date

Updated Date

W. Paul LeBaron, Chief of Police June 11, 2021

September 18, 2023

Criminal Organizations

420.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the Hermosa Beach Police Department appropriately utilizes criminal intelligence systems and temporary information files to support investigations of criminal organizations and enterprises.

420.1.1 DEFINITIONS

Definitions related to this policy include:

Criminal intelligence system - Any record system that receives, stores, exchanges or disseminates information that has been evaluated and determined to be relevant to the identification of a criminal organization or enterprise, its members or affiliates. This does not include temporary information files.

420.2 POLICY

The Hermosa Beach Police Department recognizes that certain criminal activities, including but not limited to gang crimes and drug trafficking, often involve some degree of regular coordination and may involve a large number of participants over a broad geographical area.

It is the policy of this department to collect and share relevant information while respecting the privacy and legal rights of the public.

420.3 CRIMINAL INTELLIGENCE SYSTEMS

No department member may create, submit to or obtain information from a criminal intelligence system unless the Chief of Police has approved the system for department use.

Any criminal intelligence system approved for department use should meet or exceed the standards of 28 CFR 23.20.

A designated supervisor will be responsible for maintaining each criminal intelligence system that has been approved for department use. The supervisor or the authorized designee should ensure the following:

- (a) Members using any such system are appropriately selected and trained.
- (b) Use of every criminal intelligence system is appropriately reviewed and audited.
- (c) Any system security issues are reasonably addressed.

420.3.1 SYSTEM ENTRIES

It is the designated supervisor's responsibility to approve the entry of any information from a report, field interview (FI), photo or other relevant document into an authorized criminal intelligence system. If entries are made based upon information that is not on file with this department, such as open or public source documents or documents that are on file at another agency, the designated supervisor should ensure copies of those documents are retained by the Records Bureau. Any

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supporting documentation for an entry shall be retained by the Records Bureau in accordance with the established records retention schedule and for at least as long as the entry is maintained in the system.

The designated supervisor should ensure that any documents retained by the Records Bureau are appropriately marked as intelligence information. The Records Supervisor may not purge such documents without the approval of the designated supervisor.

420.3.2 GANG DATABASES

The Chief of Police may approve participation by the gang unit in a shared criminal gang intelligence database, such as CALGANG®. Members must obtain the requisite training before accessing any such database (11 CCR 751.6).

It is the gang unit supervisor's responsibility to determine whether any report or FI contains information that would qualify for entry into the database. Prior to designating any person as a suspected gang member, associate, or affiliate in a shared gang database; or submitting a document to the Attorney General's office for the purpose of designating a person in a shared gang database; or otherwise identifying the person in a shared gang database, the gang unit supervisor shall provide written notice to the person and, if the person is under the age of 18, to his/her parent or guardian of the designation and the basis for the designation, unless providing that notification would compromise an active criminal investigation or compromise the health or safety of a minor. Notice shall also describe the process to contest the designation (Penal Code § 186.34).

The person, an attorney working on his/her behalf, or his/her parent or guardian (if the person is under 18 years of age) may request, in writing, information as to whether the person is designated as a suspected gang member, associate, or affiliate in a shared gang database accessible by the Department, the basis for that designation, and the name of the agency that made the designation. The Department shall respond to a valid request in writing within 30 days, and shall provide the information requested unless doing so would compromise an active investigation or compromise the health and safety of the person if he/she is under 18 years of age (Penal Code § 186.34).

The person, or his/her parent or guardian if the person is under 18 years of age, may contest the designation by submitting written documentation, which shall be reviewed by the gang unit supervisor. If it is determined that the person is not a suspected gang member, associate, or affiliate, the person shall be removed from the database. The person and the parent or guardian shall be provided written verification of the department's decision within 30 days of receipt of the written documentation contesting the designation and shall include the reason for a denial when applicable (Penal Code § 186.34).

The gang unit supervisor should forward reports or FIs to the Records Bureau after appropriate database entries are made. The supervisor should clearly mark the report/FI as gang intelligence information.

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It is the responsibility of the Records Bureau supervisor to retain reports and FIs in compliance with the database rules and any applicable end user agreement.

Records contained in a shared gang database shall not be disclosed for employment or military screening purposes, and shall not be disclosed for the purpose of enforcing federal immigration law unless required by state or federal statute or regulation (Penal Code § 186.36).

420.4 TEMPORARY INFORMATION FILE

No member may create or keep files on individuals that are separate from the approved criminal intelligence system. However, members may maintain temporary information that is necessary to actively investigate whether a person or group qualifies for entry into the department-approved criminal intelligence system only as provided in this section. Once information qualifies for inclusion, it should be submitted to the supervisor responsible for consideration of criminal intelligence system entries.

420.4.1 FILE CONTENTS

A temporary information file may only contain information and documents that, within one year, will have a reasonable likelihood to meet the criteria for entry into an authorized criminal intelligence system.

Information and documents contained in a temporary information file:

- (a) Must only be included upon documented authorization of the responsible department supervisor.
- (b) Should not be originals that would ordinarily be retained by the Records Bureau or Property and Evidence Unit, but should be copies of, or references to, retained documents such as copies of reports, FI forms, Dispatch records or booking forms.
- (c) Shall not include opinions. No person, organization or enterprise shall be labeled as being involved in crime beyond what is already in the document or information.
- (d) May include information collected from publicly available sources or references to documents on file with another government agency. Attribution identifying the source should be retained with the information.

420.4.2 FILE REVIEW AND PURGING

The contents of a temporary information file shall not be retained longer than one year. At the end of one year, the contents must be purged.

The designated supervisor shall periodically review the temporary information files to verify that the contents meet the criteria for retention. Validation and purging of files is the responsibility of the supervisor.

420.5 INFORMATION RECOGNITION

Department members should document facts that suggest an individual, organization or enterprise is involved in criminal activity and should forward that information appropriately. Examples include, but are not limited to:

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- (a) Gang indicia associated with a person or residence.
- (b) Information related to a drug-trafficking operation.
- (c) Vandalism indicating an animus for a particular group.
- (d) Information related to an illegal gambling operation.

Department supervisors who utilize an authorized criminal intelligence system should work with the Training Sergeant to train members to identify information that may be particularly relevant for inclusion.

420.6 RELEASE OF INFORMATION

Department members shall comply with the rules of an authorized criminal intelligence system regarding inquiries and release of information.

Information from a temporary information file may only be furnished to department members and other law enforcement agencies on a need-to-know basis and consistent with the Records Maintenance and Release Policy.

When an inquiry is made by the parent or guardian of a juvenile as to whether that juvenile's name is in a temporary information file, such information should be provided by the supervisor responsible for the temporary information file, unless there is good cause to believe that the release of such information might jeopardize an ongoing criminal investigation.

420.7 CRIMINAL STREET GANGS

The Detective Bureau supervisor should ensure that there are an appropriate number of department members who can:

- (a) Testify as experts on matters related to criminal street gangs, and maintain an above average familiarity with:
 - 1. Any organization, associate or group of three or more persons that meets the definition of a criminal street gang under Penal Code § 186.22(f).
 - 2. Identification of a person as a criminal street gang member and criminal street gang-related crimes.
 - 3. The California Street Terrorism Enforcement and Prevention Act (Penal Code § 186.21 et seq.), associated crimes and what defines a criminal street gang (Penal Code § 186.22).
- (b) Coordinate with other agencies in the region regarding criminal street gang-related crimes and information.
- (c) Train other members to identify gang indicia and investigate criminal street gang-related crimes.

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420.8 TRAINING

The Training Sergeant should provide training on best practices in the use of each authorized criminal intelligence system to those tasked with investigating criminal organizations and enterprises. Training should include:

- (a) The protection of civil liberties.
- (b) Participation in a multiagency criminal intelligence system.
- (c) Submission of information into a multiagency criminal intelligence system or the receipt of information from such a system, including any governing federal and state rules and statutes.
- (d) The type of information appropriate for entry into a criminal intelligence system or temporary information file.
- (e) The review and purging of temporary information files.

420.8.1 SHARED GANG DATABASE TRAINING

The Training Sergeant should ensure that members who are authorized users of a shared gang database receive the required training from the California Department of Justice (DOJ) or an instructor certified by the DOJ that includes comprehensive and standardized training on the use of shared gang databases, and any other associated training required by the Department (Penal Code § 186.36; 11 CCR 751.6).

420.9 ISSUING AUTHORITY



W. Paul LeBaron, Chief of Police

Effective Date

June 11, 2021



HERMOSA BEACH POLICE DEPARTMENT

03.73 UNMANNED AERIAL SYSTEM (UAS) OPERATIONS

Effective 02/01/2021

Updated 04/06/2021

PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

DEFINITIONS

Definitions related to this policy include:

Unmanned Aerial System (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

POLICY

Unmanned aerial systems may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies and procedures regarding use of the UAS.
- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents. Deployment of a UAS shall require authorization of the authorized designee or Watch Commander, depending on the type of deployment.
- Developing protocol for conducting criminal investigations involving a UAS.
- Implementing a system for public notification of UAS deployment during critical incidents.
- Developing an operational protocol governing the deployment and operation of a UAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all deployments.
- Developing a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.

USE OF UAS

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

The UAS is intended to be used as a tool to enhance police response to calls for service. The UAS will assist responding officers with situational awareness and other safety concerns.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

UAS operations should only be conducted within FAA regulations.

PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on actual or perceived characteristics, such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.
- The UAS shall not be weaponized.

STORAGE AND RETENTION OF UAS DATA

All data collected from UAS flights will be stored in an external media device. The Hermosa Beach Police Department will be provided any data determined to be evidentiary, which will be stored in a secure location and/or database. Data collected by the UAS shall be retained as provided in the established records retention schedule.

APPROVED:



Paul LeBaron
Chief of Police



HERMOSA BEACH POLICE DEPARTMENT

03.74 OFFICER-INVOLVED SHOOTINGS AND DEATHS

**Effective 10/11/2021
Updated**

PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured or dies as the result of an officer-involved shooting or dies as a result of other action of an officer.

In other incidents not covered by this policy, the Chief of Police may decide that the investigation will follow the process provided in this policy.

POLICY

The policy of the Hermosa Beach Police Department is to ensure that officer-involved shootings and deaths are investigated in a thorough, fair and impartial manner.

TYPES OF INVESTIGATIONS

Officer-involved shootings and deaths involve several separate investigations. The investigations may include:

- A criminal investigation of the suspect's actions.
- A criminal investigation of the involved officer's actions.
- An administrative investigation as to policy compliance by involved officers.
- A civil investigation to determine potential liability.

CONTROL OF INVESTIGATIONS

Investigators from surrounding agencies may be assigned to work on the criminal investigation of officer-involved shootings and deaths. This may include at least one investigator from the agency that employs the involved officer.

Jurisdiction is determined by the location of the shooting or death and the agency employing the involved officer. The following scenarios outline the jurisdictional responsibilities for investigating officer-involved shootings and deaths.

I. CRIMINAL INVESTIGATION OF SUSPECT ACTIONS

The investigation of any possible criminal conduct by the suspect is controlled by the agency in whose jurisdiction the suspect's crime occurred. For example, the Hermosa Beach Police Department would control the investigation if the suspect's crime occurred in Hermosa Beach.

If multiple crimes have been committed in multiple jurisdictions, identification of the agency that will control the investigation may be reached in the same way as with any other crime. The investigation may be conducted by the agency in control of the criminal investigation of the involved officer, at the discretion of the Chief of Police and with concurrence from the other agency.

II. CRIMINAL INVESTIGATION OF OFFICER ACTIONS

The control of the criminal investigation into the involved officer's conduct during the incident will be determined by the employing agency's protocol. When an officer from this department is involved, the criminal investigation will be handled according to the Criminal Investigation section of this policy.

Requests made of this department to investigate a shooting or death involving an outside agency's officer shall be referred to the Chief of Police or the authorized designee for approval.

III. ADMINISTRATIVE AND CIVIL INVESTIGATION

Regardless of where the incident occurs, the administrative and civil investigation of each involved officer is controlled by the respective employing agency.

INVESTIGATION PROCESS

The following procedures are guidelines used in the investigation of an officer-involved shooting or death.

I. UNINVOLVED OFFICER RESPONSIBILITIES

Upon arrival at the scene of an officer-involved shooting, the first uninvolved HBPD officer will be the officer-in-charge and will assume the responsibilities of a supervisor until properly relieved. This officer should, as appropriate:

- (a) Secure the scene and identify and eliminate hazards for all those involved.
- (b) Take reasonable steps to obtain emergency medical attention for injured individuals.
- (c) Request additional resources from the Department or other agencies.
- (d) Coordinate a perimeter or pursuit of suspects.
- (e) Check for injured persons and evacuate as needed.

- (f) Brief the supervisor upon arrival.

II. SUPERVISOR RESPONSIBILITIES

Upon arrival at the scene, the first uninvolved HBPD supervisor should ensure completion of the duties as outlined above, plus:

- (a) Attempt to obtain a brief overview of the situation from any uninvolved officers.
 - 1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.
- (b) If necessary, the supervisor may administratively order any HBPD officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.
 - 1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident scene, identity of known or potential witnesses and any other pertinent information.
 - 2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.
- (c) Provide all available information to the Watch Commander and Dispatch. If feasible, sensitive information should be communicated over secure networks.
- (d) Take command of and secure the incident scene with additional HBPD members until properly relieved by another supervisor or other assigned personnel or investigator.
- (e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.
 - 1. Each involved HBPD officer should be given an administrative order not to discuss the incident with other involved officers or HBPD members pending further direction from a supervisor.
 - 2. When an involved officer's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that he/she is provided with a comparable replacement weapon or transported by other officers.

III. WATCH COMMANDER RESPONSIBILITIES

Upon learning of an officer-involved shooting or death, the Watch Commander shall be responsible for coordinating all aspects of the incident until he/she is relieved by the Chief of Police or a Division Commander.

All outside inquiries about the incident shall be directed to the Watch Commander.

IV. NOTIFICATIONS

The following person(s) shall be notified as soon as practicable:

- Chief of Police
- Investigative Services Division Commander
- Outside agency investigator (if appropriate)
- Professional Standards Unit supervisor
- Psychological/peer support personnel
- Chaplain
- Coroner (if necessary)
- Involved officer's agency representative (if requested)
- Public Information Officer

V. INVOLVED OFFICERS

The following shall be considered for the involved officer:

- (a) Any request for legal or union representation will be accommodated.
 1. Involved HBPD officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.
 2. Requests from involved non-HBPD officers should be referred to their employing agency.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (c) Discussions with agency representatives/employee groups will be privileged only as to the discussion of non-criminal information (Government Code § 3303(i)).
- (d) A licensed psychotherapist shall be provided by the Department to each involved HBPD officer. A licensed psychotherapist may also be provided to any other affected HBPD members, upon request.
 1. Interviews with a licensed psychotherapist will be considered privileged.
 2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, involved members shall not be permitted to consult or meet collectively or in a group with a licensed

psychotherapist prior to providing a formal interview or report.

3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).

(e) Peer counselors are cautioned against discussing the facts of any incident with an involved or witness officer (Government Code § 8669.4).

Care should be taken to preserve the integrity of any physical evidence present on the involved officer's equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it.

Each involved HBPD officer shall be given reasonable paid administrative leave following an officer-involved shooting or death. It shall be the responsibility of the Watch Commander to make schedule adjustments to accommodate such leave.

VI. NOTIFICATION TO DEPARTMENT OF JUSTICE

The California Department of Justice (DOJ) is required to investigate an officer-involved shooting resulting in the death of an unarmed civilian. The Watch Commander should promptly notify the DOJ in all incidents involving an officer-involved shooting resulting in the death of an unarmed civilian, including where it is undetermined if the civilian was unarmed.

For purposes of notification, "unarmed civilian" means anyone who is not in possession of a deadly weapon (Government Code § 12525.3).

CRIMINAL INVESTIGATION

The District Attorney's Office is responsible for the criminal investigation into the circumstances of any officer-involved shooting or death.

If available, investigative personnel from this department may be assigned to partner with investigators from outside agencies or the District Attorney's Office to avoid duplicating efforts in related criminal investigations.

Once public safety issues have been addressed, criminal investigators should be given the opportunity to obtain a voluntary statement from involved officers and to complete their interviews. The following shall be considered for the involved officer:

- a) HBPD supervisors and Professional Standards Unit personnel should not participate directly in any voluntary interview of HBPD officers. This will not prohibit such personnel from monitoring interviews or providing the criminal investigators with topics for inquiry.
- b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney prior to speaking with criminal investigators (Government Code § 3303(i)). However, in order to maintain the integrity of

each involved officer's statement, involved officers shall not consult or meet with a representative or an attorney collectively or in groups prior to being interviewed.

- c) If any involved officer is physically, emotionally or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.
- d) Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation, including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

I. REPORTS BY INVOLVED HBPD OFFICERS

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

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

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

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

II. WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an officer-involved shooting or death may become unavailable or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available personnel for the following:

- a) Identification of all persons present at the scene and in the immediate area.
 - 1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.

2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.
- b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department.
 1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.
 - c) Promptly contacting the suspect's known family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to the incident.

III. INVESTIGATIVE PERSONNEL

Once notified of an officer-involved shooting or death, it shall be the responsibility of the designated Detective Bureau supervisor to assign appropriate investigative personnel to handle the investigation of related crimes. Department investigators will be assigned to work with investigators from the District Attorney's Office and may be assigned to separately handle the investigation of any related crimes not being investigated by the District Attorney's Office.

All related department reports, except administrative and/or privileged reports, will be forwarded to the designated Detective Bureau supervisor for approval. Privileged reports shall be maintained exclusively by members who are authorized such access. Administrative reports will be forwarded to the appropriate Division Commander.

ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with an officer-involved shooting or death, this department will conduct an internal administrative investigation of HBPD officers to determine conformance with department policy. The investigation will be conducted under the supervision of the Professional Standards Unit and will be considered a confidential officer personnel file.

Interviews of members shall be subject to department policies and applicable laws (see the Personnel Complaints Policy).

- (a) Any officer involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.
- (b) If any officer has voluntarily elected to provide a statement to criminal investigators, the

assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.

1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his/her prior statement before proceeding with any subsequent interviews.
- (c) In the event that an involved officer has elected to not provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.
1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
 2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed (Government Code § 3303(i)).
 3. Administrative interviews should be recorded by the investigator. The officer may also record the interview (Government Code § 3303(g)).
 4. The officer shall be informed of the nature of the investigation. If an officer refuses to answer questions, he/she should be given his/her *Lybarger* or *Garrity* rights and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.
 5. The Professional Standards Unit shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.
 6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be reviewed as to whether there was compliance with the Use of Force Policy.
 7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

CIVIL LIABILITY RESPONSE

A member of this department may be assigned to work exclusively under the direction of the legal counsel for the Department to assist in the preparation of materials deemed necessary in anticipation of potential civil litigation.

All materials generated in this capacity shall be considered attorney work product and may not be used

for any other purpose. The civil liability response is not intended to interfere with any other investigation but shall be given reasonable access to all other investigations.

AUDIO AND VIDEO RECORDINGS

Only with prior approval of the Chief of Police or their designee, may an officer involved in a use of force resulting in serious physical injury, a shooting, or death, be permitted to review available Mobile Audio/ Video (MAV), body-worn video, or other video or audio recordings prior to providing a recorded statement or completing reports

Any MAV, body-worn and other known video or audio recordings of an incident shall not be publicly released during an ongoing investigation without the approval of the Chief of Police or their designee

DEBRIEFING

Following an officer-involved shooting or death, the Hermosa Beach Police Department should conduct both a critical incident/stress debriefing and a tactical debriefing.

I. CRITICAL INCIDENT/STRESS DEBRIEFING

A critical incident/stress debriefing should occur as soon as practicable. The Administrative Services Division Commander is responsible for organizing the debriefing. Notes and recorded statements should not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a traumatic event.

The debriefing is not part of any investigative process. Care should be taken not to release or repeat any communication made during a debriefing unless otherwise authorized by policy, law, or a valid court order.

Attendance at the debriefing shall only include those members of the Department directly involved in the incident, which can include support personnel (e.g., dispatchers, other professional staff personnel). Family or other support personnel may attend with the concurrence of those involved in the incident. The debriefing shall be closed to the public and should be closed to all other members of the Department, including supervisory and Professional Standards Unit personnel.

II. TACTICAL DEBRIEFING

A tactical debriefing should take place to identify any training or areas of policy that need improvement. The Chief of Police should identify the appropriate participants. This debriefing should not be conducted until all involved members have provided recorded or formal statements to criminal and/or administrative investigators.

MEDIA RELATIONS

Any media release shall be prepared with input and concurrence from the supervisor and

department representative responsible for each phase of the investigation. Releases will be available to the Watch Commander, Investigative Services Division Commander and Public Information Officer in the event of inquiries from the media.

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

REPORTING

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

APPROVED:



Paul LeBaron
Chief of Police



CHAPTER 4

COMMUNITY SERVICES OFFICER

OPERATIONS GUIDELINES AND RULES AND REGULATIONS



**HERMOSA BEACH POLICE DEPARTMENT
COMMUNITY SERVICES DIVISION
OPERATIONS GUIDELINES**

**Effective 10/27/2009
Updated**

BRIEF JOB DESCRIPTION

The Community Services Department is in charge of enforcing all California Vehicle Codes and Hermosa Beach Municipal Codes that relate to Parking and Animal Control. The Community Services Department is a line department under the authority of the Police Department. It consists of a Division Commander, two Supervisors, seven full-time Community Services Officers (CSO's) and various staff positions, in support of the functions of the department which includes the contracted position of Hearing Examiner for citation disputes. During the summer, it also consists of several part-time CSO's who work an area designated as "Area II". CSO's are subject to calls for service as well as patrolling to perform their duties.

DEPARTMENT LOCATIONS

Base 3

Base 3 is the two story building located at 1035 Valley Drive. It is the main base for CSO operations and is the location where all CSO personnel first report at the start of each shift, and at the end of watch. All supplies including: chalk, chalk sticks, all forms, envelopes and cites, are also located at Base 3.

Station 2

Station 2 is also known as "Finance Cashier" and is located in room 101 in City Hall. This is where citizens go to purchase various parking permits and to pay parking fines.

Police Department

The Police Department is located adjacent to City Hall. This is where all original CHP 180 originals, as well as other miscellaneous reports and administrative citations are turned in.

Bard

Area located behind City Hall on Bard St., hence the name, this is the location where all Community Services vehicles are located. Vehicles will be retrieved from Bard at the start of each shift and will be returned there at end of watch.

Yard

The City Maintenance yard is located on the corner of Valley Drive and 6th Street. This location contains the mechanics garage.

BREAKS, TARDINESS, ABSENTEEISM, AND DOWN TIME

Breaks

CSO's are allowed two (2) 15-minute breaks. All breaks must be called in by radio.

Tardiness

Tardiness is strongly discouraged, however; there are times when circumstances present an officer from being on time. If an officer is going to be late, they must call the Base 3 office phone (310-318-0209) and advise of the amount of tardiness anticipated. If calling in between 10:00 p.m. and 6:00 a.m., the officer shall also call the Records Bureau and 310-318-0360. Records will notify the watch commander. Officers are counted on to be on time and excessive tardiness is cause for discipline.

Absenteeism

An officer should not be absent without authorization. Any officer that needs to take a work day off should first try to make arrangements with other officers to cover the missed shift, and a supervisor should then be notified of the change for that week. If an officer cannot make arrangements to cover their missed shift, they should discuss the problem with a supervisor so that permission can be granted to miss a shift without coverage. Keep in mind that it is easier to miss a shift during the slower weekdays than the busier weekends. Your absence will be taken from the appropriate accrual account. If you do not have sufficient hours in your accruals, you will be AWOP (away without pay). Excessive absenteeism is discouraged. Attendance will be reflected on performance evaluations.

Down Time

Area II Down Time is the time left over after covering assigned routes in Area II. This usually occurs during the Monday through Friday weekday shifts and is a result of the nature of the one hour zones. Down time should be used productively. Examples include but are not limited to; taking care of vehicle preventive maintenance, (such as the topping off of oil or other small jobs that can be performed by the mechanic during the down time) and the daily gassing of the vehicle, washing of vehicle, assistance of Area I officers in tows, and other duties that may be assigned by a supervisor. Area I officers should not have down time due to their patrol duties, meter enforcement, and calls for service, including Animal Control calls.

MISCELLANEOUS FORMS

The Log Sheet

The log sheet is the main workbook of daily activities. It represents the chalk times and route times for daily and future reference. It is the most important tool of writing 1 hour citations in Area II. Log sheets are located at Base 3.

Dismissal Forms

Dismissal Forms are used to dismiss citations which an officer believes to have been written in error or the individual circumstance of the citation warrants a dismissal. Citations can only be dismissed by the officer who issued the citation, or by a supervisor. Dismissal forms are located at Base 3.

Vehicle Condition Reports

A VCR must be filled out if any work has been performed by the mechanics or if any work needs to be performed on the vehicles. VCRs are located Base 3.

72Hr Mark Cards

72 hr mark cards are use for the purpose of marking cars suspected of CVC 22651K (No vehicle should be left parked or standing for longer than 72 hours). 72hr marks are performed only BWOC or if the officer suspects that a vehicle may be in violation. 72hr mark cards are located at Base 3.

CHP 180

The CHP 180 is an official form of the State of California and is used when impounding vehicles. CHP 180 forms are located near the lockers at base 3.

Administrative Review Forms (ARF)

Administrative Review Forms are required by the State of California as part of the process of handling citations that are in dispute by the owner of the vehicle. ARF's should be issued to individuals who wish to contest a citation within the mandated time period. ARF's are not to be carried in the vehicle of an officer on duty and should not be used as a tool to placate displeased citizens. ARF's can be found at the Police Department, Station 2, and Base 3, or may be obtained online.

Meter Work Order

Meter work orders are used when the officer is notified by a citizen or other public workers, or when an officer discovers that a particular meter is not functioning properly. They are to be completely filled out according to circumstance and placed on the door of the meter work room at Base 3.

INTRODUCTION TO PARKING ENFORCEMENT

Basic Rules of Parking Enforcement

The basic rule of parking enforcement is “if you’re not sure, don’t cite”. Quite simply, as an officer, you have the special obligation to take special care in making sure that a citation is 100% correct when issued. Citations cost people money and no one likes getting them. Placing an undue burden on an individual is legally incorrect. Citations can also lead to more serious situations such as impounding of a vehicle. Making mistakes also has serious impacts on the image of the department. The department does not operate in vacuum and all actions, whether taken by an individual officer or by the department, are severely scrutinized. Officers receive training that enable them to make correct decisions as to the validity of citations they issue and as they gain on the job experience, will learn to make informed decisions. However, the basic rule of parking enforcement must always be followed.

Keep the job in perspective. Officer must use discretion and reasonableness in the issuance of citations. A citation that is technically correct is not always right to issue. Assess the circumstances and then make decisions accordingly. Do not get into verbal matches or treat people rudely. Generally, people are upset if they confront an officer when they are issuing them a cite. They may be angry, rude, swear at the officer, or even call them names. It does no good for the officer to mince words with them. Instead, it lowers the officer’s professionalism. Officers should be polite at all times. If a citizen’s conduct rises to the level of a possible physical threat, the officer should call dispatch for police assistance.

Area I vs. Area II

Area I covers the total area of the City of Hermosa Beach. Area II only covers the area east of the Palm Drive and bordered by Morningside Drive, Park Avenue, Loma Drive, and Culper Court. Area I officers are often divided at Pier Avenue and designated as North and South officers. They spend most of their shift covering the meters in their respective areas and answering parking and AC calls in the total area of the City. It will not be inconceivable to see Area I officers in Area II, as this is also their assigned area. Area II officers, except when covering 100 block meters, will never patrol Area I, or answer calls in that area, unless they get permission from Area I officers, or if they are assigned to duties in Area I during their shift. Area II officers can ask to assist Area I officers during their down time, as this is encouraged professional behavior.

Area Assignment

Unless notified of a shift change at the start of a shift, or sometime during the shift, Area II officers will be assigned an area in Area II. During Monday through Friday, two officers will patrol everything north of 19th Street, including 19th Street (South route and the other half of Central). On Saturdays and Sundays, there will be three Area II officers, North, Central, and South, corresponding to the three Area II routes. This is a guideline which is subject to the changing signage and enforcement needs of the city. Area II will be designated by current needs and circumstances.

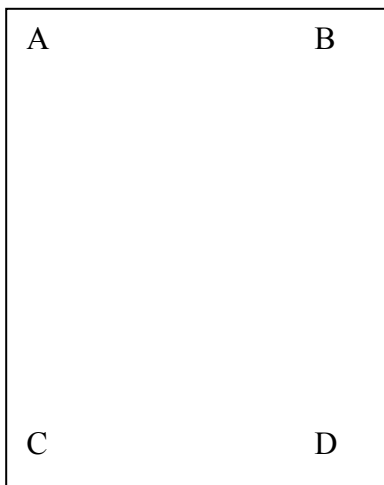
Patrolling and Working Area

After gathering all equipment, supplies and a working vehicle, the next logical step for an officer is to patrol their designated area. Each route has a starting point and it is at this starting point that the beginning time must be taken. All routes follow this order; the patrolling and making of 1 hour zones, the patrolling of alleys and courts and their 1 hour spaces, and if time allows, the patrolling of 100 block meters. To ensure that all vehicles in the 1 hour zones receive the proper amount of time, an officer is expected to return to the starting point no sooner than 1 hour and 5 minutes (1 hour for the allotted time and 5 minutes grace time). If an officer finishes his/her patrol duty before this time, the officer should not resume at an earlier time. This extra time is known as down time and the down time duties should be performed. At the beginning of the season when an officer is less experienced and during the more difficult and busy days, it will be very difficult to finish a route in 1 hour and 5 minutes. This is all part of the nature of the duties and is expected.

Area I officers' responsibilities include downtown meter enforcement, sweeper duty, clearing the highway, responding to calls for service and animal control duties among other tasks. The supervisor will determine shift duties and assign or direct operations as necessary.

Lapping Your Time

One of the major problems that occur to inexperienced officers is that of lapping your time. This usually occurs in the beginning weeks and during high productivity days (weekends and holidays). Lapping occurs when an officer goes through their area and it takes less time than it took the previous time around. The result; the 1 hour citations that were written at the end of the route were written to vehicles that not have yet been parked for an hour. The citations are invalid. For easier understanding, refer to the example below:



You begin area **ABCD** at starting point **A** at 9:05, you reach **B** at 9:35, **C** at 10:10, you finish **D** at 10:40. It took 1:35 to complete entire area. You begin at **A** again at 10:45, point **B** at 11:00, point **C** at 11:15, and point **D** at 11:30. Any citation written at **A** and **B** the second time are correct and any citation written at **C** and **D** the second time are invalid simply because the vehicles have not yet been there an hour. It's easy to see in this example that you should not cite at point **C** and **D** the second time around, but it is only clear since all times were taken at every point. It would be impossible to see if the only information given were the start times at point **A**, 9:05 for the first round and 10:45 for the second round. It is more than an hour and the incorrect assumption that all vehicles are due would be the result.

Patrolling for Inexperienced Officers

It is recommended that inexperienced Area II officers, in order to avoid "lapping your time," log their time and location into their log sheet every 15 to 30 minutes. This is to be done until the officer has gained the on the job experience of taking times and being aware of when a certain street was marked. An experienced officer will know what is the shortest amount of time that it will take him/her to finish an area, they will also know how long it took the last time around, and will know the potential for writing citations (citations take time to be written, thereby increasing total time) based on the number of vehicles previously chalked, the time of day, and the day of the week which contribute to the number of citations written. The shortest amount of time will occur when no citations are written and very few vehicles need to be chalked. More time will be expended as the number of citations are written and the number of vehicles are chalked per round. This is very important. If the idea of lapping and avoiding lapping is not understood, the basic rule of parking enforcement cannot be followed and the number of complaints from citizens are sure to increase.

CHAIN OF COMMAND

Within Department

The chain of command is as follows:

Chief of Police
Operations Division Commander
Community Services Supervisors

Support Staff:

Administrative Services Coordinator
Administrative Hearing Officer
Finance Cashier Staff
Mechanics

Within City: Ultimate Supervisor

The Community Services Division operates on the premise that your ultimate supervisors are the residents of the City of Hermosa Beach. Your responsibilities will include dealing with the public and most important, the residents. The perception that you will present when dealing with the public has direct correlation to the perception of the division. You must not only do the work required fairly and correctly, but you must also take into account the needs of the residents of the City of Hermosa Beach. Parking regulations exist to facilitate the proper control and reasonable use of a limited number of parking spaces within the City. These spaces serve the needs of the residents, business owners, and visitors to the community.

There will be instances where an officer will need to arbitrate disputes between neighbors, listen to disgruntled citizens that have just been cited, listen to complaints and report them to the proper authority, answer questions related to the city, give directions, recommend places to eat, recommend places to shop, answer questions related to the department, and give

information on city phone numbers. The list is endless and covers duties not associated with parking enforcement. Understand that your duties span beyond “robotic” enforcement of parking regulations. Enforcement is important, but good decision making with the ability to be “reasonable” is more important. Officers must use discretion and issue citations as deemed appropriate. They are necessary and there will be an abundant opportunity to issue many of them.

Officer Interpretation of Codes

It is necessary that all pertinent CVCs and HBMC’s actually be read word for word during the training session for the purpose of retaining, understanding, and interpretation of the codes. Vehicle code and Municipal codebooks are available to every Community Service Officer. It is very important to understand in legal terms what each code being enforced states. Officers’ interpretations must be both factually correct and reasonable under the circumstances. What follows are simplified explanations of routine codes that are typically used during day to day operations. These listings are not substitutes for reading the HBMC or CVC section referenced.

10.12.040 HBMC Private Property

Any vehicle parked on private property where a sign stating no parking private property and with the proper HBMC 19-9 and CVC 22658 may be cited with the request of the owner of the property.

10.32.060 HBMC Red Zone

Any vehicle parked in a red zone, any vehicle parked in a red stripped alley without its flashers on, or any vehicle parked in a red stripped alley with its flashers on exceeding the 15 minute loading and unloading limit.

10.32.070 HBMC Posted No Parking

This would be used when a posted sign indicates no parking or no stopping.

10.32.070 HBMC Hazard

Any vehicle parked in a manner as to block traffic or pose a safety risk should be cited using this municipal code. The vehicle must then be towed.

10.32.250 HBMC Green Zone

Any vehicle parked in a painted green zone for longer than 15 minutes am to 6PM daily.

10.32.260 HBMC Time Limit Parking

This code is used for citing for 1hr zones, 2hr zones, 6hr zones, expired yellow pole meters, and expired silver pole meters. This code will account for 99% of all citations written by Area II.

10.32.280 HBMC Parking Space Markings

Any vehicle that is parked outside of a mark T-stall, parked in more than one T-stall can be cited using this code. The exception being vehicles that are larger than the marked stall are allowed to park using as many stalls as that vehicle shall need, this includes vehicles and their

trailers if properly attached.

10.32.290 HBMC One Vehicle per Stall

A vehicle must park so that it only occupies one parking stall except those vehicles that are larger than the marked stall.

10.36.080 HBMC Time Limit Metered Stall

A vehicle that is parked in a metered stall for longer than the posted time limit, either 2hr or 3hr, must be cited using this code. This should not be confused with 10.32.260 time limit parking.

CVC 4000(a)(1) Expired Registration

Cite only if registration is expired for more than six months. The vehicle must then be towed, no exceptions. If the circumstance prevents the tow from occurring then don't cite.

CVC 5200 Display of License Plate

Requires two license plates be displayed on the vehicle if the DMV issued it two (generally, all cars are issued two).

CVC 5204 Expired Registration

Requires the display of current license plate tabs (month and year current to date)

CVC 22500(e) Blocking Driveway

Any vehicle parked blocking a garage or driveway can be cited if a driveway permit is not displayed. The vehicle can then be towed if asked for by the owner of said driveway or garage.

CVC 22500(f) Blocking Sidewalk

Any vehicle blocking sidewalk and not allowing 3 feet of sidewalk accessible to pedestrians can be cited using this code.

CVC 22500(g) Obstructing Traffic

Any vehicle parked in such a way as to obstruct the flow of traffic or deemed to be unsafe can be cited using this code. The advantage of using this code instead of 10.32.070 is that a tow does not have to be initiated.

CVC 22500(h) Double-parked

Any vehicle parked in the traffic alongside a parked vehicle can be cited using this cite if it is not considered to be a hazard. If hazard, use CVC 22500G or 10.32.070 when the vehicle must be towed.

CVC 22500(l) Wheelchair Access Ramp

Any vehicle blocking the curb cut at the corner of a street known as a wheel chair access ramp can be cited using this citation. The ramp must be marked with red paint for the citation to be valid.

CVC 22502(a) Facing the Wrong Way, 18 Inches from Curb, Motorcycle Not Touching Curb

This cite has to do with parking adjacent to a curb. Vehicles violating the following are to be cited when:

- Facing the wrong way, any vehicle parked against the flow of traffic.
- 18 inches from curb, any vehicle parked more than 18 inches away from the curb. (Note: the T-stall markings have nothing to do with this requirement, however any vehicle parked within a T-stall and more than 18 inches should not be cited as this is department policy.)
- Motorcycle not touching curb, any motorcycle parked must be parked with the rear tire touching the curb.

CVC 22507.8(a) Handicapped Parking

Any vehicle entering a handicapped parking stall without a proper handicapped placard must be cited. The vehicle can be standing, stopping, or parking.

Storage Authorities

CVC 22651(b) Hazardously Parked Vehicle

The storage authority for any vehicle cited for 10.32.070 HBMC.

CVC 22651(d) Blocking Garage or Driveway

This is the storage authority for any vehicle in violation of CVC 22500E after the owner of the garage or driveway request for a tow.

CVC 22651(i) More Than Five Unpaid Cites

Any vehicle that is found to have more than 5 unpaid citations that are more than 21 days old from issuance, or 14 days from the date of notice sent, can be towed with this storage authority. The training officer will advise as to policy on towing vehicles as the department rarely tows for only 5 unpaid citations.

CVC 22651(j) No License Plate or Proof of Registration

Any vehicle that is found to have no license plate displayed, no visible VIN, and no visible temporary registration can be towed under this storage authority.

CVC 22651(k) Parked In Excess of 72hrs

Any vehicle that has been marked and known to have been parked for longer than 72hrs can be cited for 10.32.120 HBMC and then towed using this storage authority.

CVC 22651(o) Registration Expired for Longer Than One Year

Any vehicle that is in violation of CVC 4000A and has an expired registration for longer than one year can be towed using this storage authority.

CVC 22651(n) No Parking Zones-Prohibited Stopping/Parking

Whenever a vehicle is parked or left standing where local authorities, by resolution or ordinance, have prohibited parking and have authorized the removal of vehicles.

Dismissal Policy

The dismissal policy of the department is as follows. Any officer who writes a citation can dismiss that citation using a dismissal form. Only a supervisor can dismiss a citation written by another officer. If a citizen with a citation that has been issued incorrectly by an officer approaches that officer, the officer is encouraged to dismiss the citation. If another officer has written the citation, do not take the ticket back. Simply inform the citizen of his/her rights under the law regarding contesting tickets and the procedure involved, and do not comment on the appropriateness of the citation, as the circumstance under which the citation has been written are known by the issuing officer. If an officer is approached by a citizen and knows a citation has been issued correctly, the officer's only obligation is to inform the citizen of their rights under the law, regardless of who wrote the ticket. An officer can, under certain circumstances, dismiss a citation that is correct if he/she wrote it. Officers are allowed to dismiss any citation they wrote when in their discretion the circumstances warrant it. However, this discretion does not include allowing friends or other identifiable people or groups the "free reign" to violate the CVC or HBMC codes. It does not allow an officer to exercise prejudice or favoritism. It only allows for the reasonable use of the officer's judgment as a field officer weighing the circumstances at hand and the situation at the time. Ultimately, all officers' decisions are subject to review. Officers shall not abuse his/her authority.

**HERMOSA BEACH POLICE DEPARTMENT COMMUNITY SERVICES
RULES AND REGULATIONS**

- P1.00** **PHILOSOPHY**

- R2.00** **ESTABLISHMENT OF DISCIPLINARY PROCEDURES**
- R2.01** **VIOLATION OF RULES AND REGULATIONS**
- R2.02** **ACTS AND OMISSIONS CONTRARY TO GOOD ORDER**
- R2.03** **CONDUCT UNBECOMING A COMMUNITY SERVICE OFFICER**

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R7.02	See Policy A1.01
R8.00	CARE AND USE OF DEPARTMENT EQUIPMENT
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R9.00	CITY OWNED VEHICLES
R9.01	Community Services Vehicles – Safe Operation
R9.02	Passengers
R10.00	UNIFORMS AND APPEARANCES
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R10.03	See Chapter 3
R10.04	See Chapter 3
R10.05	See Chapter 3
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R10.07	See Chapter 3

Administration of Rules and Regulations

PL. 00 PHILOSOPHY AND INTRODUCTION

1. The true concept of discipline is misunderstood by many supervisory officers and subordinates. Therefore, the following statement is included in this section, to assist in developing a better understanding of discipline, not alone as a punitive measure; but, as a method of securing operation and coordination throughout the Division.
2. Discipline is defined as "That force which prompts an individual or group to observe rules, regulations, and procedures that are deemed necessary to the attainment of an objective".
3. Discipline and disciplinary procedure are an extension of training. True discipline is linked with morale. An undisciplined division is incompletely trained, not through failure of a formal training program but because of a failure of supervisors to require subordinates to conform to Divisional rules and procedures. Therefore, the principal responsibility for the conformance with regulations is lodged in the line supervisor at the level of immediate supervision.
4. The purpose of this section is to provide the officers of the Community Services Division with the standards of conduct expected of employees within the framework of the Hermosa Beach Civil Services Rules and Regulations. Nothing in this text is intended to conflict with any provision of the Civil Service Rules and Regulations.
5. All personnel are advised that disciplinary action shall be administered for the Primary purpose of insuring that the offense will not reoccur, and that the best Interest of the Division will be paramount.

R2. 00 ESTABLISHMENT OF DISCIPLINARY PROCEDURES

1. The following procedures have been established in order that:
 - a. Personnel of the Community Services Division may have confidence that, while proper performance of duty will be insisted upon, at the same time, due recognition of his/her rights will be assured.
 - b. It is the aim to provide means whereby complaints, grievances, or alleged abuse of authority involving any employee will be fairly considered so that justice will be exercised.
 - c. Means are also provided for any supervisor to take proper steps to enforce rules and regulations prescribed by the Division Head, affecting the proper performance of personnel under his/her direction and by which they may effectively correct, conduct and accomplish suitable training.

R2.01 VIOLATION OF RULES AND REGULATIONS

1. Each employee of the Hermosa Beach Community Services Division shall be subject to discipline as outlined in the current M.O.U. for violation of Rules & Regulations, Procedures, Directives, any code section appearing in this text; or any of the other rules, regulations, general or special orders of the Community Services Division and/or the Hermosa Beach Police Department, Rules and Regulations of the Hermosa Beach Civil Service Board, now in force, or which may hereafter be issued. Progressive discipline will apply for violation on these Rules & Regulations.

R2.02 ACTS OR OMISSIONS CONTRARY TO GOOD ORDER

1. No arbitrary rules of conduct can be established which will embrace all cases arising in the general discharge of employee duties or in the personal activities of the individual employees. Therefore, any act or omission contrary to good order and discipline shall also be subject to scrutiny and/or disciplinary action.

R2.03 CONDUCT UNBECOMING A COMMUNITY SERVICES OFFICER

1. It is the goal of this Division, that each of its officers strives to be exemplary. To that end, it is imperative that each officer refrain from engaging in any on duty activity, which under scrutiny, could be interpreted as unprofessional, immoral, improper or inappropriate.
2. While in the performance of his/her duties, each officer must take the goals of the Division into consideration, as well as any policies, rules, regulations, laws, directives, orders and procedures; prior to taking any action that could negatively effect a citizen, a fellow employee, the Division, the Hermosa Beach Police Department or the City of Hermosa Beach.

R3.00 GENERAL CONDUCT

R3.01 REPORTING FOR DUTY- FAILURE

1. Community Services personnel shall not fail to report for duty or to any required meeting, training session or other event to which an officer has been ordered to report. Necessary absences must be approved by a supervisor prior to the scheduled report time.
2. Community Services personnel shall call in no later than one (2) hours before their report time if they are ill or for any reason unable to report for duty.
3. Officers shall report for duty as scheduled in the prescribed uniform and will not clock in until he/she is in full uniform.

4. Community Services personnel shall not fail to be available to respond when assigned to any on-call status.

R3.02 REPORTING FOR DUTY – PUNCTUALITY

1. Personnel shall not report late for duty or to any required meeting, training session or other event to which an officer has been ordered to report. Two (2) TARDYS in the same pay period or three (3) tardys in the same month will be considered excessive. Tardiness that exceeds ten (10) minutes will be docked.

R3.03 INTOXICANTS -OFF DUTY IN UNIFORM

1. No employee shall drink any alcoholic beverage in public view or in a place accessible to the public while off-duty and wearing the Community Services uniform or any part thereof excluding pants and shoes.

R3.04 INTOXICANTS -OFF DUTY

1. Community Services Personnel shall not, while off-duty, drink an alcoholic beverage to an extent which renders him/her unfit to report for his/her next tour of duty, or which results in the commission of an obnoxious or offensive act which discredits the Division or the City of Hermosa Beach.

R3.05 INTOXICANTS - ON DUTY

1. Community Services Officers shall not drink an alcoholic beverage or use any of the substances described in Sections 11054, 11055, 11056 and 11057 of the Health and Safety Code while on duty.

R3.06 INTOXICANTS – REPORTING FOR DUTY

1. Community Services Personnel shall not report for duty if they are under the influence of an alcoholic beverage. Nor shall any employee report for duty if they are under the influence of any of the substances described in sections 11054, 11055, 11056 and 11057 of the Health and Safety Code. If an employee is requested to report for duty and is under the influence of any alcoholic beverage or medication, he/she has an obligation to advise his supervisor of his/her condition.

R3.07 INTOXICANTS – ODOR OF, REPORTING FOR DUTY

1. Community Services Personnel shall not report for duty with the odor of alcoholic beverage on or about their person. No person shall acquire said odor while on duty.

R3.08 COMMUNICATIONS EQUIPMENT - PERSONAL USE

1. Community Services personnel shall not use profanity, obscenity, disparaging remarks or any other language other than that necessary while operating any Departmental communications equipment. In no case shall Departmental communications equipment be used for personal business.

R3.09 DEPARTMENTAL EQUIPMENT – PERSONAL USE

1. Community Services personnel shall not divert for their own use any Department equipment. Any employee who is not use that his/her use of Department equipment is appropriate, must check with a supervisor prior to said use.

R3.10 COURTESY – RESPECT

1. Community Services personnel shall be courteous, civil and respectful to their superiors, associates and other persons. They are expected to avoid answering questions in a short, abrupt manner; they are expected to maintain an even cheerful temper, regardless of the provocation, remaining cool and collected at all times. They are expected to refrain from harsh, violent, coarse, profane, sarcastic or insolent language.

R3.11 WEARING OF UNIFORM- PUBLIC OR PRIVATE FUNCTIONS

1. Officers, while in uniform, shall not extensively on duty or off duty, attend any public or private function except when authorized.

R4.01 POLICY

R4.01 COMPLAINT IDENTITY

1. Community Services Personnel shall not reveal the identity of a complainant or informant to any private person.

R4.02 CITIZENS - COMPLAINTS OF

1. Community Services personnel on duty shall be attentive to reports and complaints by citizens and either give them personal attention or refer them to the proper person or agency.

R4.03 POLITICAL ACTIVITY -ON DUTY

1. Community Services personnel, while on duty, shall not engage in any political activities with the purpose to elect or appoint any person to any elective or appointive position.

R4.04 PETITIONS

1. Community Services personnel shall not solicit petitions for any political influence.

R4.05 ENFORCEMENT OF LAWS - IMPARTIALITY

1. Officers shall enforce the law in a fair and impartial manner and shall not exercise prejudice or bias in their conduct.

R4.06 RULES & REGULATIONS – LAWS

1. Community Services personnel shall study and thoroughly understand the Division duty and procedural manuals, all additions to these manuals and shall keep themselves familiar with new and existing City ordinances, State laws and Federal laws.

R4.07 EXPENSE – DEPARTMENTAL - INCURRING

1. Employees shall not, knowingly and intentionally, incur any unauthorized Departmental expense or liability.

R4.08 ACTION - POTENTIAL OR ACTUAL VIOLATION

1. No Supervisor shall fail, neglect, or refuse to take action on an actual, suspected or a potential violation by Community Services personnel of any rules, regulations, ordinances or laws brought to his/her attention.

R4.09 REPORTING GRIEVANCES – COMPLAINTS

1. Employees who have a complaint or grievance of any character shall first present the Complaint or grievance in writing to the Division Head through the chain of command.

R4.10 REPORTS - INJURY OR DAMAGE

1. An employee who, by any cause, injures any person or animal or damages public or private property, shall report such injury or damage to his/her Supervisor immediately

R4.11 REPORT - INDUSTRIAL INJURY

1. Employees shall report any personal injury sustained while on duty immediately to their Supervisor and file a “Report of Industrial Injury” promptly in writing.

R4.12 ADDRESS - TELEPHONE NUMBER - CHANGE OF

1. Employees shall report, in writing, any change of telephone number or address to their Supervisor and Division Head, as soon as possible after the change and never later than twenty-four (24) hours after the change.

R4.13 RADIOS - BREAKS AND LUNCHESES

1. Field personnel shall not fail to monitor their radios during their breaks & lunches without prior supervisor approval.

R4.14 PRODUCTIVITY

1. Community Services personal shall strive to be as productive as possible in all aspects of their duties. This includes but is not limited to, quality Parking Enforcement and Animal Control citation production.

R5.00 DUTY RESPONSIBILITIES

R5.01 FAMILIARIZATION

1. Officers shall familiarize themselves with the location of streets in the City.

R5.02 FIRE DISCOVERY

1. Officers who discover a fire shall report the exact location and the type of fire by radio or telephone.

R5.03 COMPLETION OF ASSIGNMENT

1. Community Service personnel shall not fail to respond to a dispatched call or to complete an assignment. Completion of assignment to include paperwork and/or follow-up.
2. Officers shall notify the dispatcher upon completion of a dispatched call, and shall advise, in brief outline, what action was taken. In the event that the investigation requires an unusually long period of time, the assigned Officer shall notify headquarters via radio or telephone the cause of the delay and what action is being taken.

R6.00 COURT APPEARANCES

R6.01 COURT APPEARANCES – PUNCTUALITY

1. Officers shall not fail to appear *in* court at the time specified by their subpoena and they shall not leave until authorized by a competent authority. If duty or

sickness prevents the officer from being present at the appointed time and place, the officer shall notify the immediate supervisor.

R6.02 CONDUCT

1. An Officer's conduct while in court, both on and off the stand and while in other parts of the building shall be exemplary. During testimony, the officer shall be completely truthful and accurate to the best of his/her recollection. The officer shall avoid any indication of prejudice, anger or enmity.

R7.00 REWARDS – GRATUITIES

R7.01 SOLICITATION – ACCEPTANCE

See Policy A1.01

R7.02 SOLICITATION – SPECIAL PRIVILEGES

See Policy A1.01

R8.00 CARE AND USE OF DEPARTMENTAL EQUIPMENT

R8.01 EQUIPMENT –AUTHORIZATION TO USE

1. Community Service Personnel, while on duty, shall not drive or use any equipment unless he/she is authorized to do so.
2. Officers shall not take City vehicles out of the City unless authorized.

R8.02 DEPARTMENT EQUIPMENT AND PROPERTY – CARE AND USE OF

See Policy A1.01

R9.00 CITY OWNED VEHICLE

R9.01 COMMUNITY SERVICES VEHICLES – SAFE OPERATIONS

1. Community Service Personnel operating Community Services Departmental vehicles shall drive in a safe and legal manner. All California Vehicle Codes and Hermosa Beach Municipal Codes shall be adhered to while driving or parking.

R9.02 PASSENGERS

1. Community Service Personnel operating Community Services Department vehicles shall not permit passengers to ride, except when authorized by a Supervisor or Department Head.

R10.00 UNIFORMS AND APPEARANCES

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See Policy O3.03

R10.02 UNIFORM AND PERSONAL ACCESSORIES

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R10.03 UNIFORMS – REPLACEMENT, INSPECTION AND RETURN

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R10.04 POLICY – UNIFORMS

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R10.05 BADGE – POLICY FOR WEAR AND LOSS OF

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R10.06 PATCHES – WEAR OF

See Policy O3.03

R10.07 PERSONAL GROOMING

See Policy O3.01



CHAPTER 5

POLICE OFFICER RULES AND REGULATIONS

(BLUE SECTION)

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RULES AND REGULATIONS**

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Administration of Rules and Regulations

10.00 Philosophy and Introduction

The true concept of discipline is misunderstood by many supervisory officers and subordinates. Therefore, the following statement is included in this section, to assist in develop in a better understanding of discipline, not alone as a punitive measure, but as a method of securing cooperation and coordination throughout the Department.

Discipline is defined as "that force which prompts an individual or group to observe rules, regulations, and procedures that are deemed necessary to the attainment of an objective". The maintenance of effective discipline is essential in a law enforcement agency, to control its performance and to promote the efficiency and satisfactory attainment of law enforcement objectives.

Discipline and disciplinary procedure are an extension of training. True discipline is linked with morale. An undisciplined force is incompletely trained, not through failure of a formal training program, but because of a failure of supervisors to require subordinates to conform to Departmental rules and procedures. Therefore, the principal responsibility for conformance with regulations is lodged in the line supervisor at the level of immediate supervision.

This section sets forth the disciplinary procedures for violations of the Rules and Regulations as established by the manual.

The purpose of this section is to provide the officers of the Hermosa Beach Police Department with the standards of conduct expected of employees within the framework established by the Hermosa Beach Civil Service Rules and Regulations. Nothing in this manual is intended to conflict with any provision of the Civil Service Rules and Regulations.

All personnel are advised that disciplinary action shall be administered for the primary purpose of insuring that the offense will not reoccur, and that the best interest of the Department will be paramount.

By predetermining the specific penalty for each offense of a violation for specific section of the manual, it is intended to establish the maximum disciplinary action that may be taken in that instance. Supervisors, Division Commanders and the Chief of Police have the discretion of recommending and administering action of a lesser degree than the penalty stipulated in this manual. Any recommendation for lesser action shall include an explanation as to why it is in the best interest of the Department that the maximum penalty should not be invoked. The violations, actions penalties, and other subject matter contained in this manual shall supersede all similar violations, actions, penalties or other subject matter contained in the existing Hermosa Beach Police Department Manual.

10.05 VIOLATION OF RULES, REGULATIONS, PROCEDURES & MEMORANDUMS

Each officer will be subject to reprimand, suspension, reduction in rank, or dismissal from the Police Department according to the severity and ramifications of the offense for violation of any of the following now in force, or which may hereafter be issued, rules, regulations, procedures, directives, memorandums, and the Criminal Code Sections appearing in this manual; or for any general or special orders; or for violation of the Civil Service Rules and Regulations.

This section will provide the authority for the Chief of Police to set penalties and inclusionary periods for violation(s) specified.

10.10 ACTS OR OMISSIONS CONTRARY TO GOOD ORDER

No arbitrary rules of conduct can be established which will embrace all cases arising in the general discharge of police duties or in the personal activities of the individual officers. Therefore, any other act or omission contrary to good order and discipline shall also be subject to scrutiny and/or disciplinary action.

Penalty - Action as deemed necessary by the Chief of Police.

10.15 ESTABLISHMENT OF DISCIPLINARY PROCEDURES

The following procedures have been established in order that:

- a. Every officer of the Police Department may have confidence that, while proper performance of duty will be insisted upon, at the same time, due recognition of his rights will be assured.
- b. It is the aim to provide means whereby complaints, grievances, or alleged abuse of authority involving any officer will be fairly considered, so that justice will be exercised.
- c. Means are also provided for any Commanding Officer to take proper steps to enforce rules and regulations prescribed by the Chief of Police, affecting the proper performance of officers under his command, and by which he may effectively correct, conduct and accomplish suitable training.

10.20 CONDUCT REPORTS

Personnel Incident Reports are a system of reports whereby the actions of officers will become the subject of reports by Watch Commanders or other supervisors.

- a. Nothing in this section shall be construed to preempt the formal complaint procedure.

Conduct is hereby defined as any behavior by an officer which is meritorious, censurable, or otherwise noteworthy.

a. P.I.R. may result from commendable action or censurable actions. They will be made the subject of a P.I.R. by the Watch Commander or other supervisor.

b. P.I.R. originating from either within the Department or from outside sources will be prepared by the Watch Commander or other supervisor. The original will be forwarded to the Division Commander. One copy will be retained by the Watch Commander or other supervisor.

c. If, in the opinion of the Watch Commander, the information received from an outside source does not warrant the preparation of a P.I.R., the information will be forwarded to the Division Commander for review. If the Division Commander concurs, no further action will be taken.

d. All disciplinary matters or equipment damage reports, excluding vehicle accident reports, or any incident that could result in disciplinary action will be referred to the immediate supervisor of the officer involved for the purpose of investigation and recommendation.

1. The Chief of Police may cause the investigation to be conducted by someone other than the immediate supervisor whenever the Chief believes it to be in the best interest of the Department to do so.

a. If the Chief of Police deems the matter serious enough, he may convene a Board with a minimum of three members. One member of this Board may be an officer of the Hermosa Beach Police Officers' Association. All of the Board members will be chosen by the Chief of Police.

2. Officers will be informed by their supervisor whenever a disciplinary investigation is to be conducted. In those instances which require another course of action, the Chief of Police may order an investigation to be conducted prior to informing the concerned officers. In any event, the officer will be informed and allowed to respond to accusations prior to any final disciplinary decision.

3. In those matters involving intoxication or major misconduct, including insubordination, the immediate supervisor is authorized to relieve the officer from duty, pending an investigation. The supervisor will relieve the officer of his badge, identification card, and service weapon. These items will be given to the Division Commander as soon as practical. If the weapon is owned by the officer, it will be the responsibility of the supervisor to admonish the officer that his authority to carry a weapon is not in effect during the suspension. Under no circumstances will an intoxicated officer be permitted to retain a firearm.

e. The immediate supervisor will investigate the matter and submit a written summary of that investigation to the Division Commander. The supervisor will also indicate if the officer is in violation of the manual and the particular section(s) violated.

f. If a violation has occurred, the immediate supervisor will recommend, in a separate memorandum, a specific disciplinary action to be taken within the limits set forth in the manual. If there is no violation, the Investigation Report will so indicate.

g. The Division Commander will review the Investigation Report and recommendations. The report will either be accepted or the supervisor will be directed to continue the investigation. If the investigation is continued, specific instructions will be given to the supervisor as to the course of action to be taken.

h. When the report is completed to the Division Commander's satisfaction, it will be forwarded to the Chief of Police. The Chief of Police will either accept the report or return it to the Division Commander with specific instructions for additional investigation.

i. If the Chief of Police is satisfied that the officer is not in violation of the manual, a written report to the Division Commander will so indicate.

1. The Division Commander will be responsible for advising the officer of this decision.

j. If there is a manual violation, the Chief of Police will conduct or cause to be conducted the proper interview or hearing with the officer in compliance with the Police Officers Bill of Rights, the latest Court decisions, laws, Civil Service Procedures, and Departmental Rules and Regulations.

1. The officer will be notified of the disciplinary action to be taken as soon as practical.

k. The Division Commander is authorized to act upon request of the Chief of Police in taking disciplinary action on matters punishable by a reprimand, either written or oral. In other matters warranting other punishment, action will be taken by the Chief of Police or the designated officer in command of the Department.

1. Any disciplinary action taken by a Division Commander, or any investigation of conduct initiated by a Division Commander or Watch Commander, will be immediately reported to the Chief of Police in writing.

l. Any permanent officer in the competitive service who has been demoted or dismissed shall be entitled to request a written statement of the reasons for such action. Such a request must be made in writing to the person taking such action within three (3) working days following the action. In the event the officer requests the statement, he shall receive a written, signed statement specifying in detail the exact reasons for such action within three (3) working days and he shall have three (3) working days thereafter to answer in writing thereto. In the event the officer files a signed, written answer to the charges, copies of both this statement of charges and the employee's answer shall be filed with the City Manager.

Within ten (10) working days from the date of filing his answer to the written charges, or in the event such written charges have not been made available to him within the time prescribed; then within ten (10) working days after the action to demote

or dismiss the officer, he may file a written demand with the City Manager requesting a hearing before a Board of Appeals as provided in the ordinance and in the Rules and Regulations.

The City Manager shall forthwith file a copy of such written charges and an answer with the Board of Appeals and order a hearing upon the appeal. (MC Chap. 2, Sec. 2-38 Ord. No. 211 NS Sec. 14).

m. Any officer in the competitive service shall have the right to appeal to the Civil Service Board relative to any suspension, reduction in pay or alleged violation of this ordinance or the personnel rules and regulations except in the instances where the right of appeal is prohibited by the ordinance.

In the event of such action affecting an officer, he shall within one (1) working day thereafter be given a signed, written statement setting forth in full the reasons for such action, a copy of which shall be filed with the Personnel Officer. The officer may thereafter, within three (3) working days, file a request with the Personnel Officer for a hearing on the action, and thereafter the Personnel Officer shall call a meeting of the Civil Service Board to convene as a Special Hearing Board within seventy-two (72) hours, excluding Saturdays, Sundays, and Holidays, from the date and time the employee request is filed with the Personnel Officer.

The Hearing Board may make, or cause to be made, such investigation as it may deem necessary and thereafter hold a hearing at which time it shall hear evidence for and against the party aggrieved. Within ten (10) working days after concluding the hearing, the Hearing Board shall certify its findings and conclusions in writing to the City Manager, the official from whose action the appeal was taken and to the employee affected. In the event the Hearing Board finds the action taken to have been taken without just cause, the action will be revoked, and in the case of such finding on an action of suspension or reduction in pay, the employee shall be immediately restored to his previous status and shall be entitled to his regular pay for the period during which such suspension or reduction of pay was in effect. The provisions of this section shall not apply to reduction in pay which are a part of a general plan to reduce salaries and wages. (MC Chap. 2, Sec. 2-40. Ord. No. 211 N.S. Sec. 16)

1. The officer shall be advised in writing of his right to appeal under the Civil Service Rules and Regulations. He shall also be advised in writing, that he may informally appeal the action to the Chief of Police by merely making an appointment within the next working day to see him.

n. All action taken against any officer shall be initiated as soon as practicable after the discovery of the violation and at no time shall any disciplinary action be taken for a violation that has occurred beyond a reasonable period of time after discovery of the violation.

10.25 DEFINITION OF TERMS

The following words or phrases shall have the meanings indicated below. In the event that any of the terms herein listed conflict with the definitions appearing in the City Civil Service Rules & Regulations, the definition given in the Civil Service Rules & Regulations shall prevail.

a. **Officer**, as used in this order, shall refer to all sworn personnel of the Police Department, and also when applicable, to civilian employees of the Police Department.

b. **Dismissal**, as used in this order, is the termination of employment. When dismissal is the prescribed disciplinary action for a violation, the normal action shall be the termination of employment by order of the Chief of Police. However, the Chief of Police may, at his discretion, allow the violator to resign in lieu of dismissal.

c. **Suspension**, as used in this order, shall be the removal of an officer's name from the duty status for a prescribed time, during which time the officer is not eligible to receive any salary or other monetary benefit. Peace Officers on suspension shall not be authorized to exercise their police powers until their reinstatement. Suspensions shall be ordered on the basis of on day equaling one full duty shift normally prescribed by the officer's current assignment. All suspension days shall run consecutively, shall begin immediately after the order, and shall not include any scheduled days off.

d. **Investigatory Suspension**, as used in this order, shall be the relieving from duty status of an officer by his superior officer during the time that an investigation is being conducted regarding his or her conduct. While under suspension, the officer will continue to receive full salary until final disciplinary action (if any) is decided upon.

e. **Disciplinary Demotion**, as used in this order, shall be the demotion of an officer from one rank or salary level to a rank or salary level lower in the classified service. Disciplinary Demotion shall occur upon the order of the Chief of Police or in his absence, the designated officer in command of the Department.

f. **Action and Inclusion a Period as Deemed Necessary by the Chief of Police**, as used in this order, shall mean the matter shall be immediately referred to the Chief of Police for his action. Any investigation, interviewing, evaluation, disciplinary action, and the setting of an inclusionary period shall be as directed by the Chief of Police or, in his absence, by the designated officer in command of the Department. Such a violation shall not be investigated by the officer's supervisor, unless specifically directed by the Chief of Police.

g. **Written Reprimand**, as used in this order, shall be a formal Departmental memorandum prepared by the Division Commander and approved by the Chief of Police, finding an officer in violation of the section of the manual cited, and stating that the violator has been officially reprimanded.

h. **Oral Reprimand**, as used in this order, is when an officer is made aware of his violation verbally by the Chief of Police or a Division Commander at the request of the Chief of Police,

is informed of the specific section, and is instructed to comply in the future. Oral reprimand shall be reported, in compliance with the established disciplinary procedure.

i. **Inclusionary Period**, as used in this order, means the maximum length of time during which each violation of a particular section of the manual may be included as a prior offense when determining the disciplinary action for a subsequent violation of that section. After the expiration of the inclusionary period, that violation may not be used as a prior offense.

j. **Reasonable Period**, as used in this order, means not more than thirty (30) 'days unless there are extreme extenuating circumstances.

k. **Commanding Officer**, as used in this order, means an officer holding the rank of lieutenant or above, commanding a division and officially acting as a lieutenant or above.

l. **Penalty**, as used in this order, means the prescribed punishment for a violation of the Rules and Regulation portion of the manual. Any offenses in addition to the number specified in each section shall be punishable by the last prescribed punishment listed, if the additional offenses fall within the listed inclusionary period.

m. **Day**, as used in this punitive section is based on an eight (8) hour work day, forty (40) hour week.

n. **Year**, as used in this punitive section shall be a calendar year, commencing from the date of the offense.

20.00 GENERAL CONDUCT

20.05 Punctuality

Officers shall not report late for duty or to any required meeting, training session, or other event to which an officer has been ordered to report.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary Period:	
		Six (6) Months

20.10 Reporting for Duty – Failure

Officers shall not fail to report for duty.

Penalty-	First Offense:	One (1) Day Suspension
	Second Offense:	Five (5) Days Suspension
	Third Offense:	Fifteen (15) Days Suspension
	Inclusionary Period:	
		One (1) Year

20.15 Officers shall report for duty in the proper attire:

Penalty -	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	Six (6) Months

20.20 Reporting for Meetings, etc. -Failure

Officers shall attend any required meeting, training session, or other events to which an officer has been ordered to report.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	Six (6) Months

20.25 Intoxicants. Off Duty in Uniform

No officer shall drink any alcoholic beverage in public view or in a place accessible to the public while off-duty and wearing the police uniform or any part of this uniform excluding pants, unless they are identifiable such as motor officers, shoes and socks

Penalty-	First Offense:	One (1) Day Suspension
	Second Offense:	Ten (10) Day Suspension
	Third Offense:	Dismissal
	Inclusionary	
	Period:	One (1) Year

20.30 Intoxicants -On Duty

Officers shall not drink an alcoholic beverage or use any of the substances described in Sections 11054, 11055, 11056, and 11057 of the Health & Safety Code while on duty. Plain clothes officers may consume alcoholic beverage on duty when it is necessary in the performance of their duties and with the permission of their Division Commander.

Penalty-	First Offense:	Five (5) Days Suspension
	Second Offense:	Thirty (30) Days Suspension
	Third Offense:	Dismissal
	Inclusionary	
	Period:	One (1) Year

20.35 Intoxicants - Reporting for Duty

Officers shall not report for duty if they are under the influence of any alcoholic beverage unless ordered to do so by their supervisor. Nor shall any officer report for duty if they are under the influence of any of the substances described in Sections 11054, 11055, 11056, and 11057 of the Health & Safety Code. If any officer is ordered to report for duty, and he is under the influence of any alcoholic beverage or any of the substances described in the above Health & safety Code sections, he has an obligation to advise his supervisor of his condition.

Penalty-	First Offense:	Fifteen (15) Days Suspension
	Second Offense:	Thirty (30) Days Suspension
	Third Offense:	Dismissal
	Inclusionary	
	Period:	Three (3) Years

20.40 Intoxicants - Prior to Reporting for Duty

Officers shall not consume any alcoholic beverages for at least four (4) hours prior to reporting for duty.

Penalty-	First Offense:	One (1) Day Suspension
	Second Offense:	Five (5) Days Suspension
	Third Offense:	Thirty (30) Days Suspension
	Inclusionary	
	Period:	One (1) Year

20.45 Intoxicants - Transportation

Officers shall not transport any alcoholic beverage in any Departmental vehicle, unless it is evidence, without the permission of the Division Commander.

Penalty-	First Offense:	One (1) Day Suspension
	Second Offense:	Five (5) Days Suspension
	Third Offense:	Ten (10) Days Suspension
	Inclusionary	
	Period:	One (1) Year

20.50 Intoxicants - Off Duty

Officers shall not, while off-duty, drink an alcoholic beverage to an extent which renders him unfit to report for his next regular tour of duty, or which results in the commission of an obnoxious or offensive act which discredits the Department.

Penalty-	First Offense:	One (1) Day Suspension
	Second Offense:	Five (5) Days Suspension
	Third Offense:	Ten (10) Days Suspension
	Inclusionary	
	Period:	One (1) Year

20.55 Intoxicants -Odor of, Reporting for Duty

Officers shall not report for duty with the odor of any alcoholic beverage on or about their person unless ordered to do so by their supervisor. If an officer is ordered to report for duty and he has the odor of an alcoholic beverage on or about his person, he has the obligation to advise his supervisor of his condition.

Penalty-	First Offense:	One (1) Day Suspension
	Second Offense:	Three (3) Days Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

20.60 Smoking – Tobacco – On Duty

Officers shall not, either in uniform or plain clothes, smoke or use tobacco in any form while meeting the public. When inside a business interviewing someone, or in a residence, the officer shall not smoke or use tobacco in any form unless permission to do so has been received.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

20.65 Duty - Sleeping On

Officers shall remain awake during the time they are on duty.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	Six (6) Months

20.70 Communications Equipment –Language

Officers shall not intentionally use informalities, racial innuendoes, profanity, obscenity, disparaging remarks or any other language other than that necessary while operating any Departmental communications equipment.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

20.75 Communications Equipment –Frequencies

Officers shall not use any unauthorized frequency.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

20.80 Duty Refreshments On

Uniformed officers in the field shall not leave their duty assignment for refreshments or lunch except by permission of their Watch Commander. The officer shall advise the dispatcher when and where refreshments or lunch will be taken. Detectives shall also be required to inform their immediate supervisor or the dispatcher of their location when they are out for refreshments or lunch.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

20.85 Reading on Duty

Officers shall not read any written matter in public view, except that written matter which is connected with official duty.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

20.90 Courtesy – Respect

Officers shall be courteous, civil and respectful to their superiors, associates and other persons whether on or off duty. They are expected to avoid answering questions in a short, abrupt manner; they are expected to maintain an even, cheerful temper, regardless of the provocation, remaining cool and collected at all times. They are expected to refrain from harsh, violent, coarse, profane, sarcastic or insolent language.

Penalty -Action as deemed necessary by the Chief of Police.

20.95 Property – Personal use

Officers shall not take, convert to their own use or have any claim to any found, abandoned, recovered property, or property held as evidence. Officers can bid for any of these items at the Hermosa Beach public auction.

Penalty - Action as deemed necessary by the Chief of Police.

21.00 Departmental Equipment – Personal Use

Officers shall not divert for their own use any Departmental equipment without the consent of their Division Commander. In no case shall Departmental communications equipment be used for personal business or reasons.

Penalty - Action as deemed necessary by the Chief of Police.

21.05 Wearing of Uniform – Other Than on Duty

Officers, while in uniform, shall not shop extensively on duty or off-duty, nor shall they, while uniform, attend any public or private function while on an off duty status unless authorized to do so.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

30.00 POLICY

30.05 Department’s Enforcement Policies

Officers shall not provide any person with information regarding this Department’s enforcement policies, its procedures or information relative to manpower distribution or disbursement. The exception to the order shall apply at all times to other law enforcement agencies.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

30.10 Cooperation – Outside Agencies – Public Agencies

Members of the Department shall cooperate with all agencies engaged in the administration criminal justice, state, county, municipal departments and public service organizations.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

30.15 Police Correspondence

Officers shall not use Police Department letterheads except for police correspondence over the signature of the Chief of Police.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

30.20 Complainant Identity

Officers shall not reveal the identity of a complainant or informant to any private person.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

30.25 Warrant Requests

Officers shall not apply for search warrants or arrest warrants without the consent of their Division Commander.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

30.30 Citizens – Complaints of

Officers on duty shall be attentive to reports and complaints by citizens, and either give personal attention or refer them to the proper person or agency.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

30.35 Unnecessary Interference – Private Business

Officers shall not interfere unnecessarily with the lawful business or actions of any person.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

30.40 Organizational Membership

Officers shall not belong to or participate in the activities of any organization, society or other group; the activities for purpose of which is subversive in nature, or which, in any way, may adversely influence or control the work or service of such officers in their official capacity.

Penalty- Penalty as deemed necessary by the Chief of Police.

30.45 Political Activity – On Duty

Officers, while on duty, shall not engage in any political activities with the purpose to elect or appoint any person to any elective or appointive position.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	Four (4) Years

30.50 Petitions

Officers shall not solicit petitions for their promotion or change of duty, or for the promotion or change of duty of any other officer, or for the appointment of any person to the Department, to promote any political influence to effect such an end.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	Four (4) Years

30.55 Chain of Command

Officers shall not ignore, subvert, or otherwise deviate from the chain of command without prior approval of their immediate supervisor. Supervisors who authorize such deviation shall be held accountable for such deviation.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	Two (2) Years

30.60 Cooperation – Press

Officers shall not interfere with bona fide members of the news media and other information offices unless such interference is necessary to satisfactorily perform their duty. A superior officer shall be notified in the event of any questions of public relations.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One Year (1) Year

30.65 Evidence

Officers shall log and place all found items, contraband and evidence into their designated places as soon as practicable after the found items, contraband and evidence are either turned in or seized. At no time shall an officer store, keep, or display found items, evidence contraband for their own personal use.

Penalty - Penalty as deemed necessary by the Chief of Police.

30.70 Contraband – Evidence – Narcotics – Dangerous Drugs

Officers shall not store or keep any narcotics or dangerous drugs, whether it be contraband evidence, except in an officially designated evidence locker or room. Narcotics and dangerous drugs necessary for court shall be checked out on the day required and taken directly to court. Immediately following conclusion of the court proceeding, the narcotics and dangerous drugs shall be returned to the designated evidence locker or room, if the court does not keep these items.

Penalty-	First Offense:	One (1) Day Suspension
	Second Offense:	Five (5) Days Suspension
	Third Offense:	Fifteen (15) Days Suspension
	Inclusionary	
	Period:	One (1) Year

40.00 DUTY REQUIREMENTS – MISCELLANEOUS

40.05 Off Duty – Response to Emergencies

Off-Duty officers shall report for duty immediately upon receipt of, and in compliance with, the directions given them at the time of notification.

Penalty - Action as deemed necessary by the Chief of Police.

40.10 Badge – Police Credentials

Officers shall not use another officer's credentials, and shall not loan or give their badges or credentials to another person, except upon the order of a superior officer.

Penalty-	First Offense:	Three (3) Days Suspension
	Second Offense:	Fifteen (15) Days Suspension
	Third Offense:	Dismissal
	Inclusionary	
	Period:	One (1) Year

40.15 Enforcement of Laws – Impartiality

Officers shall enforce the law in a fair and impartial manner and shall not exercise prejudice bias in their conduct.

Penalty - Action as deemed necessary by the Chief of Police.

40.20 Civil Service Regulations – Violation of

Any violation of any section of the Hermosa Beach Rules and Regulations not otherwise specifically set forth in this manual shall be proper cause for disciplinary action.

Penalty - Action as deemed necessary by the Chief of Police.

40.25 Availability – On Duty Communication

Officers on duty shall be directly available by normal communication or shall keep their superior officer informed of the means by which they may be reached when not immediately available.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One Year (1) Year

40.30 Obedience – Orders of Superior Officers

Officers shall obey the lawful orders of a superior officer at all times. In the event that an order conflicts with any previous order issued by any other superior officer, or with any Department order or provision of the manual, the officer to whom the order is issued shall respectfully call attention to the conflict. If the superior officer giving the order does not make changes to obviate the conflict, the order shall stand, and the responsibility shall be that of the superior officer's. The officer carrying out the order shall not be held responsible for disobedience of the conflicting order.

Penalty - Action as deemed necessary by the Chief of Police.

40.35 Acts Detrimental to the Department

Officers shall not perform any acts or make any statements, oral or written, for publication or otherwise, which tend to bring the Department or its administrative officers into disrepute or ridicule; or which destructively criticize the Department; or which tend to disrupt or impair the performance of official duties or obligations of officers of the Department; or which tend to interfere with or subvert the reasonable supervision or proper discipline of officers of the Department.

Penalty - Action as deemed necessary by the Chief of Police.

40.40 Rules – Regulations – Laws

Officers shall study and thoroughly understand the Department duty and procedural manual all additions to these manuals, and shall keep themselves familiar with new and existing City Ordinances, Civil Service Rules and Regulations, State and Federal laws.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

40.45 Bulletin Information – Knowledge of

Officers shall acquaint themselves, daily when on duty and immediately upon return from an absence, with information on the Departmental bulletin board and case assignments, wants, and circulars, pertinent to themselves or their assignments.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

40.50 Outside Employment

Officers shall not engage in any off-duty business or other employment where a possible conflict of interest exists, unless authorized to do so by order of the Chief of Police. Officers shall not wear any portion of their uniform that indicates they are employed by the City of Hermosa Beach, nor shall they wear any insignia or patch indicating employment by the City of Hermosa Beach.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

40.55 Expense – Departmental – Incurring

Employees shall not, knowingly and intentionally, incur any unauthorized Departmental expense or liability without approval of a superior officer, except when necessary under emergency conditions.

Penalty-	First Offense:	One (1) Day Suspension
	Second Offense:	Ten (10) Days Suspension
	Third Offense:	Dismissal
	Inclusionary	
	Period:	One (1) Year

40.60 Action – Potential or Actual Violation

No supervisor or Commanding Officer shall fail, neglect, or refuse to take action on an actual, suspected or a potential violation by officers of any rules, regulations, ordinance or laws that the supervisor or Division Commander observes, is informed of, or is otherwise brought to their attention.

Penalty - Action as deemed necessary by the Chief of Police.

40.65 Reporting Grievances – Complaints

Officers shall follow the grievance procedure outlined in Policy A1.03 in this manual.

40.70 Malicious Gossip – Rumor – Public Criticism

Officers shall not engage in malicious gossip or rumor, nor shall they publicly criticize, the administration of the Department, their superior officers, or their fellow officers with malicious intent.

Penalty - Action as deemed necessary by the Chief of Police.

40.75 Disciplinary Action – Initiation of

Officers shall not initiate any disciplinary action against any other officer, when such action is the product of a violation that had been known to the initiating officer and the initiating officer had not taken action within a reasonable time.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

40.80 Ranking Officers, Addressing of

Officers and employees of this Department shall address superior officers by their rank unless specifically excused from doing so by the superior officer being addressed. This procedure shall apply to written communications and communications conducted over the station intercom and the telephone and shall apply to all Police Department personnel.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

50.00 DUTY REQUIREMENTS – ORDERS

50.05 Written Order – Violation of

No officer shall knowingly disregard or violate any lawful written order signed by the Chief of Police or other proper Commanding Officer. Officers shall comply with the written order on a continuing basis, unless the order is countermanded by the origination authority, or by a higher authority within the Department.

Penalty – Penalty as deemed necessary by the Chief of Police.

50.10 Confidentiality of Orders

During the course of any criminal investigation or administrative inquiry, no order, evaluation, Consultation, or other written or oral communication between a superior officer and a subordinate that is identified by the superior officer as confidential shall be communicated to anyone else without authorization from the superior officer or his commander. Written communications shall be considered confidential when they are labeled as such, either in the heading or the text. Verbal communications shall be considered confidential when so specified by the superior officer and when so acknowledged by the subordinate.

This section shall not be construed to prohibit an officer from consulting his HBPOA representative about a confidential order, nor shall this section be construed to prohibit an HBPOA representative from consulting legal counsel regarding a confidential order.

Penalty – Penalty as deemed necessary by the Chief of Police.

50.15 Radio Orders

All officers, regardless of rank, shall obey the lawful instructions given over the radio by a dispatcher.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

60.00 DUTY REQUIREMENTS REPORTS

60.05 Reports, Injury or Damage

Officers who, by any cause, injure any person or animal or damage public or private property, shall report such injury or damage to the Watch Commander immediately. The Watch Commander shall forward this information and all subsequent reports and information to the Division Commander.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

60.10 Reporting Use of Narcotics

Officers while taking any medication that may effect their ability to work shall report this fact and any doctor's limitations regarding the medication to their supervisor. Officers shall not carry firearms, drive vehicles, or operate any hazardous equipment while taking medication that may effect their ability to work without the approval of their supervisor.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

60.15 Reports – Hazardous Conditions

Officers, while performing their duties, shall make written reports on observations of dangerous or hazardous conditions that could affect the safety of the community or where the City may be held responsible for the conditions.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

60.20 Reporting Illness or Injury

Officers who are unable to report for duty as scheduled for reasons of illness shall report such condition to the complaint desk at least four (4) hours before the scheduled time to report. Exceptions shall be made in the case of injury or exceptional circumstances.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

60.25 City Property – Personal Injury

Officers at the scene of a personal injury accident, or an accident occurring as a result of any defect in the public area, or where it appears that the city may be held responsible for any injury or damage, shall notify the Watch Commander immediately so that appropriate action may be taken. The Watch Commander shall forward this information and all subsequent reports and information to the Division Commander.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

60.30 Reports – Industrial Injury

Officers shall report any personal injury sustained while on duty immediately to their Watch Commander, and file a Report of Industrial Injury promptly in writing when so directed by a supervisor.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension

Inclusionary
Period: One (1) Year

60.35 Address – Telephone Number – Change of

Officers shall in writing report any change of telephone number or address to their Watch Commander and Division Commander as soon as practicable after the change, and never any later than eight (8) hours after the change.

Penalty- First Offense: Oral Reprimand
Second Offense: Written Reprimand
Third Offense: One (1) Day Suspension
Inclusionary
Period: One (1) Year

60.40 Reports – Submission of

Officers shall submit written reports as required by, and in conformity with, Departmental orders or instruction of a superior officer.

Penalty- First Offense: Oral Reprimand
Second Offense: Written Reprimand
Third Offense: One (1) Day Suspension
Inclusionary
Period: One (1) Year

60.45 False Reports

Officers shall not knowingly make a false report, either verbal or written.

Penalty- As deemed necessary by the Chief of Police.

60.50 Reporting Use of Chemical Agents

Officers shall follow Departmental regulations in regard to reporting the use of aerosol gas (chemical mace), or other approved chemical agents.

Penalty- First Offense: One (1) Day Suspension
Second Offense: Three (3) Days Suspension
Third Offense: Ten (10) Days Suspension
Inclusionary
Period: One (1) Year

60.55 Reports – Use of Force on Prisoner or Any Person

Officers shall, in writing, report immediately to their Watch Commander any use of force on a prisoner or any person that results in injury. The officer shall also make a notation in his Arrest or Incident report that a report was submitted to the Watch Commander. If the Watch Commander is involved, the report shall be forwarded to the Division Commander.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Fourth Offense:	Dismissal
	Inclusionary Period:	One (1) Year

60.60 Discharging Firearms

Officers shall follow approved Departmental procedures when a firearm is discharged at other than an approved range. This policy shall not apply to officers hunting or target shooting in approved areas and following all rules, regulations, and laws.

Penalty-	First Offense:	One (1) Day Suspension
	Second Offense:	Ten (10) Days Suspension
	Third Offense:	Thirty (30) Days Suspension
	Fourth Offense:	Dismissal
	Inclusionary Period:	One (1) Year

60.65 Reports – Off-Duty Police Action

All sworn personnel will immediately advise the Department, with a follow-up in writing upon their return to work, if they are involved in any police action during their off-duty hours. This would include the questioning or apprehension of a suspect, the drawing of a weapon due to police action, or assisting either a citizen or another police agency to question, apprehend, or in any way be involved with a suspect.

If a Watch Commander receives a call from an officer reporting this type of incident, the Watch Commander will make a note of the time and the place of the incident. This note will be given to the appropriate Division Commander, with a copy to the Chief of Police prior to the Watch Commander's end of watch.

Penalty - Penalty as deemed necessary by the Chief of Police.

70.00 DUTY RESPONSIBILITIES

70.05 Orders – On Duty or Off Duty

Officers are held to be always on duty, although periodically relieved from routine performance. Officers are always subject to orders from superior officers during the performance of their duties and although they may be technically off duty, they shall not be relieved of the responsibility of taking proper police action in any matter coming to their attention.

Penalty - Action as deemed necessary by the Chief of Police.

70.10 Reporting Off Duty

Officers shall, at the completion of their shift, report to the Police Station that they are going off duty, unless a superior officer has authorized an alternate procedure.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Fourth Offense:	Dismissal
	Inclusionary Period:	One (1) Year

70.15 Familiarization

Officers shall memorize the location of streets, hospitals, depots, public buildings, government agencies, and important business establishments and associations in the City. They shall also be required to be familiar with the names of all City Officials and their resident addresses.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary Period:	One (1) Year

70.20 Fire Discovery

Officers who discover a fire, shall report the exact location and the type of fire by radio or telephone. They shall then, without further delay, when possible, secure the safety of any person in the building. If the fire is in a building and during the hours of darkness, the officer shall be responsible for the awakening of all persons in the building and the immediate adjoining buildings.

Penalty – Penalty action as deemed necessary by the Chief of Police.

70.25 Fire – First on Scene

The Watch Commander, or the first officer at the scene of any fire, after securing the safety of any person involved, shall establish a blockade at each end of the street and insure the Fire Department of traffic control within the fire area.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Three (3) Days Suspension
	Inclusionary	
	Period:	Three (3) Years

70.30 Completion of Assignment

Officers dispatched on assignment, shall, at the completion of the assignment, notify the dispatcher, and shall in brief, outline what action was taken. In the event that the investigation requires an unusually long period of time, the assigned officer shall notify headquarters by radio or telephone the cause of delay and what action is being taken.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five(5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

70.35 Vice Conditions

Officers, having reason to believe that liquor, narcotics, dangerous drugs, prostitution, or gambling laws are being violated, and officers having any information regarding any felony or wanted person, shall, without unnecessary delay, report all details to their superior officer, who shall direct what action should be taken or forward the information to the Investigation Division in writing.

Penalty – Penalty action as deemed necessary by the Chief of Police.

70.40 Crime Scene

Officers assigned to, or who come upon the scene of, a crime or suspicious death, shall take immediate steps to care for the injured, apprehend the perpetrator, and investigate the circumstances surrounding the occurrence. They shall protect the scene and prevent the destruction, mutilation, concealment, or contamination of any physical evidence found at the scene.

Penalty - Penalty as deemed necessary by the Chief of Police.

80.00 ARRESTS

80.05 Arrests – Search of Prisoner

Officers making an arrest shall conduct a "pat down" for weapons, consistent with the most recent court decisions. A thorough search shall be made prior to transporting the arrestee to the Police Department whenever legal and practical to do so. All prisoners shall be subjected to a custodial search before being placed in a cell.

After the arrestee is searched, the officer shall take such precautions to prevent an escape/injury to prisoner, or to himself.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

80.10 Arrest – Booking Procedure – Property Other Than Weapons and Evidence

During custodial searches property other than weapons and evidence shall not be remove from prisoners except in the presence of the booking officer or arresting officer.

Prisoners shall be given a receipt for money and any property taken from them.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

80.15 Arrest – Personal Quarrels – Family

Officers shall not, except with the permission of their Watch Commander, make arrests resulting from their own quarrels or from those in their immediate family except under extreme circumstances.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

80.20 Arrest – Traffic Not in Uniform

Off duty officers shall not arrest traffic violators on sight, except when the violation involves an accident where they are not personally involved or driving under the influence.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

80.25 Arrest – Use of Force

Officers shall not use unnecessary force or violence in making an arrest, or in dealing with a prisoner or any person. Prisoners shall always be treated in a fair and humane manner. Officers shall not strike or use any other form of physical force on a prisoner or other person except when necessary to prevent an escape or in self-defense, or to prevent violence to another person. When such exceptions are made, it shall be done with the minimal force necessary.

Penalty – Penalty action as deemed necessary by the Chief of Police.

80.30 Arrests – Use of Police “Sap”

All uniform personnel shall be restricted from carrying the weapon commonly referred to as police "sap", also known as "billy", "blackjack", "sand club", "sand bag", or "sap gloves".

Penalty-	First Offense:	One (1) Day Suspension
	Second Offense:	Five (5) Days Suspension
	Third Offense:	Dismissal
	Inclusionary	
	Period:	One (1) Year

80.35 Arrests – Search of Police Vehicles

Officers shall search the transporting vehicle, if circumstances are such that this is possible, before and after transporting any prisoner to the Police Department.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

80.40 Arrests – Dismissal of Criminal Charges After Booking

After booking, officers shall not dismiss the charges against an arrested person unless there is sufficient good reason and then only with the knowledge and consent of the Watch Commander.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

80.45 Arrests – Release on Own Recognizance

Officers shall not release prisoners on their own recognizance without the approval of the Watch Commander on the "Released By" section of the white booking. An exception to this order will be a Detective.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

90.00 COURT APPEARANCES

90.05 Court – Appearances – Punctuality

Officers shall not fail to appear in Court at the time specified by their subpoena and they shall not leave until authorized by a competent authority. If duty or sickness prevents the officer from being present at the appointed time and place, the officer shall notify the Day Watch Commander and the Court Liaison Officer so that the appropriate notice can be made to the Court.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

90.10 Conduct – Testimony – Truthfulness

An Officer's conduct while in Court, both on and off the stand and while in other parts of the building, shall be exemplary. During testimony, the officer shall be completely truthful and accurate to the best of his recollection. The officer shall avoid any indication of prejudice, anger, or enmity.

Penalty - Penalty as deemed necessary by the Chief of Police.

90.15 Personal Appearance

Officers shall wear a neat and clean class “A” uniform, business suit or sport coat when subpoenaed to Court, except when authorized to appear in different attire by a superior officer or a deputy district attorney. No lapel pins indicating membership in any organization shall be worn by the officer when appearing in Court.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

90.20 Witness Fees

Officers shall not accept any remuneration for appearing in any court, except the agreed-upon pay from the City of Hermosa Beach.

Penalty-	First Offense:	One (1) Day Suspension
	Second Offense:	Five (5) Days Suspension
	Third Offense:	Dismissal
	Inclusionary	
	Period:	Two (2) Years

100.00 CONDUCT – CRIMINAL CASES – GENERAL

100.05 Compromising Criminal Cases

Officers shall not, for personal gain or benefit, use their official position to make any arrangement for any criminal to evade prosecution.

Penalty - Penalty as deemed necessary by the Chief of Police.

100.10 Criminal Information

Officers shall not reveal any information in their possession, however obtained, which may enable anyone to escape detection, arrest, or prosecution; or enable anyone to destroy evidence, or to destroy or secrete stolen property.

Penalty - Penalty as deemed necessary by the Chief of Police.

100.15 Withholding Criminal Information

Officers receiving or possessing facts or information relative to a criminal offense or case, shall not retain such facts or information through ulterior motives or desire for personal credit but shall report the facts or information in accordance with Departmental procedures.

Penalty-	First Offense:	One (1) Day Suspension
	Second Offense:	Ten (10) Days Suspension
	Third Offense:	Thirty (30) Days Suspension
	Fourth Offense:	Dismissal
	Inclusionary	
	Period:	One (1) Year

110.00 PRISONERS

110.05 Prisoners – Suspects – Transacting With

No officer shall buy or accept any article for personal disposition from any suspect or prisoner or from any associate of any suspect or prisoner. This does not apply to items for display by the Department for the public.

Penalty-	First Offense:	One (1) Day Suspension
	Second Offense:	Ten (10) Days Suspension
	Third Offense:	Dismissal
	Inclusionary	
	Period:	Three (3) Years

110.10 Prisoners – Suspects – Availability of Weapons

Officers shall not place weapons or objects adaptable for use as weapons and capable of inflicting serious bodily injury, or permit such weapons or objects to remain unattended in any location within the police building normally accessible to a prisoner or suspect.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

110.15 Prisoners – Suspects – Female – Transportation

If it becomes necessary to transport a female prisoner or suspect without a female officer or matron present, the transporting male officer shall report by radio and have recorded on the log, the location of the arrest, the time and the mileage on the odometer, including tenths of miles. At the completion of transporting, the ending mileage including tenths of miles shall also be recorded on the log.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

110.20 Prisoners – Suspects – Female – Handling

Female suspects, after field arrest, shall be handcuffed to ensure officer safety. A female officer or jailer should be called to the arrest location to conduct a pat-down search for weapons.

In the absence of a female officer or jailer, consistent with current case law and officer safety requirements, a male officer may conduct a cursory pat-down search for weapons prior to transporting the female prisoner.

In any case wherein the arrested female is suspected of involvement in the use of a firearm or other deadly weapon, the officer shall conduct a search prior to transporting the suspect, even absent a female officer or jailer.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary Period:	
		Two (2) Years

110.25 Prisoners – Suspects – Female – Processing

Male officers shall utilize the services of a police woman, matron, or authorized female employee, during any custodial search of a female prisoner.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary Period:	
		One (1) Year

110.30 Prisoners – Attorneys

Officers shall not recommend an attorney to a suspect or prisoner, except if the suspect or prisoner is a member of the officer's immediate family.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	Three (3) Days Suspension
	Third Offense:	Ten (10) Days Suspension
	Inclusionary Period:	
		Two (2) Years

110.35 Prisoners – Bail Bondsmen

Officers shall not post bail or recommend or suggest any person or firm engaged in the business of furnishing bail to any prisoner, except if the prisoner is a member of the officer's immediate family

Penalty-	First Offense:	Written Reprimand
	Second Offense:	Three Day (3) Days Suspension
	Third Offense:	Ten (10) Days Suspension
	Inclusionary	
	Period:	Two (2) Years

110.40 Prisoners – Jailing of Unconscious or Injured

Officers shall not cause to be jailed any unconscious prisoner nor shall any injured prisoner be jailed until he has been examined by the Watch Commander and it is determined whether the prisoner requires medical attention.

Penalty-	First Offense:	One (1) Day Suspension
	Second Offense:	Three Day (3) Days Suspension
	Third Offense:	Ten (10) Days Suspension
	Fourth Offense:	Dismissal
	Inclusionary	
	Period:	One (1) Year

110.45 Prisoners – Fraternalizing

No officer shall engage in any game, contest or wager with any prisoner, or furnish a room, house, or any place for a prisoner when they are released.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

110.50 Prisoners – Agreement

Officers shall not hold for safekeeping, sell or attempt to sell, any real or personal property of any prisoner or suspect which he is not required to do by law.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

110.55 Bail Bondsmen – Attorney – Referral

Officers shall not refer prisoners or suspects to a bail bondsman or an attorney under any circumstances unless the prisoner or suspect is a member of the officer's immediate family.

Penalty-	First Offense:	Fifteen (15) Days Suspension
	Second Offense:	Thirty (30) Days Suspension
	Third Offense:	Dismissal
	Inclusionary Period:	
		Three (3) Years

120.00 CIVIL ACTIONS INVOLVING EMPLOYEES

120.05 Civil Actions

Officers shall first notify the Chief of Police before initiating any civil action arising out of their official duties.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	Five (5) Days Suspension
	Third Offense:	Dismissal
	Inclusionary Period:	
		One (1) Year

120.10 Civil Cases – Misuse of Position

Officers shall not use their positions with the Department as a means of forcing or intimidating persons, with whom they are engaged in civil matters, to settle the case in favor of the officer.

Penalty-	First Offense:	Ten (10) Days Suspension
	Second Offense:	Dismissal
	Inclusionary Period:	
		Three (3) Years

120.15 Servicing Civil Papers

Officers shall not serve civil papers, except in the performance of their duty. This section does not apply to papers being served by officers for members of their immediate family while they are off duty and not in uniform.

Penalty-	First Offense:	Written Reprimand
	Second Offense:	Five (5) Days Suspension
	Third Offense:	Dismissal
	Inclusionary Period:	
		One (1) Year

130.00 REWARDS – GRATUITIES

130.05 Courtesy Cards – Badges

Officers of the Hermosa Beach Police Department shall not issue to any person a courtesy card, membership card, badge or any other device that would aid or assist any person in avoiding the penalty of arrest or citation. All officers are further instructed to seize any such card, badge, or device presented to them by any person, regardless of from whom it was issued or for whatever reason. Anything of this nature seized shall be forwarded to the Chief of Police.

Penalty-	First Offense:	One (1) Day Suspension
	Second Offense:	Five (5) Days Suspension
	Third Offense:	Ten (10) Days Suspension
	Inclusionary	
	Period:	One (1) Year

130.10 Solicitation – Acceptance

Officers shall not solicit or accept rewards, presents, gratuities or compensation other than that paid by the City of Hermosa Beach, or as authorized by Department Order, for any police service on or off duty.

Penalty-	First Offense:	One (1) Day Suspension
	Second Offense:	Five (5) Days Suspension
	Third Offense:	Ten (10) Days Suspension
	Inclusionary	
	Period:	One (1) Year

130.15 Solicitation – Special Privileges

Officers shall not use their badge, uniform, ID card, or official position for personal gain to solicit or receive special privileges for themselves or others, such as free admission to place of amusement, discounts or purchases, or other favor, except as expressly permitted in Departmental Orders or in writing by the Chief of Police. An officer may use his badge or other official credentials to obtain admission to any public gathering when such use is in the performance of duty.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

140.00 RELATIONS WITH PUBLIC – GENERAL

140.05 Identification to Public

Plain clothes officers on official business shall, at all times, identify themselves immediately by giving their names and displaying their badges or official credentials, unless such action is likely to jeopardize the successful completion of a police assignment. Uniform officers while on duty shall, upon request, give their name and serial numbers.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

140.10 Communications – General – Language

No employee shall knowingly use profanity, obscenity, or disparaging remarks in the presence of the public, or in the presence of any employee likely to be offended.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

140.15 Public Talks

Officers shall secure permission through the office of the Chief of Police prior to speaking to a public assembly as a representative of the Department.

Penalty-	First Offense:	One (1) Day Suspension
	Second Offense:	Ten (10) Days Suspension
	Third Offense:	Dismissal
	Inclusionary	
	Period:	Two (2) Years

150.00 EQUIPMENT ON PERSON – FIREARMS

150.05 Firearms Discharge

Officers shall not discharge a firearm or use any other type of deadly force in the performance of their duties, except under the following circumstances and after all other means fail:

1. In the necessary defense of himself or any other person who is in imminent danger of death or great bodily harm.

2. To effect an arrest, or to prevent an escape of a felony subject, or to recapture an escaped felony suspect when:

a. The crime for which the arrest is sought involved conduct including the use or threatened use of deadly force; and

b. There is a substantial risk that the person whose arrest is sought will cause death or great bodily harm if his apprehension is delayed.

3. To kill a dangerous animal which is attacking the officer or other person or persons, or which, if allowed to escape, presents a danger to the public.

4. When humanity requires the destruction of an animal to save it from further suffering, and other disposition is not possible.

5. For target practice at an approved range.

A member of the Department shall not discharge a firearm under the following circumstances:

1. As a warning shot.

2. From or at a moving vehicle unless the circumstances come within the provisions of the Firearms Policy, and can be accomplished without endangering other persons.

Penalty - Penalty action as deemed necessary by the Chief of Police.

150.10 Firearms – Cleaning or Loading

Officers shall not clean, load or unload firearms in an unsafe area or unsafe manner.

Penalty -	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Fourth Offense:	Dismissal
	Inclusionary Period:	One (1) Year

150.15 Firearms – Selling

Officers shall not lend, give, or sell any firearms to any person who does not have a legal right to possess such firearm.

Penalty - First Offense: Dismissal

150.20 Firearms – Drawing

Officers shall only draw their sidearm, or their shotgun, when they are arresting or attempting to arrest any person or persons, whom they believe is about to commit or in the process of

committing, or who has recently committed a felonious crime, or when entering a structure or area where a possible danger to the officer or other person exists.

Penalty-	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

150.25 Firearms – Off Duty

Officers shall not carry any firearms off duty which have not been approved by departmental regulation or issued to them. This order does not pertain to hunting rifles or other sports weapons not concealed on the person.

Penalty-	First Offense:	One (1) Day Suspension
	Second Offense:	Five (5) Day Suspension
	Third Offense:	Dismissal
	Inclusionary	
	Period:	One (1) Year

150.30 Firearms – Exposed to View

Officers shall not, when off duty or when on duty in civilian clothes, wear or carry their firearm in such a manner that they are conspicuously exposed to public view. This section does not apply to the police building.

Penalty -	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Fourth Offense:	Dismissal
	Inclusionary	
	Period:	One (1) Year

150.35 Firearms – Display of

Officers shall not unnecessarily display any firearm in any public place, or carelessly handle firearm at any time.

Penalty -	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Fourth Offense:	Dismissal
	Inclusionary	
	Period:	One (1) Year

150.40 Firearm – Loss of – Report

Officers shall file a written report immediately following the loss of any personal or Departmental firearm.

Penalty -	First Offense:	One (1) Day Suspension
	Second Offense:	Five (5) Days Suspension
	Third Offense:	Dismissal
	Inclusionary Period:	
		One (1) Year

150.45 Firearm – Prohibited Use

No officer shall use a firearm in any fashion for the purposes of intimidation or joking. No officer shall draw or point a firearm at any adequately restrained or handcuffed prisoner or detainee.

Penalty -	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary Period:	
		One (1) Year

160.00 EQUIPMENT ON PERSON – GENERAL

160.05 Personal Weapons

Officers shall not carry any privately owned firearms or other weapons that are not specified in the Regulations without the written authorization of the Chief of Police; except that during a temporary emergency, such weapons may be carried with the verbal approval of a commanding Officer. Officers shall not carry in any Police vehicle privately owned weapons without the prior written permission of the Chief of Police, other than approved backup sidearms.

Penalty -	First Offense:	Written Reprimand
	Second Offense:	Five (5) Days Suspension
	Third Offense:	Dismissal
	Inclusionary Period:	
		One (1) Year

160.10 Automatic Weapons – Chemical

Officers shall not carry or use submachine guns, gas, or other types of chemical weapons not specifically approved for Departmental use. Use of such weapons or gas must have the approval of a Commanding Officer.

Penalty -	First Offense:	One (1) Day Suspension
	Second Offense:	Five (5) Days Suspension
	Third Offense:	Dismissal
	Inclusionary	
	Period:	Two (2) Years

160.15 Chemical Agent Dispenser – Use of

Officers shall use a chemical agent on the performance of police duty only when necessary, and after reasonable efforts to control a violent person have failed. All Departmental Regulations regarding chemical agents shall be followed.

Penalty -	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Fourth Offense:	Dismissal
	Inclusionary	
Period:	Two (2) Years	

160.20 Equipment Specifications

Officers on duty shall not carry any equipment which does not conform with the specifications in the duty manual or on file in the office of the Chief of Police.

Penalty -	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Three (3) Days Suspension
	Fourth Offense:	Ten (10) Days Suspension
	Inclusionary	
Period:	One (1) Year	

160.25 Batons – Use of

Batons shall be used in the performance of an officer's duty only when necessary.

Penalty -	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Fourth Offense:	Dismissal
	Inclusionary	
Period:	Two (2) Years	

160.30 Batons – Carry of

All officers shall carry a serviceable and departmentally approved baton while in the field and outside their Police vehicle, except on assigned report calls when it shall be optional.

Penalty -	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

170.00 CARE AND USE OF DEPARTMENTAL EQUIPMENT – GENERAL

170.05 Equipment – Authorization to Use

Officers, while on duty, shall not drive or use any equipment unless he is licensed and/or authorized to do so.

Penalty -	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

170.10 Departmental Property – Moving

Officers shall not move equipment or furnishings outside of the division to which the equipment is assigned without permission of the commanding officer of the division concerned.

Penalty -	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

170.15 Departmental Property – Loss of – Damage to – Report

Officers shall promptly report in writing, through channels to their superior officer, the loss, damage to, or unserviceable condition of, any Departmental property or equipment issued for or assigned to, their use.

Penalty -	First Offense:	One (1) Day Suspension
	Second Offense:	Five (5) Days Suspension
	Third Offense:	Dismissal
	Inclusionary	
	Period:	One (1) Year

170.20 Damage to Equipment – Failure to Report

Any officer who knowingly damages Departmental equipment, regardless of how slight, shall make a report immediately in writing to the Chief of Police through the chain of command.

Penalty -	First Offense:	One (1) Day Suspension
	Second Offense:	Five (5) Days Suspension
	Third Offense:	Dismissal
	Inclusionary	
	Period:	One (1) Year

170.25 Department Equipment – Care and Use of

Officers shall be responsible for the proper care, use, and maintenance of the Department firearm and equipment entrusted to them.

Penalty -	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Fourth Offense:	Dismissal
	Inclusionary	
Period:	One (1) Year	

170.30 Police Department Stationery and Forms

Officers shall not use any Departmental stationery or forms for personal use.

Penalty -	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

170.35 Police Manual

Officers shall maintain a current Manual or Manuals covering General Orders, Procedures, Rules and Regulations, or any orders, rules, regulations, or procedures issued to them by the Chief of Police. They shall be maintained in good order at all times. This manual shall be stored in the station and shall be accessible to the officer at all times during his tour of duty.

Penalty -	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

170.40 Bulletin Board

No bulletin boards, blackboards, or graphic displays of any kind shall be displayed within the confines of the police station or departmental facilities without prior written approval of the Chief of Police.

Penalty -	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

170.45 HBPOA Bulletin Board

The Hermosa Beach Police Officers' Association may maintain a bulletin board to be posted in the officers' locker room and to be available for Association related matters.

Penalty -	First Offense:	Written Reprimand
	Second Offense:	One (1) Day Suspension
	Third Offense:	Five (5) Days Suspension
	Inclusionary	
	Period:	One (1) Year

170.50 Individual Officers' Mailboxes – Use of

Officers' mailboxes shall be used solely to communicate official or work-related documents and items.

Penalty -	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

Officers shall check and purge their mailboxes daily and shall not use them to store paperwork and other items beyond a single day.

Penalty -	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Inclusionary	
	Period:	One (1) Year

180.00 CITY OWNED VEHICLES

180.05 Police Department Vehicles – Safe Operation

Officers operating Police Department vehicles shall drive in a safe and legal manner. In emergency situations, the officer shall drive in a reasonable and prudent manner, following Departmental Regulations. Officers shall not use Police Department vehicles to ram or block other vehicles or moving objects unless:

- a. It is necessary in defense of the officer's life or the life of another person, or
- b. After all reasonable means have failed, it is necessary to prevent the escape of a person whom the officer has reasonable cause to believe is a felon and in the officer's judgment, a serious threat to life.

Penalty - Action as deemed necessary by the Chief of Police.

180.10 Vehicle – Reserves – Driving of (Section eliminated October 12, 1994)

180.15 Police Vehicles – Passengers

Officers operating Police Department vehicles shall not permit passengers to ride with them, except when authorized by a Watch Commander or Commanding Officer. This section does not include detectives while on duty.

Penalty - First Offense: One (1) Day Suspension
 Second Offense: Five (5) Days Suspension
 Third Offense: Dismissal
 Inclusionary
 Period: One (1) Year

180.20 Police Department Vehicles – Accidents

Traffic accidents or damage involving Departmental vehicles shall be reviewed by the Traffic Accident Review Board in accordance with the policy governing investigation of accidents and damage. The Review Board shall classify the accident as a minor, moderate, or major accident, and also present their findings to the Chief of Police. The Chief of Police shall take immediate action on the findings of the Board.

Penalty -Minor Accidents: First Offense: Oral Reprimand
 Second Offense: Written Reprimand
 Third Offense: One (1) Day Suspension
 Fourth Offense: Three (3) Days Suspension
 Inclusionary
 Period: One (1) Year

Penalty -Moderate Accidents: First Offense: One (1) Day Suspension
 Second Offense: Three (3) Days Suspension
 Third Offense: Five (5) Days Suspension
 Inclusionary
 Period: Two (2) Years

Penalty -Major Accidents: First Offense: Two (2) Days Suspension
 Second Offense: Five (5) Days Suspension
 Third Offense: Ten (10) Days Suspension
 Inclusionary
 Period: Three (3) Years

190.00 UNIFORMS AND APPEARANCE

190.05 General Appearance

Officers shall appear neat and clean at all times, except when such emergency arises that the officer has no opportunity to prepare and clean up.

Penalty -	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Fourth Offense:	Five (5) Days Suspension
	Fifth Offense:	Dismissal
	Inclusionary	
	Period:	One (1) Year

190.10 Uniforms – Specifications

Officers shall wear the specified uniform while on duty and shall not wear any uniforms, or portions thereof, which do not conform to Regulations.

Penalty -	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Fourth Offense:	Five (5) Days Suspension
	Fifth Offense:	Dismissal
	Inclusionary	
	Period:	One (1) Year

190.15 Uniforms – Equipment – Maintenance of

Officers shall maintain uniforms and personal equipment in serviceable condition. Uniforms and portions thereof shall be clean, pressed, and shall not be noticeably patched, torn, or worn. Shoes, leather, and metal equipment shall be well polished.

Penalty -	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Fourth Offense:	Five (5) Days Suspension
	Fifth Offense:	Dismissal
	Inclusionary	
	Period:	One (1) Year

190.20 Grooming Standards – All Personnel

All personnel shall conform to the uniform and grooming standards as directed in the policy and procedures section.

Penalty -	First Offense:	Oral Reprimand
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Second Offense:	Written Reprimand
Third Offense:	One (1) Day Suspension
Fourth Offense:	Five (5) Days Suspension
Fifth Offense:	Dismissal
Inclusionary	
Period:	One (1) Year

190.25 Grooming Standards – Investigators

Grooming standards for Detective Division personnel shall be determined by the Detective Division Commander, with the approval of the Chief of Police.

Penalty -	First Offense:	Oral Reprimand
	Second Offense:	Written Reprimand
	Third Offense:	One (1) Day Suspension
	Fourth Offense:	Five (5) Days Suspension
	Fifth Offense:	Dismissal
	Inclusionary	
Period:	One (1) Year	



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