CALIFORNIA STATE UNIVERSITY CHICO POLICE DEPARTMENT
GENERAL ORDERS

FALL 2019

LAW ENFORCEMENT CODE OF ETHICS

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

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

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

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

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Revised: 7/3/2007
Revised 10/30/2019

California State University Chico Police Department
General Orders

CHAPTER 1 – LAW ENFORCEMENT ROLE & AUTHORITY
SECTION 100

LAW ENFORCEMENT AUTHORITY

100.1 PURPOSE AND SCOPE

Law enforcement officers are granted the authority to perform their function based on established legal authority. This Department does not tolerate abuse of law enforcement authority.

100.2 PEACE OFFICER POWERS

Sworn members of this department shall be considered peace-officers pursuant to Penal Code§ 830.2. The authority of any such peace officer extends to any place in the State of California, as follows:

(a) As to any public offense committed or which there is probable cause to believe has been committed within the political subdivision which employs the peace officer; or
(b) Where the peace officer has the prior consent of the chief of police, or person authorized by him or her to give consent, if the place is within a city or of the sheriff, or person authorized by him or her to give such consent, if the place is within a county; or
(c) As to any public offense committed or which there is probable cause to believe has been committed in the peace officer's presence, and with respect to which there is immediate danger to person or property, or of the escape of the perpetrator of the offense.

100.2.1 AUTHORITY AND JURISDICTION

The authority of police departments within the California State University is established under Division 8, Chapter 5, Article 3, of Section 89560 of the California Education Code, which states: "The trustees may appoint one or more persons to constitute a police department for the headquarters and for each campus of the California State University. Persons employed and compensated as members of a California State University Police Department, when so appointed and duly sworn, are peace officers. However, such peace officers shall not exercise their authority except:

(a) At the headquarters or upon any campus of the California State University and in an area within one mile of the exterior boundaries of each campus or the headquarters, and in or about other grounds or property owned, operated, controlled, or administrated by the California State University,

or by Trustees or the State - on behalf of the California State University, and

(b) As provided in Penal Code Section 830.2(c).

California Penal Code Section 830.2(c) states that the following persons are peace officers whose authority extends to any place in the state. "A member of the California State University Police Departments appointed pursuant to Education Code Section 89560 of the Education Code, provided that the primary duty of the peace officer shall be the enforcement of the law within the area specified in Section 89560 of the Education Code Section 89560."

Jurisdictional Agreements: Senate Bill 1729 created an addendum to Section 67381 of the Education Code known as the Kristin Smart Campus Safety Act of 1998. The legislation requires local law enforcement agencies and police departments within the California State University Department to enter into a written agreement that delineates which law enforcement agency has operational responsibility for the investigation of Part I violent crimes and delineates the specific geographical boundaries of each agency's operational responsibility.

100.2.2 DEPARTMENT NAME

The official name of the Department shall be "The California State University, Chico Police Department."

For brevity, the California State University, Chico Police Department may be referred to as the Chico State University Police Department, or the Department.

100.3 CONSTITUTIONAL REQUIREMENTS

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

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 2/1/2007

California State University Chico Police Department
General Orders

CHAPTER 1 – LAW ENFORCEMENT ROLE & AUTHORITY
SECTION 102

CHIEF EXECUTIVE

102.1 PURPOSE AND SCOPE

The P.O.S.T. (Peace Officer Standards & Training) Commission has determined that all sworn officers and dispatchers employed within the State of California shall receive certification by P.O.S.T. within prescribed time periods.

102.1.1 CHIEF OF POLICE

Any Chief of Police of this agency appointed after January 1, 1999, shall, as a condition of continued employment, complete the course of training prescribed by P.O.S.T. and obtain the Basic Certificate by P.O.S.T. within two years of appointment.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 2/1/2007

California State University Chico Police Department
General Orders

CHAPTER 1 – LAW ENFORCEMENT ROLE & AUTHORITY
SECTION 104

OATH OF OFFICE

104.1 PURPOSE AND SCOPE

Officers of this agency are sworn to enforce the law and uphold the federal and state constitutions.

104.1.1 OATH OF OFFICE

Upon employment, all sworn employees will be required to affirm the oath of office expressing commitment and intent to respect constitutional rights in discharging the duties of a law enforcement officer.

APPROVED

JOHN M. REID
CHIEF OF POLICE

Revised: 11/25/2019
Revised: 1/31/2018
Effective: 2/1/2007

California State University Chico Police Department
General Orders

CHAPTER 1 – LAW ENFORCEMENT ROLE & AUTHORITY
SECTION 106

CSU, CHICO POLICE DEPARTMENT POLICY MANUAL

106.1 PURPOSE AND SCOPE

The manual of the CSU, Chico Police Department is hereby established and shall be referred to as "The Policy Manual." The Policy Manual is a statement of the current policies, procedures, rules and guidelines of this Department. All prior and existing manuals, orders and regulations which are in conflict with this manual are revoked, except to the extent that portions of existing manuals, orders and other regulations which have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

Except where otherwise expressly stated the provisions of this manual are to be considered as departmental guidelines. It is recognized, however, that police work 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.

106.2 RESPONSIBILITIES

The ultimate responsibility for the contents of the manual rests with the Chief of Police. Since it is not practical for the Chief of Police to prepare and maintain the manual, the following delegations have been made:

106.2.1 CHIEF OF POLICE

The Chief of Police will be considered the ultimate authority for the provisions of this manual and will continue to issue Executive Directives, which shall modify those provisions of the manual to which they pertain. The Executive Directives shall remain in effect until incorporated into the manual on an annual basis.

106.2.2 COMMAND STAFF

Command Staff will consist of the Chief of Police, the Commander and the Lieutenant. The Commander will review all recommendations regarding proposed changes to the manual on an annual basis.

106.2.3 OTHER PERSONNEL

All Department employees suggesting revisions of the contents of the Policy Manual will forward their suggestions, in writing, to the Commander who will consider each suggestion and forward it, with a recommendation, to the Chief of Police.

106.3 FORMATTING CONVENTIONS FOR THE POLICY MANUAL

The purpose of this section is to provide examples of abbreviations and definitions used in this manual.

106.3.1 ACCEPTABLE ABBREVIATIONS

The following abbreviations are acceptable substitutions in the manual and as footnotes. Footnotes are placed three spaces below the last line of text in the left-hand margin.

- Executive Directives may be abbreviated as “ED.”
- Policy Manual Sections may be abbreviated as “Section 106.” or “§ 106.”

106.3.2 DEFINITIONS

The following words and terms will have these assigned meanings, unless it is apparent from the content that they have a different meaning.

Adult	Will mean any person eighteen years of age or older.
CHP	Will refer to the California Highway Patrol.
Department	Will mean the CSU Chico Police Department.
DMV	Will refer to the Department of Motor Vehicles.
Employee/Personnel	Apply to any person employed by the Department.
Juvenile	Will mean any person under the age of eighteen years.
Manual	Will refer to the CSU, Chico PD Policy Manual.
Member	Term applied to all persons who are employed by the police department and will include sworn officers and civilian employees.
Officer/Sworn	Applies to those employees, regardless of rank, who are sworn employees of the CSU, Chico Police Department.
On-Duty	Employee status during the period when he/she is actually engaged in the performance of his/her assigned duties.
OIC	Police Lieutenant, Sergeant, Corporal, or designee.
Order	An instruction either written or verbally issued by a superior.
Rank	Will mean the title of the classification held by an officer.
Shall/Will	Indicates a mandatory action.
Should (or may)	Indicates a permissive or discretionary action.
CSS	Community Service Specialist
Student Assistant	Applies to those employees who are student employees
CSO	Community Service Officers who are also student assistants

106.3.3 DISTRIBUTION OF MANUAL
Copies of the Department Manual shall be issued in the following locations:

- Patrol Sergeants' Office
- Patrol Officers' Office
- Communications/Records

A computerized version of the Policy Manual will be made available on the Department network (Common Drive) for access by all employees and online at www.csuchico.edu/up. The computerized version will be limited to viewing and printing of specific sections. No changes shall be made to the electronic version without authorization from the Chief of Police.

APPROVED

JOHN M. REID
CHIEF OF POLICE

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EFFECTIVE: 6/28/2007

California State University Chico Police Department
General Orders

CHAPTER 2 – ORGANIZATION & ADMINISTRATION
SECTION 200

ORGANIZATIONAL STRUCTURE & RESPONSIBILITY

200.1 PURPOSE AND SCOPE

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

200.2 DIVISIONS

The Chief of Police is responsible for administration of the CSU, Chico Police Department. The Lieutenants are responsible for providing general management direction and control for the CSU, Chico Police Department. The Lieutenants are directly responsible to the Chief of Police, and exercise immediate supervision to all Department Sergeants and Supervisors. There are two divisions in the Police Department as follows:

- Operations Division – led by the Commander
- Support Services Division – led by the Lieutenant

200.2.1 OPERATIONS DIVISION

The Operations Division consists of uniformed Patrol and Field Operations, Investigations, Crime Prevention and Community Involvement, and Traffic Enforcement.

200.2.2 SUPPORT SERVICES DIVISION

The Support Services Division consists of Dispatch Center/911, Information Technology, Parking, Records, Evidence and Property Control, Physical Security, and Internal Affairs.

APPROVED

JOHN M. REID
CHIEF OF POLICE

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California State University Chico Police Department
General Orders

CHAPTER 2 – ORGANIZATION & ADMINISTRATION
SECTION 202

CSU CHICO POLICE DEPARTMENT ORGANIZATION CHART

See attached Organization Chart, or refer to https://www.csuchico.edu/up/

APPROVED

JOHN M. REID
CHIEF OF POLICE

Revised: 1/31/2018
EFFECTIVE: 2/1/2007

California State University Chico Police Department
General Orders

CHAPTER 2 – ORGANIZATION AND ADMINISTRATION
SECTION 204

EXECUTIVE DIRECTIVES

204.1 PURPOSE AND SCOPE

Executive Directives establish an inner-departmental communication that may be used by the Chief of Police to make immediate changes to policy and procedure consistent with the current Memorandum of Understanding and as permitted by Government Code Section 3500 et. seq. Executive Directives will immediately modify or change and supersede sections of this manual to which they pertain.

204.1.1 DIRECTIVE PROTOCOL

Directives will be incorporated into the manual as required upon approval of Command Staff. Each year the Directive(s) will modify existing policies or create a new policy as appropriate. Once the directive has been incorporated into the manual as policy, it will be rescinded.

All existing Directives have now been incorporated in the updated Policy Manual, revised February, 2007.

Directives issued after publication of the manual shall be numbered consecutively starting with the last two digits of the year, followed by the number “1”, etc. For example, 07-1 would be the first directive for 2007.

204.2 RESPONSIBILITIES

204.2.1 COMMAND STAFF

The Command Staff will review and approve revisions of the manual, which will incorporate changes originally made by Executive Directives.

204.2.2 CHIEF OF POLICE

The Chief of Police will issue all Executive Directives.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
EFFECTIVE: 2/1/2007

California State University Chico Police Department
General Orders

CHAPTER 2 – ORGANIZATION & ADMINISTRATION
SECTION 206

DISASTER PLAN

206.1 PURPOSE AND SCOPE

The CSU, Chico Environmental Health and Safety Office prepared an Emergency Operations Plan Manual for use by all CSU employees in the event of a major disaster or other emergency event. The Manual is a flexible guide to managing any emergency based on the State and National Incident Management criteria and the Incident Command System.

206.2 ACTIVATING THE EMERGENCY PLAN

The Emergency Plan is activated in conjunction with the CSU, Chico Emergency Operation's Center (EOC). The CSU, Chico EOC may be activated by:

1. President, CSU, Chico
2. Chief of Police, CSU, Chico
3. VP, Business and Finance, CSU, Chico
4. EOC Director, CSU, Chico
5. Emergency Manager, CSU, Chico

206.3 LOCATION OF MANUALS

The manual for the employees is available electronically in the Department's 'Common' database. Hard copies are maintained in the Department, Communications Center and the EOC.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 2/1/2007

California State University Chico Police Department
General Orders

CHAPTER 2 – ORGANIZATION & ADMINISTRATION
SECTION 208

TRAINING POLICY

208.1 PURPOSE AND SCOPE

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

208.2 PHILOSOPHY

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

208.3 OBJECTIVES

The objectives of the CSU, Chico Police Department's training program are to:

- Enhance the level of law enforcement service to the public.
- Increase the technical expertise and overall effectiveness of our personnel.
- Provide for continued professional development of department personnel.

208.4 TRAINING PLAN

A training plan will be developed and maintained by the Training Manager. The Chief of Police will designate a sergeant or lieutenant to maintain, review, and update the Training Plan on an annual basis. The plan will address the following areas:

- Legislative changes and case law
- State mandated training
- Critical issues training

208.5 TRAINING NEEDS ASSESSMENT

The Training Manager will conduct an annual training-needs assessment of the police department. The needs assessment will be reviewed by the police department's command staff with input from the department’s supervisory staff. Upon approval of the command staff, the needs assessment will form the basis for the Training Plan for the fiscal year.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
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California State University Chico Police Department
General Orders

CHAPTER 2 – ORGANIZATION AND ADMINISTRATION
SECTION 210

ADMINISTRATIVE COMMUNICATIONS

210.1 PURPOSE AND SCOPE

Administrative communications of this Department are governed by the following policies:

210.2 PERSONNEL CHANGES

Personnel changes may be issued periodically by the Chief of Police to announce and document all promotions, transfers, hiring of new personnel, separations, personnel and group commendations, or other changes in status. A memorandum may be generated and distributed announcing these changes.

210.3 CORRESPONDENCE

In order to ensure that the letterhead and name of the CSU Chico Police Department is not misused, all external correspondence shall be on Department letterhead. All Department letterhead shall bear the designation element “University Police.” Personnel shall use Department letterhead only for official business and with approval of their supervisor.

210.4 DEPARTMENT SURVEYS

All surveys made in the name of the CSU Chico Police Department shall be authorized by the Chief of Police or designee.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 2/1/2007

California State University Chico Police Department
General Orders

CHAPTER 2 – ORGANIZATION & ADMINISTRATION
SECTION 212

STAFFING LEVELS

212.1 PURPOSE AND SCOPE

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

212.2 MINIMUM STAFFING LEVELS

Ideal minimum staffing levels should result in the scheduling of at least two officers and one supervisor on duty covering a 24-hour period; 06:00 hours to 06:00 hours. There may be occasions when minimum staffing is reduced.

212.3 PATROL SHIFTS

Current patrol shifts cover a 12-hour period of time (06:00-18:00 & 18:00-06:00)

APPROVED

JOHN M. REID
CHIEF OF POLICE

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California State University Chico Police Department
General Orders

CHAPTER 2 – ORGANIZATION & ADMINISTRATION
SECTION 214

SPECIAL ASSIGNMENTS

214.1 PURPOSE AND SCOPE

The purpose of this policy is to establish what qualifies as a special assignment and establish procedures for awarding special assignment stipends pursuant to Article 21.22 – 21.26 of the CSU-SUPA collective bargaining agreement.

It shall be the policy of this department to select individuals for special assignments based on their skills, knowledge and abilities and to award special assignment stipends to all employees deemed eligible per the Unit 8 contract and the following procedures.

214.2 SUPA CONTRACT CRITERIA FOR AWARDING SPECIAL ASSIGNMENT STIPENDS

Employees in all classifications/ranks shall be eligible to receive a monthly stipend of an amount at or between one hundred dollars and four hundred dollars per month, as determined by the Chief of Police, to perform one or more special assignments. The stipend shall be paid on a month-to-month basis for the duration of the special assignment. (21.22)

Special assignments shall be based on campus needs as determined by the Chief of Police. Special assignments shall be made in writing to affected employees by the Chief of Police in order for the employee to be eligible to receive the stipend. (21.23)

An employee shall not be eligible for the special assignment stipend for any assignment that is considered part of his/her primary, regular duties. Special assignments are in addition to those assignments/duties normally expected for the employee's classification/rank. (21.24)

214.3 CATEGORIES OF SPECIAL ASSIGNMENTS

214.3.1 UNRESTRICTED ASSIGNMENTS

Unrestricted assignments are those that involve the award of special assignment pay on an on-going basis for the duration of the assignment.

Critical Response Unit (CRU) is an example of an unrestricted assignment. If a CRU member voluntarily misses a CRU training, fails to respond to a CRU call-out, or is out on extended sick leave he/she will not receive a special assignment stipend for any month he/she is inactive.

Other unrestricted special assignments include:

- Detective Unit (FBI Task Force)

214.3.2 RESTRICTED ASSIGNMENTS

Restricted assignments are those assignments that involve the award of special assignment pay only when a certain level of participation is achieved during a pay period.

Task oriented restricted assignments include Field Training Officer, FTO Supervisor, Defensive Tactics Instructor (ArrCon, Impact Weapons, Chemical Agent), Range Master, R.A.D. Instructor, Officer In Charge (OIC), Butte County Gang Unit, and similar instructional and/or special reaction team assignments which are conducted periodically rather than daily. Special assignment pay will be awarded only in those months where the activity was actually conducted.

Time oriented restricted assignments include bicycle patrol and other duties specifically assigned when forty (40) hours or more is spent in that assignment in a given month.

214.4 DOCUMENTATION

Any employee who performs a qualifying activity must submit a signed stipend request form to his/her supervisor to be eligible for a stipend award. A copy of this form is located at the end of this section.

To qualify for a restricted special assignment stipend all activities must be approved in advance by the Operations Lieutenant.

It has been determined by the Chief of Police that compensation for special assignments will be in the amount of one hundred dollars.

214.5 REVIEW OF SPECIALIZED ASSIGNMENTS

Annually the Chief of Police will review each specialized assignment for the purpose of determining whether it should be continued. This review will include:

- A listing of all authorized specialized assignments;
- A statement of the purpose of each specialized assignment; and,
- An evaluation of the reasons for initially implementing the specialized assignment.

Any openings for specialized assignments in the Department will be posted and will be filled in the following manner:

- Any individuals who meet the minimum criteria for the position and have an interest in the position will submit a memorandum to the Chief of Police indicating his/her interest and stating his/her qualifications.
- The selection of who will fill specialized assignments 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.
- The Chief of Police will select individuals for assignments based on their qualifications, the needs of the Department and recommendations from the Lieutenants and Sergeants in the Department.

214.6 ROTATION OF SPECIALIZED ASSIGNMENTS

Because of the training required, assignment to most specialized assignments will not be on a rotational basis. 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 to some specialized positions is designed to be on a temporary/rotational basis.

Rotation in specialized positions 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.

Individuals assigned to the system wide Critical Response Unit (CRU) are also assigned on a temporary basis for a period to be determined by the CRU Commanders.

The criteria for selection of personnel and the selection procedures for assignments deemed temporary will be the same as those utilized for selection to any specialized assignment.

APPROVED

JOHN M. REID
CHIEF OF POLICE

CSU Chico Police Department
Special Assignments/Stipend Request Form

Name:		**Month:**	**Year:**
Post Stipend: Intermediate ☐ Advanced ☐ If newly acquired POST certificate, please attach a copy.			*For Dept. Use Only*
Special Assignment Stipend:	✓	Date(s)/Hours per month	
Range Master			
FTO			
FTO Coordinator			
Defensive Tactics Instructor			
Chemical Agents Instructor			
Impact Weapons Instructor			
Emergency Preparedness Instructor			
Investigator/Detective			
OIC			
Communications Training Officer (CTO/Dispatch)			
Specialized Training & Leadership Role in Special Reaction Team (Sexual Assault, Gangs, etc.)			
CRU			
Bike Patrol			
Special Evidence Technician			
Other			

Signature: _____ Date: _____

Supervisor's Signature: _____ Date: _____

EFFECTIVE: 12/16/2019

California State University Chico Police Department
General Orders

CHAPTER 2 – ORGANIZATION & ADMINISTRATION
SECTION 215

RETIREE CONCEALED FIREARMS

215.1 PURPOSE AND SCOPE

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

215.2 POLICY

It is the policy of the CSU Chico Police Department to provide identification cards to qualified former or retired law enforcement officers (officers) as provided in this policy.

215.3 LAW ENFORCEMENT OFFICERS SAFETY ACT (LEOSA)

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

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

215.3.1 LEOSA IDENTIFICATION CARD FORMAT

The LEOSA identification card should contain a photograph of the former officer and identify them as having been employed as an officer. If the CSU Chico Police Department qualifies the former officer, the LEOSA identification card or separate certification should indicate the date the former officer was tested or otherwise found by the Department to meet the active duty standards for qualification to carry a firearm.

215.3.2 AUTHORIZATION

Any qualified former officer, including a former officer of this department, may carry a concealed firearm under 18 USC § 926C when they are:

a) In possession of photographic identification that identifies them as having been employed as an officer, and one of the following:

    1. An indication from the person's former law enforcement agency that they, within the past year, have been tested or otherwise found by the law enforcement agency to meet agency-established active duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

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

b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
c) Not prohibited by federal law from receiving a firearm.
d) Not in a location prohibited by California law or by a private person or entity on their property if such prohibition is permitted by California law.

215.4 CALIFORNIA IDENTIFICATION CARD ISSUANCE

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

a) For the purpose of this policy, honorably retired includes all officers who have qualified for, and accepted, a service or disability retirement. It shall not include any officer who retires in lieu of termination.
b) No CCW Approved endorsement shall be issued to any officer retiring because of a psychological disability (Penal Code Section 26305).

215.4.1 CALIFORNIA IDENTIFICATION CARD FORMAT

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

a) A photograph of the retiree.
b) The retiree's name and date of birth.
c) The date of retirement.
d) The name and address of the department.
e) A Stamped CCW Approved endorsement along with the date by which the endorsement must be renewed (not more than one year). If a CCW endorsement has been denied or revoked, the identification card shall be stamped "No CCW Privilege."

215.5 FORMER OFFICER RESPONSIBILITIES

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

215.5.1 RESPONSIBILITIES UNDER LEOSA

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

a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both their personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.
b) Remain subject to all applicable department policies and federal, state and local laws.
c) Demonstrate good judgement and character commensurate with carrying a loaded and concealed firearm.
d) Successfully pass an annual criminal history background check indicating that they are not prohibited by law from receiving or possessing a firearm.

215.5.2 MAINTAINING A CALIFORNIA IDENTIFICATION CARD CCW ENDORSEMENT

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

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

215.6 DENIAL, SUSPENSION OR REVOCATION OF A LEOSA IDENTIFICATION CARD

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Department. In the event that an identification card is denied, suspended or revoked, the former officer may request a review by the Chief of Police. The decision of the Chief of Police is final.

215.7 DENIAL, SUSPENSION OR REVOCATION OF A CALIFORNIA CCW ENDORCEMENT CARD

A CCW endorsement under Penal Code § 25470 for any officer retired from this department may be denied or revoked only upon a showing of good cause. The CCW endorsement may be immediately and temporarily revoked by the Watch Commander when the conduct of a retired officer compromises public safety.

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 Section 26315).

    1. The retiree shall have 15 days from the date of service to file a written request for a hearing.
    2. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received (Penal Code 26315).
    3. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right.

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

    1. The decision of such hearing board shall be binding on the Department and the retiree.
    2. Any retiree who waives the right to a hearing or whose CCW endorsement has been revoked at a hearing shall immediately surrender their identification card which shall be stamped "No CCW Privilege."

d) Members who have reason to suspect the conduct of a retiree has compromised public safety shall notify the Commander as soon as practicable. The Commander should promptly take appropriate steps to look into the matter and, if warranted, contact the retiree

in person and advise them of the temporary suspension and hearing information listed below.

1. Notification of the temporary suspension should also be promptly mailed to the retiree via first class mail, postage prepaid, return receipt requested (Penal Code 26312).
2. The Commander should document the investigation, the actions taken and, if applicable, any notification made to the retiree. The memo should be forwarded to the Chief of Police.
3. The personal and written notification should be as follows:

    a) The retiree's CCW endorsement is immediately and temporarily suspended.
    b) The retiree has 15 days to request a hearing to determine whether the temporary suspension should become permanent revocation.
    c) The retiree will forfeit their right to a hearing and the CCW endorsement will be permanently revoked if the retiree fails to respond to the notice of hearing with the 15-day period.

4. In the event that personal contact with the retiree cannot be reasonably achieved in a timely manner, the Commander should attempt to make the above notice of temporary suspension through another law enforcement officer.

215.8 FIREARM QUALIFICATION

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

APPROVED

JOHN M. REID
CHIEF OF POLICE

Effective: 2/1/2007
Revised: 2/19/2007
Revised: 01/31/2018
Revised: 11/04/2019
Revised: 06/18/20/20

California State University Chico Police Department
General Orders

CHAPTER 3 – PATROL OPERATIONS
SECTION 300

USE OF FORCE

300.1 PURPOSE AND SCOPE

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

300.1.1 DEFINITIONS

Definitions related to this policy include:

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

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

300.2 POLICY

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

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

The Department recognizes and respects the value of all human life and dignity without

prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

300.2.1 DUTY TO INTERCEDE

Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

300.3 USE OF FORCE

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

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

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

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 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.

300.3.1 USE OF FORCE TO EFFECT AN ARREST

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

300.3.2 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. 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.

(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 (Penal Code § 835a).

(e) The effects of 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.

(l) Training and experience of the officer.

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

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

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

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

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

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

(s) Any other exigent circumstances.

300.3.3 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.

300.3.4 SUBSECTION REMOVED

300.3.5 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 CSU Police Department for this specific purpose.

300.4 DEADLY FORCE APPLICATIONS

If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers should evaluate the use of other reasonably available resources and techniques when determining whether to use deadly force. The use of deadly force is only justified 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. Where feasible, the officer shall, prior to the use of force, make reasonable efforts to identify themselves 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.

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

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

300.4.1 SHOOTING AT OR FROM MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective. Officers should 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 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.

300.5 REPORTING THE USE OF FORCE

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

300.5.1 NOTIFICATION TO SUPERVISORS

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

(a) The application caused a visible injury.

(b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.

(c) The individual subjected to the force complained of injury or continuing pain.

(d) The individual indicates intent to pursue litigation.

(e) Any application of a CED or control device.

(f) Any application of a restraint device other than handcuffs, shackles or belly chains.

(g) The individual subjected to the force was rendered unconscious.

(h) An individual was struck or kicked.

(i) An individual alleges any of the above has occurred.

300.5.2 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.

300.6 MEDICAL CONSIDERATION

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

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

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

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

300.7 SUPERVISOR RESPONSIBILITY

When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

(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 through the appropriate channels

(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.

300.7.1 **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 and to address any training issues.

300.8 TRAINING

Officers will receive periodic training on this policy and demonstrate their knowledge and understanding.

300.9 USE OF FORCE ANALYSIS

At least annually, the Patrol 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.

APPROVED

JOHN M. REID
CHIEF OF POLICE

Effective: 3/28/2007
REVISED: 01/31/2018
REVISED: 12/01/2019

California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 302

LESS LETHAL CONTROL DEVICES

302.1 PURPOSE AND SCOPE

To reduce and minimize altercation-related injuries to officers and suspects, the Department authorizes the use of selected less lethal control devices. Certain less lethal control devices are provided in order to control violent or potentially violent suspects. It is anticipated that the use of these devices will generally result in fewer altercation-related injuries to officers and suspects. The below procedures are for the use and maintenance of less lethal control devices (i.e. Baton/Expandable Baton, Tear Gas, Oleoresin Capsicum Spray, Kinetic Energy Projectiles, and Taser).

302.1.1 WHEN DEVICES MAY BE USED

When a decision has been made to restrain or arrest a violent or threatening suspect, an approved less lethal control device may only be used when its use appears reasonable under the circumstances.

302.1.2 REPORT OF USE

All uses of less lethal control devices shall be documented in the related arrest/crime report.

The supervisory report for less lethal control devices shall be completed by the individual(s) who deployed the less lethal control device(s). An administrative review of the incident shall also be conducted by the supervisor of the officer who deployed less lethal. The report, as well as the supervisory report, will be forwarded to the Operations Lieutenant or designee for review.

The Chief of Police will review the incident and conduct a debriefing / review of the incident. This debriefing will be used to enhance future training and communication of information. The original supervisory report shall be maintained by the department training sergeant for statistical purposes.

302.2 BATON/EXPANDABLE BATON GUIDELINES

Police batons shall be carried only by employees trained and qualified in their use and authorized by the Chief of Police or designee.

Police batons/expandable batons shall be used only when other means of lawful force are either unsuitable or unavailable, and when necessary for crowd control, self-defense, to protect life or property, and to disarm or control potentially dangerous persons and animals.
The baton shall not normally be used to the head, neck, and spine, nor swung in an over-the-head downward striking motion. This restriction does not apply when the confrontation involves the defense against the use of deadly force or a deadly weapon.

Patrol flashlights or other baton-like weapons, while not considered an impact weapon per this section, may be used as such when it is impractical to transition to a baton/expandable or one is not readily available.

302.3 TEAR GAS GUIDELINES

The use of tear gas for crowd control/dispersal or against barricaded suspects shall be based on the circumstances. The sergeant, incident commander or Chief of Police may authorize the delivery and use of tear gas, evaluating all conditions known at the time and determining that lesser force would not reasonably appear to result in the safe control of the suspect(s). Where practical, fire personnel should be alerted or summoned to the scene to control any fires and to assist in providing medical aid or gas evacuation when the scene is safe. Only officers or supervisors trained in the use of tear gas weapons should discharge such devices at the scene.

302.3.1 TEAR GAS ISSUANCE

Chemical agents, including tear gas, shall be issued only to department personnel who are qualified in their use, as required by Section 12403 of the California Penal Code.

302.3.2 TEAR GAS – AUTHORIZATION TO CARRY ON DUTY

Chemical agents issued by the department and approved by statute, including tear gas, shall be carried by on-duty personnel only when authorized by the Chief of Police.

302.3.3 TEAR GAS TO BE CERTIFIED FOR USE

All chemical agents, including tear gas, used by the department shall be certified as acceptable by the State Department of Justice as required by Section 12403 of the California Penal Code.

302.4 OLEORESIN CAPSICUM SPRAY GUIDELINES (PEPPER SPRAY)

Pepper spray is a non-lethal device designed to subdue a person by projecting a specially formulated liquid onto the face. It is a defensive weapon intended to gain control of an unarmed attacker, or to overcome resistance likely to result in injury to either a suspect, a victim, or the officer.

Only authorized personnel may possess and maintain issued oleoresin capsicum spray. Chemical agents are weapons used to minimize the potential for injury to officers, citizens or offenders. They should be used only in situations where such force reasonably appears justified and necessary.

302.4.1 REQUIRED INSTRUCTION FOR USE

All personnel authorized to carry O.C. spray, uniformed and non-uniformed, shall complete the required course of instruction prior to possessing and using the oleoresin capsicum spray. It is not meant to be used repeatedly on an individual, or for long periods of time.

302.4.2 CARRYING OF O.C. SPRAY

Uniformed field personnel who exercise the option of carrying the oleoresin capsicum spray shall carry the device in its holster on the equipment belt. Plainclothes and non-field personnel may carry the oleoresin capsicum spray as authorized, consistent with the needs of their assignment or at the direction of their supervisor.

Canisters involved in any type of malfunction or damage shall be turned in to the individual's supervisor. The officer / individual (regardless of rank) will document the malfunction or cause of damage in a memorandum. The sergeant responsible for oversight of department equipment shall be contacted for an equipment exchange. The equipment sergeant shall be notified and a copy of the memorandum retained in his/her files.

302.4.3 TREATMENT FOR O.C. SPRAY EXPOSURE

After a person has been sprayed and controlled, the officer's immediate concern should be to facilitate the subject's ability to breathe and monitor their breathing while the subject is in custody.

After the person has been controlled, officers are not to sit on the stomach, or be on top of, the subject to such an extent that he/she cannot breathe.

Officers should not lie the person down on their stomach, but rather keep them on their side, or on their back.

302.4.4 MEDICAL TREATMENT FOR O.C. SPRAY EXPOSURE

If the person experiences no physical difficulties, other than discomfort from the spray, proper first aid is to wash the person's face with clear cold water, as soon as the situation allows, but ideally no later than (30) thirty minutes from the time the spray was used.

If at the time the subject begins to have difficulty breathing, i.e. gasping for air, shallow weak breaths, the inability to talk, these are all signs of a life threatening emergency and emergency medical services need to be called.

The subject will need to be monitored while awaiting an ambulance. If at any time an officer is not sure if the person is breathing, the officer should place his/her ear over the subject's mouth, and turn his face towards subject's feet, and look for signs of movement in the chest area. Officers should listen for signs of air being exhaled through the mouth and nose, and feel for air from subject's mouth and nose on officer's cheek.

If the officer determines the subject is not breathing, the officer will need to determine if the subject has a pulse to determine which basic life support skills, rescue breathing, or CPR, will need to be initiated.

302.5 KINETIC ENERGY PROJECTILES

This Department is committed to reducing the potential for violent confrontations with the suspects we encounter. Less lethal force technology and equipment are those items, which when used properly, are less likely to result in death or serious physical injury.
Less lethal technology includes several types of kinetic energy projectiles. These include: designated less lethal 12-gauge launchers, 40 mm launchers, 37 mm launchers, FN303 Less Lethal Launchers, and PepperBall SA200 System Launchers. Less lethal munitions can be used in an attempt to de-escalate a potential deadly situation, and reduce the possibility of serious physical injury or death.

302.5.1 DEPLOYMENT

Less lethal munitions are justified and may be used to compel an individual to cease his or her actions when such munitions present a reasonable option for resolving the situation at hand. Officers are not required or compelled to use less lethal munitions in lieu of other reasonable tactics if the involved officer(s) determine that deployment of these munitions cannot be done safely. The safety of hostages, innocent third party citizens, and officers, takes priority over the safety of subjects engaged in criminal or suicidal behavior.

302.5.2 EXAMPLES OF CIRCUMSTANCES APPROPRIATE FOR DEPLOYMENT

Examples include, but are not limited to, the following types of situations where the subject:

a. is armed with a weapon and the tactical circumstances allow for the safe application of less lethal munitions;
b. has made credible threats to harm himself or others;

c. is engaged in riotous behavior or is throwing rocks, bottles, or other dangerous projectiles at citizens and/or officers;
d. to prevent access to weapons.

302.5.3 DEPLOYMENT CONSIDERATIONS

A number of factors are taken into consideration when an officer determines appropriate force options and when evaluating whether an officer has used reasonable force. Examples of factors which may affect an officer's force option selection include, but are not limited to:

a. Seriousness of the offense in question or reason for contact with the individual;
b. Subject's capability to pose an immediate threat to the safety of officers or others, including, whether the subject appears to be under the influence of drugs or alcohol and/or mental capacity of the subject;
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 other force options and their possible effectiveness,
h. Distance and angle to target,
i. Type of munitions employed,
j. Type and thickness of subject's clothing,
k. The subject's actions dictate the need for an immediate response and the use of less lethal munitions appears appropriate.

302.5.4 DEPLOYMENT DISTANCES

Officers will keep in mind the manufacturer's recommendations regarding deployment when using control devices, but are not solely restricted to use according to these manufacturer recommendations. Each tactical situation must be evaluated on the totality of circumstances at the time of deployment.

302.5.5 DESIGNATED 12-GAUGE LESS LETHAL LAUNCHER

The 12-gauge less lethal launcher with high visible colored (orange or yellow) stock and fore end are designated for deployment of the less lethal "super sock" rounds. Only less lethal munitions are to be deployed in these launchers.

302.5.6 APPROVED LESS LETHAL MUNITIONS

The approved 12-gauge less lethal munitions for patrol use is the Combined Tactical Systems (CTS) model 2581 "Super Sock."

302.5.7 LOADING PROCEDURES

The designated less lethal 12-gauge launcher will be stored in a secured carrier with the fore end rearward, leaving the breech block open. Officers will visually and physically inspect the less lethal launcher to ensure the device is empty. Officers will visually inspect each munition to ensure that they are loading only less lethal super sock rounds.

Only less lethal munitions are to be stored in the side saddle carrier and/or the designated 12-guage launcher carrier case.

302.5.8 SHOT PLACEMENT

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The most effective shot placement is generally in the upper torso. Shots

fired to the extremities, lower abdomen, and buttocks carry a low risk of serious injury (with a low potential for immediate incapacitation).

Five (5) yards is the manufacturer's minimum recommended distance for less lethal application to prevent death or serous injury. At distances greater than twenty (20) yards, accuracy of the "Super Sock" decreases significantly, thereby increasing the chances of striking a critical body area.

In cases where the use of deadly force is justified or immediate incapacitation must be accomplished to prevent death or serious injury, officers are authorized to target any area of the body at any distance.

302.7 FN303 GUIDELINES

Personnel who have completed FN303 training shall be authorized to use the FN303. The FN303 is a device capable of marking, illuminating, incapacitating point targets or as area denial in the impact area of fired rounds.

302.7.1 DEPLOYMENT DISTANCES

The FN303 has a maximum range of 50 meters/54.6 yards at a point specific target.

302.7.2 SHOT PLACEMENT

FN303 projectiles should be targeted at a person's torso or extremities, depending on the distance between the operator and the subject. When deploying the FN303 Launcher in close combat situations (3-12 feet) between the operator and the subject, the recommended target area is the thighs of the subject, not the center of mass.

302.7.3 LOADING PROCEDURES

Check to ensure the air reservoir's ¼ turn value is in the off position, with the muzzle pointed in a safe direction and the safety is in the "on" position. The magazine's transparent housing faces rearward with the projectile feed opening at the top (12 o'clock position). Insert the magazine into the magazine well and push upward until the magazine catch clicks. Pull down on the magazine to ensure it is fully seated.

302.7.4 MEDICAL TREATMENT

If a projectile breaks the skin, clean like any other abrasion. Subject should be medically cleared from a medical facility.

302.8 PEPPERBALL SA200 LAUNCHER GUIDELINES

Personnel who have completed PEPPERBALL SA200 training shall be authorized to use this less lethal launcher. The PEPPERBALL launcher is a less lethal chemical agent delivery system that uses high pressure air launchers to deliver chemical agents from a distance. Persons deploying this delivery system need to consider the direction of the wind, humidity, and temperature as well as surrounding people and places.

302.8.1 DEPLOYMENT DISTANCES

The PEPPERBALL SA 200 Launching system has a target range of 0-30 feet for an individual and a range of 100-150 feet for an area saturation.

302.8.2 SHOT PLACEMENT

The target area consists of arms, shoulders, thighs, knees and shins. The top dart should not be fired higher than the nipple line to the front of the suspect. The entire back is acceptable, except for the head. The front and back of head, groin, throat, face, eyes or spine are never to be targeted. Officers deploying this launching system can use surrounding objects such as a wall, ceiling, the ground, etc. for targeting tactics.

302.8.3 LOADING PROCEDURE
The PEPPERBALL SA 200 Launching system is powered by a 3000 psi high pressure air bottle. The projectiles are loaded / poured into the top of the hopper. The hopper has a 180 projectile capacity.

302.8.4 MEDICAL TREATMENT
Use fresh / cool water to flush the contaminated area, i.e., eyes, and transport to a medical facility for clearance.

302.9 TRAINING REQUIRED FOR USE
Personnel who have successfully completed department approved training shall be authorized to use less lethal projectiles.

302.9.1 SERGEANT RESPONSIBILITIES
The Sergeant shall monitor the use of less lethal control devices in the same manner as all other use of force incidents. When an officer deploys any less lethal system, a supervisor or his/ her designee shall respond to the scene.

The supervisor shall notify the Operations Lieutenant or designee immediately of all less lethal deployment.

302.9.2 DISPOSITION OF LESS LETHAL CONTROL DEVICES
All damaged inoperative less lethal control devices shall be returned to the sergeant/range master for disposition. All expended less lethal devices used outside of training / qualifications shall be logged into evidence.

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

302.9.3 PHOTOS / EVIDENCE
Whenever less lethal is deployed, photographs of the suspect and the affected area should be taken and entered into evidence. Regardless if injuries are visible or not, photographs should be taken.
All evidence should be collected and documented within the officer's report and property sheet. Photos / evidence should be entered into the evidence system.

APPROVED

JOHN M. REID
CHIEF OF POLICE

CSU CHICO POLICE DEPARTMENT
SUPERVISORY REPORT
LESS LETHAL CONTROL DEVICES

California State University, Chico
Police Department
2nd & Normal Streets
Chico, CA 95929-0133
(530) 898-5555

Incident Date: _____
Time of Occurrence: _____
Incident #: _____
Report #: _____

Check One:
- ❑ Indoor
- ❑ Outdoor
- ❑ Holding Facility
- ❑ Hospital
- ❑ Other _____

Incident Type:
- ❑ Disturbance
- ❑ Suicidal
- ❑ Violent Suspect
- ❑ Fight
- ❑ Warrant Service
- ❑ Other _____

Officer: _____ Supervisor: _____

Other Officers Involved: _____

Sergeant Notified: Y / N Sergeant Name: _____

SUSPECT INFORMATION:

Suspect Name: _____

DOB: _____ AGE: _____ SEX: _____ HT: _____ WT: _____ RACE: _____

Suspect Booked: Y / N Charges: _____

USE OF FORCE INFORMATION:

Other Types of Force Used: (Check all that apply)

❑ Verbal ❑ Spark Demo ❑ Impact Weapon ❑ Chemical

❑ Less-Lethal ❑ Firearm ❑ Control Hold

Suspect Armed with a Weapon? Y / N

Type of Weapon: _____

CSU CHICO POLICE DEPARTMENT
SUPERVISORY REPORT
LESS LETHAL CONTROL DEVICES – CONTINUED

MEDICAL INFORMATION:

Injuries Sustained by Suspect: _____

_____

_____

Medical Facility: _____

Was Suspect Admitted? Y / N

Doctor: _____

Medically Cleared? Y / N Suspect Under the Influence? Y / N / UNK

List specific Alcohol / Drug: _____

Suspect Admitted to Butte County Mental Health: Y / N

TASER INFORMATION:

TASER Model (Circle one): X26 / X2 TASER Serial #: _____

TASER Use (Circle one): Success / Failure Suspect wearing heavy clothing: Y / N

Probe Contact: Y / N Stun Gun Contact: Y / N

Number of Air Cartridges Fired: _____ Number of Cycles Applied: _____

Approximate target distance at the time of probe launch:_____

Distance between two probes: _____ Need for additional application: Y / N

Did probe contacts penetrate the suspect's skin? Y / N

Were the probes removed at the scene? Y / N

Did the device respond satisfactorily? Y / N

Were photographs taken? Y / N Digital: _____ 35 mm: _____

Suspect's demeanor after the device was used or deployed: _____

CSU CHICO POLICE DEPARTMENT
SUPERVISORY REPORT
LESS LETHAL CONTROL DEVICES – CONTINUED

WITNESS INFORMATION:

Witness Name: _____ DOB: _____

Address: _____ Phone: _____

Witness Name: _____ DOB: _____

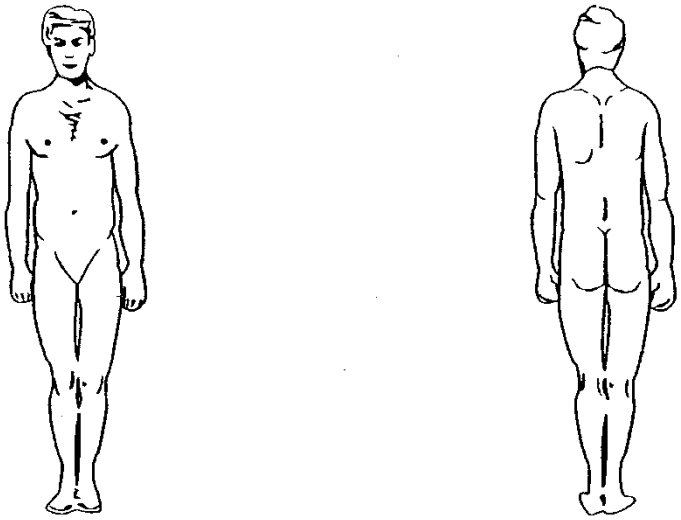
Address: _____ Phone: _____

Witness Name: _____ DOB: _____

Address: _____ Phone: _____

APPLICATION AREAS:

Place X's where use of force was applied:



CSU CHICO POLICE DEPARTMENT
SUPERVISORY REPORT
LESS LETHAL CONTROL DEVICES – CONTINUED

NARRATIVE:

REPORT COMPLETED BY: _____ DATE: _____

Effective: 12/02/2019

California State University Chico Police Department
General Orders

CHAPTER 3 – PATROL OPERATIONS
SECTION 303

CONDUCTED ENERGY DEVICE POLICY

303.1 PURPOSE AND SCOPE
This policy provides guidelines for the issuance and use of CEDs.

303.2 POLICY
The Conducted Energy 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.

303.3 ISSUANCE AND CARRYING CEDS
Only members who have successfully completed department-approved training may be issued and carry the CED.

The CED shall be worn by all full-time sworn field deployed personnel while in uniform. The CED will not be worn as part of the Class A uniform.

CEDs are issued to all full-time sworn personnel for use during a member's current assignment and remain the property of the Department.

Officers shall only use the CED and cartridges that have been issued by the Department. No modifications to the CED or holster are allowed without the prior approval of the Chief of Police. Uniformed officers who have been issued the CED shall wear the device in an approved holster on their person. Non-uniformed officers may secure the CED in the driver's compartment of their vehicle as long as it is concealed from plain view.

Members carrying the CED should perform a spark test on the unit prior to every shift.

When carried while in uniform officers shall carry the CED on the side opposite of the duty weapon.

(a) All CEDs 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 CED.

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

(d) Officers should not hold both a firearm and the CED at the same time.

303.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the CED 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 CED may be deployed.

If, after a verbal warning, an individual is unwilling to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, display the electrical arc, or the laser in a further attempt to gain compliance prior to the application of the CED. 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 CED in the related report.

303.5 USE OF THE CED

The CED has limitations and restrictions requiring consideration before its use. The CED should only be used when its operator can safely approach the subject within the operational range of the device. Although the CED 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.

303.5.1 APPLICATION OF THE CED

The CED may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person:

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

(b) The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and presents an immediate threat to harm officers, him/herself or others.

Mere flight from a pursuing officer is not good cause for the use of the CED to apprehend an individual without other known circumstances or factors, such as the knowledge or reasonable belief that the person is armed with a weapon

303.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the CED 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.

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 CED 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 CED shall not be used to psychologically torment, elicit statements or to punish any individual.

303.5.3 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 CED 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.

303.5.4 MULTIPLE APPLICATIONS OF THE CED

Officers should apply the CED for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the CED 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 CED appears to be ineffective in gaining control of an individual, the officer should consider certain factors before additional applications of the CED, 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 CED at a time against a single subject.

303.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers shall notify a supervisor of all CED discharges. Confetti tags should be collected and the expended cartridge, along with both probes and wire, should be submitted into evidence. 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.

303.5.6 DANGEROUS ANIMALS

The CED 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.

303.5.7 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department CEDs while off-duty.

Officers shall ensure that CEDs 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.

303.6 DOCUMENTATION

Officers shall document all CED discharges in the related arrest/crime report and the CED report form. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges which occur during law enforcement action, pointing the device at a person, laser activation and arcing the device will also be documented on the police report and CED report form.

Unintentional discharges which occur during a non-law enforcement action shall be documented in a memo to the employee’s supervisor.

303.6.1 CED FORM

Items that shall be included in the CED report form are:

a) The type and brand of CED 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 CED 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 CED 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.

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 CED report forms with recorded activations.

303.6.2 REPORTS

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

(a) identification of all personnel firing CEDs

(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

303.7 MEDICAL TREATMENT

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel should remove CED probes from a person's body. Used CED 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 CED probes or who have been

subjected to the electric discharge of the device shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by qualified medical personnel:

a) The person is suspected of being under the influence of controlled substances and/ or alcohol.

b) The person may be pregnant.

c) The person reasonably appears to be in need of medical attention.

d) The CED probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).

e) The person requests medical treatment.

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

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

303.8 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to all incidents where the CED was activated.

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

303.9 TRAINING

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

Proficiency training for personnel who have been issued CEDs should occur every year. A reassessment of Officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the Training Sergeant. All training and proficiency for CEDs will be documented in the officer's training file.

Command staff and part-time officers who do not carry CEDs should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

The employee responsible for training is responsible for ensuring that all members who carry CEDs have received initial and annual proficiency training.

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

The Training Sergeant should ensure that all training includes:

a) A review of this policy.

b) A review of the Use of Force Policy.

c) Performing non-gun-side draws to reduce the possibility of accidentally drawing and firing a firearm.

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

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

f) De-escalation techniques.

g) Restraint techniques that do not impair respiration following the application of the CED.

303.10 MAINTENANCE AND INVENTORY

The Department shall ensure annual maintenance and inventory of the CED is conducted. Only personnel trained to inspect and maintain the CED shall be designated to do so. At the designated interval, the designee shall complete a memorandum to the Watch Commander in charge of the CED program stating the condition and inventory status of the CED's.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 01/31/2018
Effective: 2/13/2007

California State University Chico Police Department
General Orders

CHAPTER 3 – PATROL OPERATIONS
SECTION 304

HANDCUFF POLICY

304.1 PURPOSE AND SCOPE

This Policy provides guidelines for handling situations involving handcuffing during detentions and arrests. This policy is also applicable to Flexcuffs which will be considered synonymous with handcuffs for purposes of this policy.

304.2 HANDCUFFING POLICY

Although recommended for most arrest situations, handcuffing is a discretionary procedure and not an absolute rule of the Department. The arresting officer should consider the circumstances leading to the arrest, the attitude of the arrested person, the age, sex, and health of the person before handcuffing. It must be recognized that officer safety is the primary concern.

It is not the intent of the Department to dissuade officers from handcuffing all persons they feel warrant that degree of restraint, nor is it the intent of this policy to create the atmosphere that in order to avoid risk, an officer should handcuff all persons regardless of the circumstances. In most situations handcuffs should be applied with the hands behind the person. Handcuffs should be removed as soon as the arrested person is safely confined within the jail.

304.2.1 IMPROPER USE OF HANDCUFFS

Handcuffing is never done to punish, to display authority, or as a show of force. Persons are handcuffed only to restrain their hands to ensure officer safety. When practical, handcuffs shall be double locked to prevent tightening which may cause undue discomfort or injury to the hands or wrists.

304.2.2 JUVENILES

Juveniles fourteen years of age or older may be handcuffed when the act committed is of a felonious nature or when their acts have amounted to crimes where the officer has a reasonable suspicion the suspect may have a desire to escape, injure themselves, injure the officer, or destroy property.
Juveniles under fourteen years of age generally will not be handcuffed unless their acts have amounted to a dangerous felony or when they are of a state of mind which suggests a reasonable probability of their desire to escape, injure themselves, the officer, or to destroy property.

304.2.3 HANDCUFFING OF DETAINEES

Situations may arise where it may be reasonable to handcuff an individual who may, after subsequent investigation, be released prior to arrest. Such a situation is considered a

detention, rather than an actual arrest. Handcuffs should be removed as soon as it is determined that the detained person will not be arrested.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 01/31/2018
Effective: 3/28/2007

California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 306

CORD CUFF RESTRAINT DEVICE

306.1 PURPOSE AND SCOPE

When an officer deems it reasonable to restrain the arms and/or legs of a violent or potentially violent person during the course of detention, arrest and/or transportation, only the department approved restraint device will be used, and only in the manner approved for such temporary immobilization of the legs and/or arms.

306.2 USE GUIDELINES

In determining whether to use the cord cuff restraint, officers should consider the following:

- Is the officer and/or others subject to harm due to the assaultive behavior of a violent, resisting and/or attaching suspect;
- Is it reasonable to protect the suspect from his or her own actions which would place him or her in danger, i.e., hitting his or her head against the interior of the patrol unit, running away from the arresting officer while handcuffed, kicking at objects or officers;
- The cord cuff restraint shall be used only after a person has been handcuffed.

306.3 PROCEDURE

The cord cuff restraint is designed to prevent prisoners from being able to “slip” their handcuffs from the rear to the front, to prevent injury to the person in custody or another person, or to prevent property damage as a result of the person in custody using their legs in a manner likely to result in injury or damage. The arms or legs can be restrained independently or together. When the arms and legs are restrained together the term “maximum restraint” shall apply. The cord cuff restraint will only be used to bind and immobilize a person’s legs and/or arms and shall not be applied except as described by department policy. Only those officers trained in the use of the cord cuff restraint are authorized to employ it on any person. The following guidelines shall be used when applying the cord cuff:

- If practical, an officer(s) should notify a supervisor of the intent to place a person in “maximum restraint”. In all cases, a supervisor shall be notified as soon as practical after the application of the cord cuff in the maximum restraint configuration. The supervisor shall inspect the use of the maximum restraint technique and insure it is applied appropriately.
- Absent a medical emergency, the person being restrained shall remain restrained until the officer arrives at the jail or other facility or the person no longer poses a threat.
- The suspect shall not be left immobilized on his/her stomach as this reduces the free flow of air to the lungs.
- The suspect should be constantly watched by an officer while in “maximum restraint”. The officer is to ensure the suspect does not roll onto his/her stomach.

- The officer shall look for signs of labored breathing.

306.3.1 TRANSPORTING RESTRAINED SUSPECTS

When transporting a suspect(s) who has been restrained, officers shall observe the following procedures:

- Cord cuffed suspects may be transported in a police car. They shall be seated in an upright position and secured by a seatbelt. Suspects in “maximum restraint” shall be transported lying on their side across the seat and should be secured with seat belts if possible.
- When taken by an ambulance/paramedic unit, the suspect shall be accompanied by a sworn officer.

306.4 DOCUMENTATION

Any time the cord cuff is used in the maximum restraint configuration, the circumstances requiring the use shall be documented in the related report(s). The officer should include the following in the report:

- The amount of time the suspect was restrained.
- How the suspect was transported and the position of the suspect.
- Observations of the suspect’s physical and physiological actions.
- Any known or suspected drug use or other medical problems.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 01/31/2018
Effective: 2/1/2007

California State University Chico Police Department
General Orders

CHAPTER 3 – PATROL OPERATIONS
SECTION 308

FIREARMS

308.1 PURPOSE AND SCOPE

This policy establishes procedures for the acquisition, use, and documentation of training in the use of firearms. The Chief of Police or his or her designee shall approve all department firearms before they are acquired and utilized by any member of this department. This procedure applies to all members of the department.

Firearms may be fired at the driver or other occupants of a vehicle only when the officer has reasonable belief that the suspect poses an immediate threat of death or serious bodily injury to the officer or others, and the use of deadly force does not create a danger to the public that outweighs the likely benefits of its use. Officers shall not position themselves in the path of a vehicle or knowingly place themselves in an inherently dangerous location in order to prevent a suspect from fleeing. Such actions create a dangerous situation that may not justify the use of a firearm.

Firearms are not designed or intended for use as impact weapons and shall not be used to strike another person, except when necessary to protect the officer or another person from death or serious bodily injury.

308.2 AUTHORIZED WEAPONS

No firearm will be carried on duty that has not been thoroughly inspected by the Rangemaster during a regularly scheduled range date. Except in an emergency, or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that weapon during authorized department training.

308.2.1 DUTY WEAPONS

The department issued handgun is a Glock Model 22, 40 caliber, semi-automatic pistol. All firearms carried on or off-duty shall be of a type approved or issued by the department. The following weapons are approved for use by officers of this department:

A. Handgun – The department issued handgun is a Glock Model 22, .40 caliber, semi-automatic pistol.

B. Shotgun – The shotgun approved for use and furnished by the department is the Remington Model 870, 12 gauge pump-action shotgun.

    1. Shotguns shall be carried in all marked police vehicles equipped with a shotgun mount. They shall be secured in the vehicle's shotgun mount if so

equipped. Shotguns stored in unmarked vehicles shall be concealed in a protective case in a locked trunk or equipment box.

2. Shotguns carried in the patrol vehicle racks should be loaded with ten 00 buckshot rounds (six in the side saddle shell carrier and four in the magazine), and for those shotguns so equipped, four slug rounds in the butt stock. The chamber will be empty, action closed, and safety on.

3. Upon the conclusion of an incident in which a shotgun round has been chambered, the officer shall unload and reload the shotgun in the currently prescribed manner.

C. Patrol Rifle – The patrol rifles approved for use and furnished by the department are the Colt Model LE6920 and the Bushmaster XM15E2S, both with 16" barrels in .223 caliber / 5.56 mm NATO.

1. Rifles carried in the patrol vehicles shall be configured as follows: Chamber empty, bolt forward, selector on "SAFE", and loaded magazine in the magazine well. Spare magazines should be placed in the glove compartment.

2. Upon the conclusion of an incident in which a rifle round has been chambered, the officer shall unload and reload the rifle in the currently prescribed manner.

308.2.2 OPTIONAL DUTY WEAPONS

Officers may carry a personally owned weapon after demonstrating an ability to fire a qualifying score with that weapon. The following weapons are approved for use by officers of this Department:

MAKE	EMPLOYEE	MODEL	CALIBER
Glock	Patrol Officers	22	.40
Glock	Plain Clothes Officer	22, 23 or 27	.40

308.2.3 SECONDARY WEAPON

Sworn personnel may carry a second weapon. It shall be carried concealed on the person. The weapon shall be a semi-automatic handgun or double-action revolver. If the caliber of the weapon is other than department issue, the Chief of Police shall approve ammunition. Sworn personnel carrying a different caliber weapon shall furnish their ammunition.

Before requesting authorization and each range training thereafter, personnel shall qualify with the secondary weapon under range supervision, once every six months, to demonstrate their proficiency, safe handling and serviceability of the weapon.

Authorization for carrying the second weapon shall be obtained by submitting a memorandum via the chain of command to his or her Operations Lieutenant. The memorandum shall include the make, model, serial number, caliber and the manufacturer and type of ammunition (if it is of a different caliber than the Department issue). The range proficiency record shall accompany the memorandum. The Chief of Police may then approve the request.

The weapon shall be between a .380 and .45 caliber, inclusive, revolver, derringer or semi-automatic, and fully concealable. The weapon and ammunition shall be of good quality and workmanship (i.e., Colt, Smith & Wesson, Browning, Walther, etc.). Only one secondary weapon may be carried at a time.

- The purchase of the weapon and ammunition shall be the responsibility of the member.
- The weapon shall be carried out of sight at all times and in such a manner as to prevent accidental cocking, discharge, or loss of physical control.
- It will be the duty of the member to submit the weapon to the Rangemaster for inspection. The Rangemaster shall assure that the member is proficient in handling and firing the weapon and that it will be carried in a safe manner. The weapon shall be subject to inspection whenever deemed necessary.
- Personnel shall provide written notice of the make, model, color, serial number, and caliber of a second weapon to the Rangemaster

308.2.4 OFF-DUTY WEAPONS

The carrying of firearms by sworn officers while off duty is permitted by the Chief of Police, but may be rescinded should circumstances dictate, i.e. administrative leave. Sworn officers who choose to carry a firearm while off duty will be required to meet the following guidelines:

- Any California DOJ approved handgun with caliber not less than .380.
- The purchase of the weapon and ammunition shall be the responsibility of the member.
- The weapon shall be carried out of sight under normal circumstances and in such a manner as to prevent accidental cocking, discharge, or loss of physical control.
- It will be the responsibility of the officer to submit the weapon to the Rangemaster for inspection prior to being carried off-duty. The Rangemaster shall assure that the officer is proficient in handling and firing that weapon and it will be carried in a safe manner. The weapon shall be subject to inspection whenever deemed necessary. The officer will successfully qualify with the weapon prior to it being carried and thereafter once every six months. The range qualification dates will be specified by the Rangemaster.
- A complete description of the weapon(s) shall be contained on the qualification record approved by the Rangemaster.
- If any member desires to own more than one weapon utilized while off duty, he/she may do so, as long as the officer meets all the requirements set forth in this policy for each weapon used.
- Ammunition should be of good quality and manufactured by a departmentally approved company as suggested by the Rangemaster.

308.2.5 AMMUNITION

Officers shall carry only department-authorized ammunition. Ammunition authorized by the department may not be altered in any manner from its condition when manufactured.

308.2.6 ALCOHOL & DRUGS

Weapons shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drugs which would tend to adversely affect the officer's senses or judgment.

308.2.7 HANDGUN AND HIGH CAPACITY MAGAZINE WAIVER LETTERS

The ten-day handgun waiver letter shall be requested through the chain of command from the Chief of Police. Waiver letters will only be provided for department-approved handguns. The officer is provided the original of the waiver letter. Officers shall provide the Rangemaster with a copy of their purchase receipt, indicating the make, model and serial number of the weapon.

The high capacity magazine waiver letter shall be requested through the chain of command from the Chief of Police. High capacity magazine waiver letters shall only be provided for department approved handguns. The original waiver letter is provided to the officer. A copy of the waiver letter shall be placed in the officer's personnel file. Upon a service or medical retirement, the officer may retain the high capacity magazine(s). In all other cases, the officer must surrender the high capacity magazine(s) to the department Rangemaster.

308.3 SAFE HANDLING OF FIREARMS

The intent of this policy is to promote proper firearm safety on and off duty. Employees shall maintain the highest level of safety when handling firearms and shall consider the following:

308.3.1 SAFETY CONSIDERATIONS

Officers shall not unnecessarily display or handle any firearm.

Officers shall be governed by all rules and regulations pertaining to the use of the police range, and shall obey all orders issued by a firearms instructor. Officers shall not "dry fire" or practice "quick draws" except under supervision of a firearms instructor during range training.

Any member who discharges his/her weapon accidentally or intentionally, on or off-duty, except during training or recreational use, shall make a verbal report to the on-duty supervisor as soon as circumstances permit and shall file a written report with his/her Lieutenant prior to the end of shift if on-duty. If off-duty, as directed by the supervisor.

Officers shall not load or unload a firearm anywhere in the department, except where sand barrels are present.

Shotguns or rifles removed from vehicles or equipment storage room shall be loaded and unloaded in the unit parking lot and outside of the vehicle.

Officers shall not place or store any firearm or other weapon in department premises except when the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing a prisoner, and shall place all firearms in a secured location.

Officers shall not use any automatic weapon, heavy caliber rifles, gas or other types of chemical weapon (from the armory), except with approval of a supervisor.

Officers who come into possession of any loaded firearm shall immediately unload the firearm unless the loaded condition is necessary for evidentiary purposes. Officers who are unfamiliar with the unloading procedures of the firearm shall seek assistance from someone who is knowledgeable about the safe unloading of the firearm, prior to unloading or transporting the firearm.

308.3.2 STORAGE OF FIREARMS AT HOME

Officers shall ensure that all firearms and ammunition are locked and secured while in their homes in a manner that will keep them inaccessible to children and irresponsible adults.

Officers shall be aware that negligent storage of a firearm could also result in criminal prosecution under Penal Code § 25100.

308.4 FIREARMS TRAINING AND QUALIFICATIONS

All sworn personnel are required to pass two proficiency shoots per year with their duty weapon on an approved range course. In addition to the proficiency shoots, the Rangemaster will provide all sworn personnel with two practical training shoots per year designed to simulate field situations. The Rangemaster shall keep accurate records of quarterly qualifications, repairs, maintenance and training. The following are reasons for additional proficiency shoots:

A. Officers who are temporarily assigned or transferred to investigative duties shall demonstrate proficiency with the handgun and holster they will use during the investigative assignment. Officer(s) shall contact the Rangemaster to schedule a proficiency shoot. They will be required to satisfactorily complete this shoot prior to the beginning of the new assignment.

B. Extended absence from duty

1. Upon returning to duty after an extended absence, each officer authorized to carry a firearm shall demonstrate familiarity with his/her duty firearm and pass a department proficiency shoot.

    (a) An extended absence is defined as an absence from duty, for reasons other than medical, for a period of 120 days or more.

C. Medical absence from duty

1. Officers who, due to medical restrictions, have been removed from full-duty for more than 120 days, but less that one year, shall demonstrate familiarity with their duty firearm and pass a department proficiency shoot prior to returning to full-duty.

2. Officers who, due to medical restrictions, have been removed from full-duty and have not qualified in the department firearms proficiency shoot for more than one year from the time of the medical restriction, shall not carry a firearm on duty or carry a department issued firearm off-duty until they demonstrate familiarity with their duty firearm and pass a Department proficiency shoot.

3. Officers returning to duty from any medical restriction shall obtain written authorization from a doctor permitting their participation in a proficiency shoot. Officers shall achieve a passing score at a proficiency shoot prior to returning to full-duty. If the officer fails to pass the shoot, he/she will be given an opportunity to remediate and demonstrate proficiency with their duty firearm.

4. Officers with medical restrictions shall notify Range personnel of any limitations prior to beginning any training or proficiency shoot.

308.4.1 NON QUALIFICATION

If any officer is unable to attend range training/qualification for any reason, including injury, illness, duty status, or scheduling conflict, that officer shall complete a memorandum to his/her immediate supervisor to be forwarded to the Rangemaster during the next work period following the missed training/qualification. Failure to attend a department firearms training/shoot without legitimate reason will result in disciplinary action.

Officers participating in the department firearms proficiency shoot shall achieve a passing score. Any officer failing the proficiency shoot must comply with the following:

- Original Test Failure – On the day of the shoot, the officer will be given four additional opportunities to achieve a passing score. These are "re-tests."
- "Re-test" Failure – Officers who fail the original shoot and the four re-tests will be relieved from field assignments. The officer shall remain in that capacity until he/she receives remedial training and achieves a passing score.
- Remedial Training – The officer shall be assigned to a member of the Range staff for remedial firearms training and practice. A remedial test shall be given to the officer within two weeks of the original test date.
- Remedial Test Failure – If an officer fails to achieve a passing score on the remedial test, the remediation process shall cease and the officer shall be referred to command staff via the chain of command for appropriate action with a presumption of termination.

308.5 RANGEMASTER DUTIES

The range will be under the exclusive control of a firearms instructor who is on site. All members attending will follow the directions of a firearms instructor. The firearms instructor will maintain a roster of all members attending the range, and will submit the roster to the Rangemaster and Operations Lieutenant after each range date. Failure of any officer to sign in and out with the firearms instructor may result in non-qualification.

The Rangemaster has the responsibility of making periodic inspection, at least once a year of all duty weapons carried by officers of this department to determine the proper operation. The Rangemaster has the authority to deem any privately owned weapon unfit for service. The officer will be responsible for all repairs to their personal weapon and it will not be returned to service until inspected by the Rangemaster or his/her designee.

308.6 MAINTENANCE AND REPAIR

Firearms carried on-duty shall be maintained in a clean, serviceable condition. Department firearms carried on-duty, including handguns, shotguns and rifles, which become inoperable or jammed, shall be handled in the following manner:

- The officer issued or in charge of the firearm shall affix a wire tag to the unloaded firearm;

- The tag shall contain a brief description of the problem, the serial number, location the firearm is normally maintained and the name of the reporting officer;
- The firearm will then be placed in the Department gun safe and an email sent to the Rangemaster.

The Rangemaster shall be the only person authorized to repair or modify any Department-owned weapon. All repairs and/or modifications of Department issued weapons not performed by the Rangemaster must be approved in advance by the Rangemaster and accomplished by a qualified member of the Firearms Training Staff that has attended the Armor's training course or a department-approved gunsmith.

Since the use of personally owned weapons is at the option of the individual officer, that officer will be responsible for the furnishing, maintenance and repair of such weapon. Any repairs or modifications to the officer's personally owned weapon shall be done at his or her expense and must be approved by the Rangemaster.

308.6.1 LASER SIGHTS

Laser sights may only be installed on a weapon carried on or off duty after they have been examined and approved by the department Rangemaster.

- Any approved laser sight shall be installed only pursuant to manufacturer specifications.
- Once approved laser sights have been properly installed on any weapon, the officer shall qualify with the weapon to insure proper functionality and sighting of the weapon prior to carrying it.

Except in an approved training situation, an officer may only activate a laser sight when the officer would otherwise be justified in pointing a weapon at an individual or other authorized target.

308.7 FLYING WHILE ARMED

The Federal Aviation Administration (FAA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. Here are the guidelines that will directly affect our agency and personnel:

- Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure purposes; and
- Officers must carry their department identification card and California driver's license. Additionally, officer(s) when requested, must present their identification to airline officials; and
- An official letter signed by the Chief of Police authorizing armed travel must accompany the officer(s). The letter must outline the officer's necessity to fly armed, must detail his/her itinerary, and should include that the officer(s) has completed the mandatory FAA training for law enforcement officer(s) flying while armed; and
- Officer(s) must have completed the now mandated FAA security training, covering officers flying while armed. The training shall be given by the department appointed instructor; and POST DVD.

- It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification can be accomplished by early check-in at the carrier's check-in counter; and
- Discretion must be used to avoid alarming passengers or crew by displaying your firearm. The firearm must be kept on your person concealed at all times, and may not be stored in an overhead compartment; and
- Never surrender your firearm to anyone. Resolve any problems with a management representative of the air carrier, which may include the flight Captain and/or ground security manager; and
- No armed officer may consume any alcoholic beverage while aboard an aircraft, or eight hours prior to boarding an aircraft.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 01/31/2018
Effective: 2/1/2007

California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 310

SHOOTING POLICY

310.1 PURPOSE AND SCOPE

The purpose of the shooting policy is to establish procedures for the use and reporting of incidents involving the discharge of firearms. This policy is for internal use only, and does not increase the department's and/or an officer's civil or criminal liability in any way. Violations of this policy can only form the basis for departmental administrative actions.

310.2 POLICY

Officers shall not discharge any firearm in the performance of their duties except as authorized by this department procedure.

No officer shall discharge a firearm in the performance of duty except:

- During authorized training at a target range;
- When the officer has reasonable belief that a subject (or animal) poses an imminent threat of death or serious bodily injury to the officer or another person, or livestock;
- When necessary to apprehend a fleeing suspect if there is probable cause to believe the suspect has committed a felony involving the infliction or threatened infliction of death or serious bodily injury, and the officer reasonably believes the suspect is armed with a deadly weapon and the suspect's escape would pose an imminent threat to the officer or others; and,
- As permitted by Department Procedure for handling of injured animals.

A verbal warning to submit to the authority of the officer shall be given prior to the use of a firearm (or any less lethal instrument), if feasible, and if to do so would not increase the danger to the officer or other persons.

Officers shall exercise the utmost care in their handling and use of firearms while engaged in the performance of their duties and while exercising their option to carry a loaded and concealed weapon while off-duty. Officer should consider the following factors before discharging a firearm:

- Immediacy of the threat;
- Suspect(s) age, size, skill, injury or disability;
- Environment (field of fire);
- Capabilities of the suspect's weapon
- Officer's present capability with the weapon; and,
- Type of crime.

Firearms may be fired at the driver or other occupants of a vehicle only when the officer has reasonable belief that the suspect poses an immediate threat of death or serious bodily injury to the officer or others, and the use of deadly force does not create a danger to the public that outweighs the likely benefits of its use. Officers shall not position themselves in the path of a vehicle or knowingly place themselves in an inherently dangerous location in order to prevent a suspect from fleeing. Such actions create a dangerous situation that may not justify the use of a firearm.

Firearms are not designed or intended for use as impact weapons and shall not be used to strike another person, except when necessary to protect the officer or another person from death or serious bodily injury.

310.3 WARNING SHOTS

Generally, warning shots or shots fired for the purpose of summoning aid are discouraged.

310.4 MOVING VEHICLES

Shots fired at or from a moving vehicle are generally discouraged. This is not intended to restrict an officer's right to use deadly force directed at the operator of a vehicle when it is reasonably perceived that the vehicle is being used as a weapon against the officer or others.

310.5 REPORT OF WEAPON DISCHARGE

Any member who discharges his/her weapon accidentally or intentionally, on or off-duty, except during training or recreational use, shall make a verbal report to the on-duty supervisor as soon as circumstances permit. A copy of a written report will be forwarded to the Operations Lieutenant.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 01/31/2018
Updated: 3/17/2009
Effective: 2/1/2007

California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 312

OFFICER INVOLVED SHOOTING

312.1 PURPOSE AND SCOPE

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

312.2 INVESTIGATION RESPONSIBILITY

This Department conforms to the Butte County protocol for investigating officer involved shootings. Nothing in this policy is intended to increase, modify, or in any way affect the current legal standards nor shall any deviation from these guidelines be considered a breach of any legal standard.

312.3 TYPES OF INVESTIGATIONS

Officer involved shootings involve several separate investigations. The investigations may include:

- Criminal Investigation of the incident by the agency having jurisdiction where the incident occurred. This agency may relinquish its Criminal Investigation to an outside agency with the approval of the Chief of Police or his/her designee.
- A Criminal investigation of the involved officer(s) conducted by an outside agency.
- A Civil Investigation to determine potential liability conducted by the involved officer's agency.
- An Administrative Investigation conducted by the involved officer's agency, to determine if there were any violations of department policy.

312.4 JURISDICTION

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

312.4.1 CSU, CHICO POLICE OFFICER WITHIN CSUC CAMPUS BOUNDARIES

The California State University, Chico Police Department is responsible for the criminal investigation of the suspect's actions, the civil investigation, and the administrative investigation. The criminal investigation of the officer-involved shooting will be conducted by the District Attorney's Office.

312.4.2 ANOTHER AGENCY'S OFFICER WITHIN CSU, CHICO BOUNDARIES

The California State University, Chico Police Department is responsible for the criminal investigation of the suspect's actions. The criminal investigation of the officer involved

shooting will be conducted by the Butte County District Attorney's Office. The officer's employing agency will be responsible for any civil and/or administrative investigation(s).

312.4.3 CSU, CHICO POLICE OFFICER OUTSIDE CSU, CHICO BOUNDARIES

The agency where the incident occurred has criminal jurisdiction and is responsible for the criminal investigation of the incident. That agency may relinquish its criminal investigation of the suspect(s) to another agency. The California State University, Chico Police Department will conduct timely civil and/or administrative investigations.

312.4.4 INVESTIGATION RESPONSIBILITY MATRIX

The following table identifies the possible scenarios and responsibilities for the investigation of officer involved shootings:

Criminal Investigation of Suspect(s)		***Criminal Investigation of Officer(s)***	***Administrative Investigation***
CSUC Officer in CSUC Jurisdiction	CSUC Detectives	District Attorney's Office	CSUC Administration Team
Another agency's officer in CSUC Jurisdiction	CSUC Detectives	District Attorney's Office	Involved Officer's Agency
CSUC Officer in another jurisdiction.	Agency where incident occurred	Decision made by agency where incident occurred	CSUC Administration Team

312.5 THE INVESTIGATION PROCESS

The following procedures are guidelines used in the investigation of an officer involved shooting.

312.5.1 DUTIES OF INITIAL ON SCENE SUPERVISOR

Upon arrival at the scene of an officer involved shooting, the first uninvolved supervisor should:

- Take all reasonable steps to obtain emergency medical attention for all apparently injured individuals.
- Attempt to obtain a brief overview of the situation from any non-shooter officer(s).
    - In the event that there are no non-shooter officers, the supervisor should attempt to obtain a brief voluntary overview from one shooter officer(s).
- If necessary, the supervisor may administratively order any officer from this department to immediately provide public safety information necessary to secure the scene and pursue suspects.
    - Public safety information shall be limited to such things as outstanding suspect information, number and direction of shots fired, parameters of the incident scene, identity of known witnesses and similar information.
- Absent a voluntary statement from any officer(s), the initial on scene supervisor should not attempt to order any officer to provide other than public safety information.
- Provide all available information to the Watch Commander and Communications (If feasible, sensitive information should be communicated over secure networks).
- Take command of and secure the incident scene with additional personnel until relieved by a detective supervisor or other assigned personnel. As soon as practical,

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

- Each involved officer should be given an administrative order not to discuss the incident with other involved officers pending further direction from a supervisor.
- When an officer's weapon is taken or left at the scene (e.g. evidence), the officer will be provided with a comparable replacement weapon.

312.5.2 WATCH COMMANDER DUTIES

Upon learning of an officer involved shooting, the on-duty supervisor shall be responsible for coordinating all aspects of the incident until relieved by the Chief of Police or Operations Lieutenant.

312.5.3 NOTIFICATIONS

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

a) Chief of Police

b) Lieutenant

c) Coroner (if necessary)

d) Officer Representative (if requested)

e) Venue Agency to determine invoking of Butte County Officer Involved Shooting Team Protocol

f) University President

g) Campus Risk Manager

h) University Public Information Officer

All outside inquiries about the incident shall be directed to the on-duty supervisor.

312.5.4 MEDIA RELATIONS

A single press release shall be prepared with input and concurrence from the supervisor and agency representative responsible for each phase of the investigation. This release will be available to the on-duty supervisor, Lieutenants, and Press Information Officer in the event of inquiries from the media.

It will be the policy of this agency to not release the identities of involved officers absent their consent or as required by law. Moreover, no involved officer shall be subjected to contact from the media [Govt. Code § 3303(e)] and no involved officer shall make any comments to the press unless authorized by the Chief of Police or his/her designee.

Law enforcement officials receiving inquiries regarding incidents occurring in other agency jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

312.5.5 INVOLVED OFFICERS

Once involved officer(s) have arrived at the station, the on-duty supervisor should confirm to each officer that the incident is not to be discussed except with authorized personnel or representatives. The following shall be considered for the involved officer:

- Any request for legal representation will be accommodated.
- Discussions with licensed attorneys will be considered privileged as attorney client communications.

- Discussions with departmental (e.g. association) representatives will be privileged only as to the discussion of non-criminal information. [Govt. Code § 3303(i)]
- A psychotherapist shall be provided by the Department to each involved officer, or any officer upon request.
    - Interviews with a licensed psychotherapist will be considered privileged and will not be disclosed except to the extent that the officer is or is not fit for return to duty.
- Although the Department will honor the sensitivity of communications with peer counselors, there is no legal privilege to such and peer counselors are cautioned not to discuss the facts of any incident with an involved or witness officer.

Care should be taken to preserve the integrity of any physical evidence present on the officer, equipment or clothing (e.g. blood, fingerprints, etc.) until investigators or lab personnel can properly retrieve it. Investigators shall make reasonable accommodations to the officer's physical and emotional needs. [Govt. Code § 3303(d)]

Each involved officer shall be given reasonable paid administrative leave following an officer involved shooting and it shall be the responsibility of the on-duty supervisor to make schedule adjustments to accommodate such leave.

312.6 THE SHOOTING INCIDENT CRIMINAL INVESTIGATION

312.6.1 DETECTIVE PERSONNEL

Once notified of an officer involved shooting, it shall be the responsibility of the Support Services Lieutenant to assign appropriate detective personnel to handle the department's investigation of related crimes. Departmental detectives/personnel will be assigned to work with investigators from the District Attorney's Office and may also be assigned to separately handle the investigation of any related crimes not being investigated by the District Attorney's Office.

All related departmental reports, except administrative and/or privileged reports, will be forwarded to one designated detective supervisor for approval. Privileged reports shall be maintained exclusively by those personnel authorized such access. Administrative reports will be forwarded to the Operations Lieutenant.

312.6.2 CRIMINAL INVESTIGATION

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

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

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

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

- If requested, any involved officer will be afforded the opportunity to consult with a representative of his or her choosing or an attorney, prior to speaking with criminal investigators.
- Any voluntary statement provided by the officer(s) will be made available for inclusion in the administrative or other related investigations.
- Absent consent from the involved officer or as required by law, no administratively coerced statement(s) will be provided to any criminal investigators.

312.6.3 REPORTS BY INVOLVED OFFICERS

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

While the involved officer may write the report, it is generally recommended that such reports be completed by assigned investigators who should interview involved officers as victims/witnesses. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved officers should focus on evidence to establish the elements of criminal activities by involved suspects.

Care should be taken not to duplicate information provided by involved officers in other reports.

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

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

312.7 ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with an officer involved shooting, this agency will conduct an internal administrative investigation to determine conformance with department policy. This investigation will be conducted under the supervision of the Operations Lieutenant and will be considered a confidential peace officer personnel file.

- Any officer involved in a shooting may be 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.
- If any officer has elected to voluntarily provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.
    - 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 or her prior statement before proceeding with any subsequent interview(s) [Govt. Code § 3303g]
- 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.

- 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.
- If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. [Govt. Code § 3303(i)]
- Administrative interview(s) should be tape recorded by the department [the officer may also record the interview - Govt. Code § 3303(g)].
- The officer shall be informed of all constitutional "Miranda" rights [Govt. Code § 3303(h)] and, assuming no voluntary waiver, will then be given an administrative order to provide full and truthful answers to all questions [Govt. Code § 3303(e)]. The officer shall be informed, however, that the interview will be for administrative purposes only and that the statement cannot be used criminally. (The Lybarger or Garrity admonishment).
- The administrative interview shall be considered part of the officer's confidential personnel file.
- The Operations Lieutenant shall compile all relevant information and reports necessary for the department to determine compliance with applicable policies.
- Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

312.7.1 CIVIL LIABILITY RESPONSE TEAM

A member of this department may be assigned to work exclusively under the direction of the department's legal counsel 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 response team is not intended to interfere with any other investigation, but shall be given reasonable access to all other investigations.

APPROVED

JOHN M. REID
CHIEF OF POLICE

Butte County
Law Enforcement Agencies

Officer Involved Shootings/
Critical Incidents
Protocol

Revised August, 2006

1. PURPOSE

To establish recommended uniform guidelines for the investigation of officer involved shootings or critical incidents resulting in death or serious injury.

2. ADOPTION

The operating Protocol contained herein is officially adopted by the Butte County District Attorney, Butte County Sheriff, Chico Police, Oroville Police, Paradise Police, Chico State University Police, Gridley-Biggs Police, CHP, BINTF, Butte County Probation Department, California Department of Justice-Chico Lab, California State Parks, and California Department of Fish & Game.

3. APPLICATION

While the operating Protocol and procedures contained herein are generally recommended for use by all Butte County law enforcement agencies and federal/state law enforcement agencies operating within Butte County, each individual agency retains the discretion to adopt, reject or modify any portion of these guidelines in accordance with existing rules and regulations of that agency.

4. DEFINITIONS

A. Officer Involved Shooting / Critical Incidents

Incidents occurring in Butte County involving one or more Butte County, State or Federal law enforcement agencies. Such incidents include, but are not limited to, the following:

1. Any shooting incident resulting in death or serious injury involving any police employee of law enforcement agencies to include reserve officers, part-time hourly and volunteer personnel.

2. Any incident involving death or serious injury which the Employer Agency or Venue Agency deems to be critical in nature, including but not limited to these examples: vehicle pursuits resulting in death or serious injury; serious injury or death occurring while in-custody; and serious injury or death resulting from a physical altercation with a police employee. (Discretion is given to the agencies involved whether to invoke this Protocol under these circumstances)

B. Venue Agency: The agency, or agencies, within whose geographical jurisdiction the incident occurs.

C. Employer Agency: The agency by whom the involved police employee is employed or with which he/she is affiliated.

D. Member Agencies: The law enforcement agencies in Butte County which are members of this Protocol agreement.

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

E. Protocol: The agreement of member agencies to handle officer involved shooting and critical incidents in a uniform manner. Since officer involved shootings generally involve multiple considerations, it is recognized that several separate but parallel and often overlapping investigations may be conducted.

F. Task Force: Member Agencies agree to identify and provide one on-call experienced investigator and an alternative investigator. The investigator will be notified by their respective agencies and, depending upon the circumstances of the event, a determination will be made by their agency as to the number and the name(s) of the investigators. Selection of the Task Force investigator(s) by the Member Agencies is of great importance. Generally, the best available investigator(s) should receive the assignment.

Training for Task Force investigators is critical. Task Force Member Agencies should provide their investigators with the necessary/applicable training courses (homicide, interview, etc...). Joint training with other Task Force investigators would be beneficial in order to promote consistency.

5. PROCEDURE

Invocation of this Protocol-Automatic and Immediate:
Upon the occurrence of an officer involved shooting this Protocol is automatically and immediately implemented.

A. Optional:

1. Each Member Agency of this agreement, when in the capacity of a Venue Agency, may itself invoke this Protocol upon the occurrence of any sensitive or critical event involving a police employee which has possible criminal liability attached. Upon this unilateral invocation, the matter will be investigated under the provisions of this Protocol.

a. Examples:

1. A fatal shooting incident not covered by this Protocol.

2. An officer involved incident where the injuries are serious or death may be pending.

3. Any other sensitive or critical event involving a police employee where criminal conduct is a possibility to be investigated.

2. In lieu of invoking this Protocol, the Venue Agency may, of course, investigate the matter by itself or may seek aid from other agencies.

3. The Venue Agency may invoke this Protocol if a shooting incident occurs within their jurisdiction involving an employee from another agency who is not a member of this Protocol.

B. Notification /Call Outs:

1. During an officer involved shooting or critical incident where the decision has been made to invoke the protocol, the timely notification to other agencies is critical. It is very likely that the venue dispatch center will be inundated with calls and request from officers on the scene. To assist with

the notification procedure, the venue agency or employer should call the Chico Police Department dispatch (895-4911) who will make notification to all member agency dispatchers of the location to respond to and the person to contact.

The Butte County Sheriff's Department dispatch will have responsibility of notifying the District Attorney and Probation investigators. Chico Police Department dispatch will call the venue agency back and advise that notifications have been made. Should the Chico Police Department be the venue agency, the decision to call another member agency's dispatch for assistance may be made.

C. Venue Agency Authority:

The Venue Agency having original jurisdiction over the location of the shooting should have primary authority over the investigation. While cooperation among involved agencies is critical where shared liabilities exist, control of the investigation should remain with the agency with jurisdiction over the location. The Venue Agency can voluntarily relinquish, in whole or in part , the investigation to the Department of Justice or any member agency.

6. INVESTIGATION - Formats and Responsibilities:

To properly address the various interests and rules of law which may be involved in any incident, investigations of these matters must be performed under one or two separate investigative formats: The Criminal Investigation and The Administrative Investigation.

A. The Criminal Investigation

1. The Criminal Investigation has investigative priority over the administration investigation and it begins immediately after an incident has occurred.

2 The Criminal Investigation is performed by the designated investigator(s) from the Task Force established by the Member Agencies. The Venue Agency will lead the

investigation and has the ultimate authority to decide irreconcilable investigative issues.

3. The goal of the investigation is to develop all available relevant information about the incident. This information will be used in the following ways:

   a. To determine presence or absence of criminal liability on the part of any of those involved in the incident.
   Specifically:

      1. To determine whether the nature and the quality of the conduct involved is prohibited by statutes which provide for criminal penalties upon conviction; and,

      2. If criminal conduct does exist, determine the identity of the person(s) responsible for that conduct; and,

      3. If criminal conduct does exist, determine the degree of the crime(s); the existence of any factual or legal defenses to that crime; and to determine the presence or absence of any factors which would mitigate or aggravate punishment for that crime.

4. The Task Force shall consist of one or more investigators from each of the Member Agencies. The District Attorney or his designee can be utilized as a legal resource at the discretion of the Task Force investigative team.

5. The Criminal Investigation should be conducted in a manner that provides both the appearance and the reality of a thorough, fair, complete, and professional investigation which is free of conflicts of interest.

   (When the Task Force believes it cannot properly investigate an incident it shall recommend to the Venue and other Member Agency Heads to relinquish the criminal investigation to another law enforcement agency

they(Member Agency Heads) deem appropriate.)

6. Crime Scene - In accordance with Venue Agency procedures, internal and supplemental resources should be requested as soon as possible.

   a. The scene should be secured by officers at the scene. The Venue Agency supervisor will properly maintain the integrity of the scene until the Task Force Investigators arrive. (See attachment "A") Notifications shall be made to the involved agency heads at the earliest opportunity.

   b. The Venue Agency will notify those Member Agencies who are not directly involved in the incident.

   c. The Venue Agency or other involved agency, may wish to conduct its own parallel administration investigations.

   d. Department of Justice Laboratory should be used to assist in the physical evidence collection, preservation, and analysis, unless they are unavailable. In those situations another law enforcement laboratory will be sought. (See attachment "C".)

   e. The Sheriff/Coroner, upon confirmation of a fatality will be notified. Body removal can be delayed as necessary for evidence processing. Give consideration to having the medical examiner observe the crime scene before the autopsy. It shall be the responsibility of the Venue Agency to provide appropriate concealment of the deceased from view to members of the public. It shall also be the responsibility of the Sheriff/Coroner or their representative to make certain appropriate concealment of the deceased is in place before conducting any field examination of the body or removal of the body.

7. Interviewing Police Employees

a. The interviewees will be considered as witnesses unless the circumstances dictate otherwise.

b. Police employees have the same rights and privileges regarding Task Force interviews that any other citizen would have, including the right to consult with a legal or employee association representative prior to interview and the right to have the representative present during the interview.

1. If the representative is not a doctor, lawyer, psychotherapist or clergy member, or an agent of such professions, the contents of private conversation between the representative and his/her police employee "client" are not privileged. (However, Govt Code 3303 (h) prohibits compelling the representative to disclose any information received from an officer who is under investigation for non-criminal matters).

2. Additional resources such as psychological counselors and civil liability response team may be requested by any involved agency and should be accommodated to the extent reasonably practicable.

3. Each involved agency will handle all family notifications for their employees. It is recommended that the involved officer(s) make the notifications themselves, if they are able and desire to make a notification.

B. The Public Safety Officers Procedural Bill of Rights (Government Code 3300 et seq):
By statutory definition, this is only applicable to Public Safety Officers (see Attachment "B"). These rights do not apply to police agency employees who are not peace officers, during the criminal investigation.

C. Public safety officers (peace officers) will be interviewed within the provisions of Government Code Section 3300 (g). If prior to or during the interrogation of a public safety officer it is deemed that he or she may be charged with a criminal offense, he or she shall be immediately informed of his/her constitutional rights.

D. If or when the interview becomes a custodial interrogation, the Miranda warning is absolutely applicable.

E. To insure proof of voluntariness in a non-custodial interview, the Task Force interviewers may wish to advise certain interviewees of the following:

1. The interviewee is not in custody and is free to leave at any time.

2. The interviewee is not obligated to answer any questions asked by the investigators and no punitive action will be taken against the interviewee if he/she refuses to be interviewed by the Task Force Team.

3. The Task Force interviewers are sensitive to legal and association/union representation. Depending on the circumstances and urgency of the investigation, the employer agency will make the appropriate notifications and will accommodate the interviewee with requested representation. The Task Force interviewers shall wait for the employee representative/ attorney to arrive before conducting the interview unless the police employee waives representation.

F. Government Code Section 3304 (a) permits heads of law enforcement agencies to order their peace officers to cooperate with criminal investigations being performed by other agencies. Failure to comply with such orders may result in a charge of insubordination. When applicable, peace officers may be advised of this provision, by their employing agency head or designee.

7. INTOXICANT TESTING:

A. Intoxicant Testing

Police employees have the same rights, privileges, and obligations that any civilian would have regarding intoxicant testing. When Task Force investigators determine that a police employee's state of sobriety is relevant to the investigation, they have these options (Note: Intoxicant testing should not be arbitrary, but based upon a valid arrest or where probable cause exists. Task Force investigators should offer intoxicant testing to involved officer(s) to assist the officer(s) in providing evidence that indicates they were not under the influence):

1. Consent for intoxicant testing (breath and urine) or consent to draw the blood sample for testing.

2. Implied consent for the chemical testing, 13353 CVC.

3. Search warrant for the blood draw.

4. Exigent Circumstances: This is the one used most often in regard to gathering samples for intoxicant testing of subjects under arrest for a fresh felony and a blood sample is drawn in regard to alcohol/drug intoxication as the intoxication can effect the specific intent to commit the involved felony.

   Under exigent circumstances, the search of the person may be conducted for the drawing of the blood sample as the results of the chemical analysis will be changed by an untimely drawing of the blood sample. This provides that bases of the exigent circumstances, in that it could take several hours to obtain a search warrant for the seizure of this blood sample, and by that time the blood draw would be useless. BUT, there is one more part of this exigent circumstances standard that MUST be completed and that is writing the probable cause that existed for the blood draw in your report. This requires that you articulate your probable cause of why the blood draw was necessary under exigent circumstances in the collection of criminal evidence. Remember, under arrest for a felony IS NOT probable cause for the blood draw. But odor of alcohol, appearance of under the influence of drugs, objective symptoms of drug

or alcohol intoxication are all probable cause for the blood draw under exigent circumstances.

8. AUTOPSY

A. At least one member of the Task Force will attend the autopsy, as will a District Attorney's representative from the Task Force.

B. The autopsy pathologist will receive a complete briefing prior to the post mortem examination. This briefing, which includes all information known at that time which may be relevant to the cause, manner, and means of death shall be attended by at least one member of the Task Force, the District Attorney's representative, and a member of the Department of Justice Crime Laboratory.

C. For autopsies, the Department of Justice Crime Laboratory should have the responsibility for documenting and collecting physical evidence in conjunction with pathologist. In vehicular deaths it is recommended that an accident investigation specialist who is a member of the Task Force be present to assist.

D. Although the Sheriff-Coroner has authority to determine who attends an autopsy, it is usually advisable to allow attendance by a licensed medical doctor or licensed private investigator, or by recognized professional criminalist, who has been retained by representatives of decedent.

9. THE DISTRICT ATTORNEY'S OFFICE

A. The District Attorney's Office has the following additional roles in incident investigations:

1. Assist and advise the Task Force on various criminal law issues which may arise, such as Miranda, voluntariness, search and seizure, probable cause to arrest, detention and releases, elements of crimes, immunity, legal defenses, media relations.

2. Upon completion of the Criminal Investigation analyze the facts of the incident as well as the relevant law to determine

if any criminal laws were violated. If so, prosecute as appropriate. If a member of the District Attorney's Office is directly involved in the event, the investigation shall be reviewed by the State Attorney General to determine if any criminal laws were violated. If so, prosecute as appropriate.

B. The District Attorney has his own separate investigative authority per state law. When deemed appropriate by the District Attorney (or his designated alternate in his absence), the District Attorney's Office may perform an independent investigation separate from the Task Force.

10. THE ADMINISTRATIVE INVESTIGATION - SOLE RESPONSIBILITY OF THE EMPLOYER

A. In addition to its concern about possible criminal law violations by civilians and its own employees who are involved in an incident (which concerns are addressed by the Criminal Investigation), the Employer Agency also has need for information about the incident for non-criminal purposes.

1. Internal Affairs: Determination of whether or not its employees violated department regulations.

2. Agency Improvement: Determination of the adequacy of its policies, procedures, programs, training, equipment, personnel programs and supervision.

3. Government and Community Relations: Informing itself of the incident's details so it may adequately inform its parent governmental body, and so it may be responsive to comments about the event from the public and media.

4. Claims and Litigation: Preparing for administrative claims and/or civil litigation that may be initiated by or against the agency.

5. Interview statements, physical evidence, toxicology test results and investigative leads which are obtained by Administrative Investigators (department personnel conducting investigative review) by ordering police employees to cooperate, shall not be revealed to Criminal Investigators without approval of the District Attorney's

Office. Other results of the Administrative Investigation may or may not be privileged from disclosure to others, including the Task Force investigator, depending upon applicable law.

6. The Employer Agency should immediately assign at least one Administrative Investigator upon being notified of the event. This officer can function as a liaison between the Employer and the Task Force, can gather information for the Agency, and can be the Task Force's contact for personnel matters, even if no actual investigation is then warranted by that officer.

7. The Task Force will promptly and periodically brief the Administrative Investigator(s) of the criminal investigation's progress. The Administrative Investigators will have access to briefings, the scene(s), physical evidence, and interviewees statements.

11. NEWS MEDIA RELATIONS

A. The interest of the public's right to know what occurred must be balanced with the requirements of the investigation and with the rights of involved individuals.

B. The Member Agencies agree to follow the guidelines listed when making any statements to the news media about an incident:

1. The Venue Agency has the sole responsibility for making press releases about the event and its investigation. No other agencies should make any press release about the case, unless approved by the Venue Agency.

2. The Employer Agency: If the Employer agency is not also the Venue Agency, fewer problems will arise, especially at the early stages of the investigation, if the Employer Agency limits its comments to the following areas:

a. The employer-employee relationship.

b. Factual material revealed by the Employer Agency's own Administrative Investigation of the incident.

c. Information which has been cleared for release by the Task Force.

3. Once the investigation paperwork has been forwarded to the District Attorney for filing purposes, consideration should be given to have all press releases from that point on be the responsibility of the District Attorney's Office.

12. INCIDENT CRITIQUE

A. At the earliest opportunity, the Venue Agency will hold a critique of the incident. All member agencies will participate in the critique so that the strengths and weaknesses of the Protocol can be identified and modified as necessary.

Revised: August of 2006

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Effective: 2/9/2007

California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 314

VEHICLE PURSUITS

314.1 PURPOSE AND SCOPE

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

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

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

307.1.1 VEHICLE PURSUIT DEFINED

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

307.2 OFFICER RESPONSIBILITIES

It shall be the policy of this department that a vehicle pursuit shall be conducted only with red light and siren as required by Vehicle Code § 21055 for exemption from compliance with the rules of the road. The following policy is established to provide

officers with guidelines for driving with due regard and caution for the safety of all persons using the highway as required by Vehicle Code § 21056.

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

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

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

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

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

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

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

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

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

(i) Vehicle speeds.

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

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

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

307.2.2 WHEN TO TERMINATE A PURSUIT
The factors listed in When to Initiate and/or Continue a Pursuit of this policy are expressly included herein and will apply equally to the decision to discontinue as well as

the decision to initiate and/or continue a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists and themselves when electing to continue a pursuit. In the context of this policy, the term “terminate” shall be construed to mean discontinue or to stop chasing the fleeing vehicle.

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

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

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

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

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

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

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

(g) Pursuit is terminated by a supervisor.

307.2.3 SPEED LIMITS

The speed of a pursuit is a factor that should be evaluated on a continuing basis by the officer and supervisor. Evaluation of vehicle speeds shall take into consideration public safety, officer safety and the safety of the occupants of the fleeing vehicle.
Should high vehicle speeds be reached during a pursuit, officers and supervisors shall also consider these factors when determining the reasonableness of the speed of the pursuit:

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

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

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

307.3 PURSUIT UNITS

Pursuit units should be limited to three vehicles. 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 suspect(s). 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.

307.3.1 VEHICLES WITHOUT EMERGENCY EQUIPMENT

Vehicles not equipped with red light and siren are generally prohibited from initiating or joining in any pursuit and are required to follow the rules of the road. The exemptions provided by Vehicle Code § 21055 do not apply to officers using vehicles without emergency equipment.

307.3.2 PRIMARY UNIT RESPONSIBILITIES

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

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

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

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

307.3.3 SECONDARY UNITS RESPONSIBILITIES

The second officer in the pursuit is responsible for the following:

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

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

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

307.3.4 PURSUIT DRIVING TACTICS

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

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

(b) Because intersections can present increased risks, the following tactics should be considered:

1. Available units not directly involved in the pursuit may proceed safely, based on conditions and circumstances, to controlled intersections ahead of the pursuit in an effort to warn cross traffic.

2. Pursuing units should exercise due caution when proceeding through intersections.

(c) As a general rule, officers should not pursue a vehicle driving left of center (wrong way) on a freeway. In the event that the pursued vehicle does so, the following tactics should be considered:

1. Requesting assistance from an air unit.
2. Maintaining visual contact with the pursued vehicle by paralleling it on the correct side of the roadway.
3. Requesting other units to observe exits available to the suspects.

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

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

307.3.5 TACTICS/PROCEDURES FOR UNITS NOT INVOLVED IN THE PURSUIT

There should be no paralleling of the pursuit route. The term paralleling means the deliberate tactic of a vehicle operator to mirror on adjacent streets the direction and speed of vehicles actively involved in an authorized pursuit. 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.

Non-pursuing personnel needed at the termination of the pursuit should respond in a nonemergency manner, observing the rules of the road, unless otherwise requested.

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.

307.3.6 PURSUIT TRAILING

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

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

307.3.7 AIRCRAFT ASSISTANCE

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

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

307.4 SUPERVISORY CONTROL AND RESPONSIBILITY

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

The Supervisor will be responsible for the following:

(a) Upon becoming aware of a pursuit, immediately ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit in order to ensure that the pursuit is conducted within established department guidelines.
(b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.
(c) Exercising management and control of the pursuit even if not engaged in it.
(d) Ensuring that no more than the number of required police units needed are involved in the pursuit under the guidelines set forth in this policy.
(e) Directing that the pursuit be terminated if, in his/her judgment, it is unjustified to continue the pursuit under the guidelines of this policy.
(f) Ensuring that aircraft are requested if available.
(g) Ensuring that the proper radio channel is being used.
(h) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this agency.
(i) Control and manage Department units when a pursuit enters another jurisdiction.
(j) Preparing post-pursuit critique and analysis of the pursuit for training purposes.

307.4.1 WATCH COMMANDER RESPONSIBILITY

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

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

307.5 COMMUNICATIONS

If the pursuit is confined within radio range, radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or communications dispatcher. If the pursuit leaves the jurisdiction of this department or such is imminent, involved units should communicate with participating agencies and units per Department radio procedures.

307.5.1 COMMUNICATION CENTER RESPONSIBILITIES

Upon notification that a pursuit has been initiated, Communications will:

(a) Coordinate pursuit communications of the involved units and personnel.
(b) Notify and coordinate with other involved or affected agencies as practicable.
(c) Ensure that a field supervisor is notified of the pursuit.
(d) Assign an incident number and log all pursuit activities.
(e) Broadcast pursuit updates as well as other pertinent information as necessary.
(f) Notify the Watch Commander as soon as practicable.

307.5.2 LOSS OF PURSUED VEHICLE

When the pursued vehicle is lost, the primary unit should broadcast pertinent information to assist other units in locating suspects. The primary unit will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

307.6 INTER-JURISDICTIONAL CONSIDERATIONS

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

307.6.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

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

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

Notification of a pursuit in progress should not be construed as a request to join the pursuit.

Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local agencies and CHP units, a request for CHP assistance will mean that they will assume responsibilities for the pursuit. For the same reasons, when a pursuit leaves the freeway and a request for assistance is made to this department, the CHP should relinquish control.

307.6.2 PURSUITS EXTENDING INTO THIS JURISDICTION

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

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

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

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

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

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

307.7 PURSUIT INTERVENTION

Pursuit intervention is an attempt to terminate the ability of a suspect to continue to flee in a motor vehicle through tactical application of technology, road spikes, blocking, boxing, PIT (Pursuit Intervention Technique), ramming or roadblock procedures. In this context, ramming shall be construed to mean maneuvering the police unit into contact with the pursued vehicle to mechanically disable or forcibly position it such that further

flight is not possible or practical. The techniques described below may only be used by members of the Department if authorized by the Chief of Police, absent exigent circumstances.

307.7.1 DEFINITIONS

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

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

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

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

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

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

307.7.2 USE OF FIREARMS

The use of firearms to disable a pursued vehicle (i.e. shooting out a tire) is not generally an effective tactic and involves all the dangers associated with discharging firearms. Officers should not utilize firearms during an ongoing pursuit unless the conditions and circumstances dictate that such use reasonably appears necessary to protect life. Nothing in this section shall be construed to prohibit any officer from using a firearm to stop a suspect from using a vehicle as a deadly weapon.

307.7.3 INTERVENTION STANDARDS

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

(a) Blocking or vehicle intercept should only be considered in cases involving felony suspects or impaired drivers who pose a threat to public safety when officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved, this technique should only be employed by officers after giving consideration to the following:

    1. The risks of injury or death to occupants of the suspect vehicle, officers, or other members of the public.

2. Other reasonable intervention techniques have failed or reasonably appear ineffective.

3. The target vehicle is stopped or traveling at a low speed.

(b) Only those officers trained in the use of the Pursuit Intervention Technique (PIT) will be authorized to use this procedure and only then with approval of a supervisor upon consideration of the circumstances and conditions presented at the time, including the potential for risk of injury to officers, the public and occupants of the pursued vehicle.

(c) Ramming a fleeing vehicle should be reserved for situations where there does not appear to be another reasonable alternative method. This policy is an administrative guide to direct officers in their decision-making process before ramming another vehicle. When ramming is used as a means to stop a fleeing vehicle, one or more of the following factors should be present:

1. The suspect is an actual or suspected felon who reasonably appears to represent a serious threat to the public if not apprehended.

2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner.

3. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized.

(d) Pursuing officers should obtain supervisor approval before attempting to box a suspect vehicle during a pursuit. The use of such a technique must be carefully coordinated with all involved units, taking into consideration the circumstances and conditions presented at the time as well as the potential risk of injury to officers, the public and occupants of the pursued vehicle.

(e) The use of spike strips should be approved in advance by a supervisor and deployed only when it is reasonably certain that only the pursued vehicle will be affected by their use. Officers should carefully consider the limitations of such devices as well as the potential risks to officers, the public and occupants of the pursued vehicle. If the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials, or a school bus transporting children, officers and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.

(f) Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor and only then under extraordinary conditions when all other reasonable intervention techniques have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle

substantially outweighs the risks of injury or death to occupants of the pursued vehicle, officers or other members of the public.

307.7.4 CAPTURE OF SUSPECTS

Unless relieved by a supervisor, the primary officer should coordinate efforts to apprehend the suspects following the pursuit. Officers should consider safety of the public and the involved officers when formulating plans to contain and capture the suspects.

307.8 REPORTING REQUIREMENTS

The following reports should be completed upon conclusion of all pursuits:

(a) The primary officer should complete appropriate crime/arrest reports.

(b) The Department shall ensure that an Allied Agency Vehicle Pursuit Report (form CHP 187 A) 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 his or her supervisor for review and distribution.

(c) After first obtaining the available information, a memorandum, briefly summarizing the pursuit, shall be completed, as assigned by the Chief of Police or designee. This memorandum should minimally contain the following information:

1. Date and time of pursuit
2. Length of pursuit
3. Involved units and officers
4. Initial reason for pursuit
5. Starting and termination points
6. Disposition (arrest, citation), including arrestee information if applicable
7. Injuries and/or property damage
8. Medical treatment
9. Name of supervisor at scene
10. A preliminary determination whether the pursuit appears to be in compliance with this policy and whether additional review or follow-up is warranted

307.8.1 REGULAR AND PERIODIC PURSUIT TRAINING

In addition to initial and supplementary Police Officer Standard Training (POST) training on pursuits required by Penal Code § 13519.8, all sworn members of this department will participate no less than annually in regular and periodic department training addressing this policy and the importance of vehicle safety and protecting the public at all times, including a recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others (Vehicle Code §17004.7(d)).

307.8.2 POLICY REVIEW

Each sworn member of this department shall certify in writing that they have received, read and understand this policy initially and upon any amendments. 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.

307.9 APPLICATION OF VEHICLE PURSUIT POLICY

This policy is expressly written and adopted pursuant to the provisions of Vehicle Code §17004.7, with additional input from the POST Vehicle Pursuit Guidelines.

APPROVED

JOHN M. REID
CHIEF OF POLICE

STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

ALLIED AGENCY VEHICLE PURSUIT REPORT

CHP 187A (Rev. 12-05) OPI 051

SUPERVISOR'S INTIALS	VEHICLE PURSUIT NUMBER *(For your agency's use only, if applicable)*

ALL MOTOR VEHICLE PURSUIT DATA SHALL BE SUBMITTED NO LATER THAN 30 DAYS AFTER PURSUIT. SEE PAGE TWO FOR DETAILED INSTRUCTIONS.

SECTION I - Mandatory for all California Law Enforcement Agencies involved in vehicle pursuit.

1. AGENCY NCIC	2. AGENCY NAME *(Specify district, i.e., LAPD Newton)*	3. DATE VEHICLE PURSUIT WAS INITIATED	4. TIME VEHICLE PURSUIT WAS INITIATED *(24 hr., e.g. 1430)*

5. PURSUED VEHICLE LICENSE PLATE NUMBER	6. STATE	7. VIN NUMBER *(Complete only if "cold plated" or no license plate available)*	8. TIME YOUR AGENCY BECAME INVOLVED IN VEHICLE PURSUIT *(24 hr., e.g., 1430)*

9. TOTAL TIME **YOUR AGENCY** WAS INVOLVED IN VEHICLE PURSUIT *(Minutes)*	10. TOTAL DISTANCE YOUR AGENCY WAS INVOLVED IN VEHICLE PURSUIT *(Miles)*	11. COUNTY WHERE YOUR AREA INVOLVEMENT BEGAN

12. AGENCY INITIATING VEHICLE PURSUIT	13. DID YOUR AGENCY TURN THE PURSUIT OVER? *(If yes, indicate agency below)*	14. DID YOUR AGENCY CONCLUDE VEHICLE PURSUIT?
	☐ No ☐ Yes _____	☐ No ☐ Yes *(complete **SECTION II**)*

15. LIST I.D. NUMBERS OF **YOUR AGENCY'S OFFICERS** INVOLVED IN VEHICLE PURSUIT *(Do not list names)*

16. HIGHEST NUMBER OF INVOLVED UNITS AT ONE TIME IN YOUR AREA		17. CHECK ONE CONDITION THAT BEST DESCRIBES WEATHER DURING THE PURSUIT	18. MAXIMUM SPEEDS ATTAINED	
Ground:	Air:	☐ Clear ☐ Cloudy ☐ Raining ☐ Snowing ☐ Fog ☐ Windy ☐ Other *(Specify)*:	Freeway:	Surface Streets:

19. INDICATE ATTEMPTED FORCIBLE STOP(S) AND NUMBER OF TIMES ATTEMPTED		20. INDICATE THE NUMBER OF COLLISIONS THAT OCCURRED IN YOUR AREA		
Spike Strip: _____ PIT: _____ Other Ramming: _____ Boxed In: _____		Fatal:	Injury:	Property Damage Only:
Remote Engine Disabler:	Other *(Specify)*:			

21. ORIGINAL VIOLATION OBSERVED BY AGENCY INITIATING THE VEHICLE PURSUIT *(Leave blank if your agency did not initiate pursuit)*

Section & Code: ☐ Felony ☐ Misdemeanor ☐ Infraction ☐ BOL / Warrant / Wanted ☐ Other *(Specify)*:

If injuries were incurred as a result of collision during your agency's involvement in the vehicle pursuit and your agency did not conclude the pursuit, complete only Item 22 in Section II below.

SECTION II - Complete only if your agency brought vehicle pursuit to conclusion (includes aborting of pursuit).

22. WERE INJURIES INCURRED AS A RESULT OF A COLLISION? ☐ No ☐ Yes *(If yes, indicate number of each type below)*

	Police Officer(s)	Suspect Driver	Suspect Passenger(s)	Uninvolved 3rd Party
Fatal Injury				
Severe Injury				
Other Visible Injury				
Complaint of Pain				

23. WERE INJURIES INCURRED AFTER THE VEHICLE PURSUIT? ☐ No ☐ Yes *(If yes, indicate number of each type below)*

	Police Officer(s)	Suspect Driver	Self-Inflicted	Suspect Passenger(s)	Self-Inflicted	Uninvolved 3rd Party
Fatal Injury						
Severe Injury						
Other Visible Injury						
Complaint of Pain						

24. SUSPECT ☐ **WAS** ☐ **WAS NOT** APPREHENDED. WHICH ONE OF THE FOLLOWING MOST NEARLY DESCRIBES THE EVENT **CONCLUDING** THE VEHICLE PURSUIT?

☐ Suspect vehicle voluntarily stopped
☐ Forcible stop
☐ Suspect vehicle became disabled
☐ Patrol vehicle became disabled
☐ Pursuit aborted by law enforcement agency
☐ Suspect vehicle and patrol vehicle collided
☐ Suspect vehicle became involved in a collision
☐ Patrol vehicle became involved in a collision
☐ Suspect vehicle escaped patrol vehicle
☐ Suspect abandoned vehicle and fled on foot
☐ Other *(Specify)*:

25. VIOLATION(S) SUSPECT(S) CHARGED WITH UPON CONCLUSION OF VEHICLE PURSUIT *(List most serious offense first followed by additional charges.)*

Section / Code	Felony	Misdemeanor	Infraction	BOL/Warrant/Wanted	Other *(Specify)*
	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐

26. D.O.B. OF PERSON PURSUED	27. GENDER	28. DRIVING UNDER THE INFLUENCE?
	☐ Male ☐ Female	☐ No ☐ Yes *(Specify)* ☐ Alcohol ☐ Drugs ☐ Combination of Both

29. ETHNICITY

☐ White	☐ Vietnamese	☐ Cambodian	☐ Other Asian	☐ Guamanian	☐ Asian Indian	☐ Other Not Listed
☐ Black	☐ Japanese	☐ Korean	☐ Filipino	☐ Hawaiian	☐ American Indian	
☐ Hispanic	☐ Chinese	☐ Laotian	☐ Samoan	☐ Other Pacific Islander	☐ Alaskan	

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STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

ALLIED AGENCY VEHICLE PURSUIT REPORT

CHP 187A (Rev. 12-05) OPI 051

SEND OR FAX COMPLETED FORMS TO:
CALIFORNIA HIGHWAY PATROL
Support Services Section, Data Analysis Unit
P.O. Box 942898
Sacramento, CA 94298-001
Fax: (916) 375-2852

ALL CALIFORNIA LAW ENFORCEMENT AGENCIES

Carefully read the following information regarding completion of this form.

Vehicle Pursuit Data

Vehicle Code Section 14602.1 requires that "every state and local law enforcement agency, including but not limited to, city police departments and county sheriff's offices, shall report to the Department of the California Highway Patrol, on an approved form, all vehicle pursuit data." The form CHP 187, Allied Agency Vehicle Pursuit Report, has been developed to record this information.

Vehicle Pursuit - Definition

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

INSTRUCTIONS - READ CAREFULLY

SECTION I - Mandatory for all California Law Enforcement Agencies

1. **AGENCY NCIC** - Your agency's four-digit NCIC number.
2. **AGENCY NAME** - Your agency's name.
3. **DATE VEHICLE PURSUIT WAS INITIATED** - The date of the vehicle pursuit your agency was involved in. Use mm/dd/yyyy format.
4. **TIME VEHICLE PURSUIT WAS INITIATED** - The exact time the vehicle pursuit actually began. If your agency did not initiate the pursuit, contact the initiating agency to verify this information. Use 24 hour notation.
5. **PURSUED VEHICLE LICENSE PLATE NUMBER** - The vehicle license plate number on the suspect vehicle.
6. **STATE** - The state of the suspect vehicle license plate number (i.e., CA, NV).
7. **VIN NUMBER** - The vehicle identification number of the pursued vehicle. Complete this item if the vehicle was 'cold-plated' or no license plate number was available.
8. **TIME YOUR AGENCY BECAME INVOLVED IN VEHICLE PURSUIT** - If your agency initiated the pursuit, enter the time from item four. If your agency took over the pursuit from another agency, enter that time instead. Use 24 hour notation.
9. **TOTAL TIME YOUR AGENCY WAS INVOLVED IN VEHICLE PURSUIT** - The time, in minutes, that your agency was in the primary position for the pursuit.
10. **TOTAL DISTANCE YOUR AGENCY WAS INVOLVED IN VEHICLE PURSUIT** - Length, in miles, that your agency was in the primary position for the pursuit.
11. **COUNTY WHERE YOUR AREA INVOLVEMENT BEGAN** - The county your Agency was in when involved in the pursuit.
12. **AGENCY INITIATING VEHICLE PURSUIT** - Name of the Agency which initiated the pursuit.
13. **DID YOUR AGENCY TURN THE PURSUIT OVER?** - If your agency turned the vehicle pursuit over to another allied agency, indicate that agency's name and station or office.
14. **DID YOUR AGENCY CONCLUDE VEHICLE PURSUIT?** - Your agency concluded the pursuit if you did not turn it over to another agency.
15. **LIST I.D. NUMBERS OF YOUR AGENCY'S OFFICERS INVOLVED IN VEHICLE PURSUIT** - Include only officers actually involved in the vehicle pursuit.
16. **HIGHEST NUMBER OF INVOLVED UNITS AT ONE TIME IN YOUR AREA** - Enter the highest number of ground enforcement vehicles (including motorcycles and sedans) as well as air units (including helicopters and airplanes) actively involved in the vehicle pursuit at one time.
17. **CHECK ONE CONDITION THAT BEST DESCRIBES WEATHER DURING THE PURSUIT** - Check the dominant condition for the majority of the pursuit.
18. **MAXIMUM SPEEDS ATTAINED** - The highest rate of speed attained during the vehicle pursuit on a freeway and/or surface streets. If the suspect did not enter the freeway OR exit to surface streets, enter 0 in the corresponding space.
19. **INDICATE ATTEMPTED FORCIBLE STOP(S) AND NUMBER OF TIMES ATTEMPTED** - Enter the number of attempts a forcible stop was initiated to terminate the vehicle pursuit. By definition, a forcible stop is the use or presence of a physical force to end a vehicle pursuit (e.g., roadblock, ramming, boxing-in, channelization, pursuit immobilization technique [PIT]).
20. **INDICATE THE NUMBER OF COLLISIONS THAT OCCURRED IN YOUR AREA** - Enter the number of collisions for each type (Fatal, Injury, Property Damage Only). If none, enter 0.
21. **ORIGINAL VIOLATION OBSERVED BY AGENCY INITIATING THE VEHICLE PURSUIT** - Enter the single, most serious violation which led to an enforcement stop on the vehicle and the degree of the violation, i.e., 10851(a) VC and check the felony box.

SECTION II - Complete only if your agency brought vehicle pursuit to conclusion (includes aborting of pursuit).

22. **WERE INJURIES INCURRED AS A RESULT OF A COLLISION?** - If a collision occurred during your pursuit which resulted in injuries to any person, check the 'yes' box and indicate the highest degree of injury for each person injured. Suspect driver is considered the driver of the suspect vehicle. Suspect Passengers includes any passengers which were in the suspect vehicle, regardless if any charges are filed against them. Uninvolved Third Party would include any persons not in the suspect vehicle or any peace officers.
23. **WERE INJURIES INCURRED AFTER THE VEHICLE PURSUIT?** - If any injuries were incurred by peace officers, the suspected driver, passengers in the suspect vehicle, or innocent third parties as a result of any event occurring after the vehicle pursuit (e.g., foot pursuit, arrest, shooting) while your agency was concluding the pursuit, check the "yes" box and indicate the highest degree of injury for each person injured. If the injury was self-inflicted (e.g., the suspect cut their hands while climbing a chain-link fence, self-inflicted gunshot wound), indicate in the self-inflicted field for the respective injury.
24. **SUSPECT WAS / WAS NOT APPREHENDED** - Check if the suspect was or was not apprehended during the pursuit.
25. **VIOLATION(S) SUSPECT(S) CHARGED WITH UPON CONCLUSION OF VEHICLE PURSUIT** - List the five most serious charges and their degree of violation in descending order filed against the driver. Do not include 2800.1, 2800.2 or 2800.3 VC in any of these fields unless it is the only violation charged.
26. **D.O.B. OF PERSON PURSUED** - The date of birth of the driver of the suspect vehicle. Use mm/dd/yyyy format.
27. **GENDER** - Indicate whether the driver of the suspect vehicle was male or female.
28. **DRIVING UNDER THE INFLUENCE?** - Check if the driver was under the influence. If yes, indicate alcohol, drugs, or a combination of both.
29. **ETHNICITY** - Indicate the ethnicity that most clearly resembles the driver of the suspect vehicle.

Questions concerning the completion of this form should be directed to the California Highway Patrol, Research and Planning Section, at (916) 657-7237.

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Chico State
University Police

SB 719 Pursuit Policy Training Attestation

INTERNAL AGENCY USE ONLY – DO NOT SEND TO POST

Officer Identification

Last	First	Middle

ID #	Assignment	
Station	Telephone	Fax
Email	Other	

Training Specifications

Training Date	Location	
Instructor	Instructor ID#	
Course Name	Course #	Hours
Other/Notes		

Attestation

Pursuant to Vehicle Code §17004.7(b)(2), I have received, read, and understand my agency's vehicle pursuit policy.

Signature	
Print Name	Date

REVISED: 01/31/2018
Effective: 2/12/07

California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 316

OFFICER RESPONSE TO CALLS

316.1 PURPOSE AND SCOPE

This policy provides for the safe and appropriate response to emergency and non-emergency situations whether dispatched or self initiated.

316.2 RESPONSE TO CALLS

Officers dispatched "Code 3" shall consider the call an emergency response and proceed immediately. Officers responding “Code 3” shall operate a steady forward facing red light and 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.

A call not accompanied by "Code 3" is a routine call. Officers not authorized to respond “Code 3” shall observe all traffic laws and proceed without the use of red lights and siren.

316.3 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 Communications.

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

316.31 NUMBER OF UNITS ASSIGNED

Normally, only one unit should respond to an emergency call Code 3 unless the Field Supervisor authorizes an additional unit(s).

316.4 INITIATING CODE 3 RESPONSE

If an officer feels a Code 3 response to any call is appropriate, the officer shall immediately notify Communications. Generally, only one unit should respond Code 3 to any situation. Should another officer feel a Code 3 response is appropriate, Communications shall be notified and the Field Supervisor will make a determination as to whether one or more officers driving Code 3 is appropriate.

316.5 RESPONSIBILITIES OF RESPONDING OFFICER(S)

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 Communications. 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.

316.6 COMMUNICATIONS RESPONSIBILITIES

The Dispatcher should:

- Attempt to assign the closest available unit to the location requiring assistance.
- Immediately notify the Field Supervisor.
- Confirm the location from which the unit is responding.
- Notify and coordinate allied emergency services (e.g., fire and ambulance).
- Continue to obtain and broadcast information as necessary concerning the response and monitor the situation until it is stabilized or terminated.
- Control all radio communications during the emergency and coordinate assistance under the direction of the Field Supervisor.

316.7 SUPERVISORY RESPONSIBILITIES

Upon being notified that a Code 3 response has been initiated, the Field Supervisor shall verify the following:

- The proper response has been initiated.
- No more than those units reasonably necessary under the circumstances are involved in the response.
- 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 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.

316.8 FAILURE OF EMERGENCY EQUIPMENT

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the “Code 3” response and respond accordingly. In all cases, the officer shall notify the Field Supervisor or Communications of the equipment failure so that another unit may be assigned to the emergency response.

APPROVED

JOHN M. REID
CHIEF OF POLICE

Revised: 11/01/2019
Revised: 1/31/2018
Effective: 2/12/2007

California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 318

DOMESTIC VIOLENCE

318.1 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.

318.1.1 DEFINITIONS

Definitions related to this policy include:

Court order - All 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.

318.2 POLICY

The 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 police department to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

318.3 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.

318.4 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, including 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.

d) When practicable and legally permitted, video or audio record all significant statements and observations.

e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Investigations Division in the event that the injuries later become visible.

f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.

g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement and make an arrest or seek an arrest warrant if appropriate.

h) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence. If the domestic violence involved threats of bodily harm, any firearm discovered in plain view or pursuant to consent or other lawful search must be taken into temporary custody (Penal Code § 18250).

i) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that

served the order and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.

j) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred.

318.4.1 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.

318.4.2 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.

318.5 VICTIM ASSISTANCE

Victims may be traumatized or confused. Officers should:

a) Recognize that a victim's behavior and actions may be affected.

b) Provide the victim with the police department's domestic violence information handout, even if the incident may not rise to the level of a crime.

c) Alert the victim to any available victim advocates, shelters and community resources.

d) Stand by for a reasonable amount of time when an involved person requests law enforcement assistance while removing essential items of personal property.

e) Seek medical assistance as soon as practicable for the victim if he/she has sustained injury or complains of pain.

f) Ask the victim whether he/she has a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim

expresses a concern for his/her safety or if the officer determines that a need exists.

g) Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.

h) Seek or assist the victim in obtaining an emergency order if appropriate.

An officer shall advise an individual protected by a Canadian domestic violence protection order of available local victim services (Family Code§ 6452).

318.6 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.

318.7 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 order shall be enforced, regardless of whether the order has been properly registered with this state.

Canadian domestic violence protection orders shall also be enforced in the same manner as if issued in this state (Family Code § 6452).

318.8 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.

b) Check available records or databases that may show the status or conditions of the order.

c) Contact the issuing court to verify the validity of the order.

d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.

318.9 LEGAL MANDATES AND RELEVANT LAWS

California law provides for the following:

318.9.1 STANDARDS FOR ARRESTS

Officers investigating a domestic violence report should consider the following:

a. An arrest should be made when there is probable cause to believe that a felony or misdemeanor domestic violence offense has been committed (Penal Code § 13701). Any decision to not arrest an adult when there is probable cause to do so requires supervisor approval.

    1. Officers are only authorized to make an arrest without a warrant for a misdemeanor domestic violence offense if the officer makes the arrest as soon as probable cause arises (Penal Code § 836).

b. An officer responding to a domestic violence call who cannot make an arrest will advise the victim of his/her right to make a private person's arrest. The advisement should be made out of the presence of the suspect and shall include advising the victim how to safely execute the arrest. Officers shall not dissuade victims from making a lawful private person's arrest. Officers should refer to the provisions in the Private Persons Arrests Policy for options regarding the disposition of private person's arrests (Penal Code§ 836(b)).

c. Officers shall not cite and release a person for the following offenses (Penal Code§ 853.6(a)(3)):

    1. Penal Code § 243(e)(1) (battery against spouse, cohabitant)
    2. Penal Code § 273.5 (corporal injury on spouse, cohabitant, fiance/fiancee, person of a previous dating or engagement relationship, mother/father of the offender's child)
    3. Penal Code § 273.6 (violation of protective order) if

violence or threats of violence have occurred or the suspect has gone to the workplace or residence of the protected party

4. Penal Code § 646.9 (stalking)
5. Other serious or violent felonies specified in Penal Code § 1270.1

d. In responding to domestic violence incidents, including mutual protective order violations, officers should generally be reluctant to make dual arrests. Officers shall make reasonable efforts to identify the dominant aggressor in any incident. The dominant aggressor is the person who has been determined to be the most significant, rather than the first, aggressor (Penal Code § 13701). In identifying the dominant aggressor, an officer shall consider:

1. The intent of the law to protect victims of domestic violence from continuing abuse.
2. The threats creating fear of physical injury.
3. The history of domestic violence between the persons involved.
4. Whether either person acted in self-defense.

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).

318.9.2 COURT ORDERS

a) An officer who obtains an emergency protective order from the court shall serve it on the restrained person if the person can be reasonably located, and shall provide the person protected or the person's parent/guardian with a copy of the order. The officer shall file a copy with the court as soon as practicable and shall have the order entered into the computer database system for protective and restraining orders maintained by the Department of Justice (Family Code § 6271; Penal Code § 646.91).

b) At the request of the petitioner, an officer at the scene of a reported domestic violence incident shall serve a court order on a restrained person (Family Code § 6383; Penal Code§ 13710).

c) Any officer serving a protective order that indicates that the respondent possesses weapons or ammunition shall request that the firearm/ammunition be immediately surrendered (Family Code§ 6389(c)(2)).

d) During the service of a protective order, any firearm discovered in plain view of pursuant to consent or other lawful search shall be taken into temporary custody (Penal Code § 18250).

e) If a valid Canadian order cannot be enforced because the person subject to the order has not been notified or served with the order, the officer shall notify the protected individual that reasonable efforts shall be made to contact the person subject to the order. The officer shall make a reasonable effort to inform the person subject to the order of the existence and terms of the order and provide him/her with a record of the order, if available, and shall allow the person a reasonable opportunity to comply with the order before taking enforcement action (Family Code § 6452).

318.9.3 PUBLIC ACCESS TO POLICY

A copy of this domestic violence policy will be provided to members of the public upon request (Penal Code § 13701).

318.9.4 REPORTS AND RECORDS

a. A written report shall be completed on all incidents of domestic violence. All such reports should be documented on the appropriate form, which includes information and notations specific to domestic violence incidents as required by Penal Code § 13730.

b. Reporting officers should provide the victim with the case number of the report. The case number may be placed in the space provided on the domestic violence victim information handout provided to the victim. If the case number is not immediately available, an explanation should be given regarding how the victim can obtain the information at a later time.

c. Officers who seize any firearm or other deadly weapon in a domestic violence incident shall issue the individual possessing such weapon a receipt and notice of where the weapon may be recovered, along with the applicable time limit for recovery (Penal Code§ 18250; Penal Code§ 33800; Family Code § 6389(c)(2)).

318.9.5 RECORD-KEEPING AND DATA COLLECTION

This police 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 CSU Chico Police 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 Specialist to maintain and report this information as required.

318.9.6 DECLARATION IN SUPPORT OF BAIL INCREASE

If a defendant is arrested without a warrant for a bailable felony offense or for the misdemeanor offense of violating a domestic violence restraining order. and a peace officer has reasonable cause to believe that the amount of bail set forth in the schedule of bail for that offense is insufficient to ensure the defendant's appearance or to ensure the protection of a victim, or family member of a victim, of domestic violence, the peace officer shall prepare a declaration under penalty of perjury setting forth the facts and circumstances in support of his or her belief, requesting an order setting a higher bail.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/18
Effective: 2/12/07

California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 320

SEARCH AND SEIZURE

320.1 PURPOSE AND SCOPE

Case law regarding search and seizure is ever changing and frequently subject to interpretation under the varying facts of each situation; however, this policy is intended to provide a few of the basic guidelines which may assist an officer in evaluating search and seizure issues. Specific situations should be handled according to current training and an officer's familiarity with clearly established case law.

320.2 REASONABLE EXPECTATION OF PRIVACY

Both the United States and the California Constitutions provide every individual with the right to be free from unreasonable governmental intrusion. As a general rule, members of this department should not physically enter any area where an individual has a reasonable expectation of privacy, in order to conduct a search or seizure, without one of the following:

- A valid search warrant; or
- Exigent circumstances; or
- Valid consent.

320.2.1 CONSENT TO SEARCH

Entry into a location for the purpose of conducting a search for any item reasonably believed to be relevant to any investigation is permitted once valid consent has been obtained. However, consent is only valid if it is:

- Voluntary (i.e. clear, specific, and unequivocal, and based on the individual's free will, not any threats or promises); and
- Obtained from a person with authority to give the consent.

Whenever unusual circumstances would not otherwise prevent the use of the department's "CONSENT TO SEARCH" form, officers should have the individual read the form, ensure they understand it, and provide them with a copy after they have signed it.

If unusual circumstances prevent the use of the "CONSENT TO SEARCH" form, officers should describe such circumstances in their reports.

While there is no requirement that individuals be told of their right to refuse consent, such a verbal advisement, along with the use of the "CONSENT TO SEARCH" form, provide strong support for the validity of any consent.

At any point that an individual withdraws consent, or changes the scope of the consent given, any related search should be discontinued or modified, as requested, unless and until otherwise legally permitted.

320.2.2 EXIGENT CIRCUMSTANCES

Exigent circumstances permitting entry into premises without a search warrant or valid consent generally include:

- Imminent danger of injury or death; or
- Imminent escape of a suspect; or
- The destruction of evidence; or
- Hot pursuit.

An exigency created by the officer's own conduct, as an excuse for a warrantless entry, is generally not permitted.

320.3 SPECIFIC SITUATIONS

320.3.1 RESIDENCES/OFFICES

Absent a valid search warrant, exigent circumstances, or valid consent, every person has a reasonable expectation of privacy inside their residence or private office. Individuals do not, however, generally have a reasonable expectation of privacy in areas outside or around their residences or private offices where the general public would reasonably be permitted to go.

320.3.2 PLAIN VIEW

Because an individual does not have an expectation of privacy as to items which are in plain view, no "search" has taken place in a constitutional sense when an object is viewed from a location where the officer has a right to be. An item in plain view may generally be seized when:

- It was viewed from a lawful location;
- There is probable cause to believe that the item is linked to criminal activity; and
- The location of the item can be legally accessed.

It is important to note that the so-called "Nexus Rule" requires that even items in plain view must not be seized unless there is probable cause to believe that the item will aid in an investigation. Such a nexus should be included in any related reports.

APPROVED

JOHN M. REID
CHIEF OF POLICE

CALIFORNIA STATE UNIVERSITY, CHICO POLICE DEPARTMENT "CONSENT TO SEARCH"

I, _____, have been informed by

_____and _____

law enforcement officers of the California State University, Chico Police Department, of my Constitutional Right to NOT have a search made of the premises and property owned by me and/or under my care, custody, or control, including, but not limited to, bank records, bank statements, and checking account activity, without a search warrant. Knowing of my lawful right to refuse to consent to such a search, I willingly give my permission to the above named officers(s) to conduct a complete search of the premises and property, including ALL buildings and vehicles, both inside and outside of the property located at _____

_____.

The above named officer(s) further have my permission to take from my premises and property any letters, papers, materials, or any other property or items which they desire as evidence for criminal prosecution in the case(s) under investigation. This written permission to search without a search warrant is given by me to the above officer(s) voluntarily and without any threats or promises of any kind.

Date: _____(Month)_____(Day)_____(Year) Time: _____AM/PM

At: _____(Location) Case number:_____

Signed:_____ Print name:_____

Witness: _____ Print name: _____

REVISED: 1/31/18
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California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 322

TEMPORARY CUSTODY OF JUVENILES

322.1 PURPOSE AND SCOPE

This Departmental Policy is for the detention and disposition of juveniles taken into temporary custody by members of the California State University Chico Police Department.

322.2 WELFARE & INSTITUTIONS CODE § 625

Legal authority for taking custody of juvenile offenders is found in Welfare and Institutions Code § 625.

322.2.1 CONSTITUTIONAL RIGHTS ADVISEMENT

In any case where a juvenile is taken into temporary custody, under W&I 602, the juvenile should be promptly advised of his/her rights to ensure the admissibility of any spontaneous statements, whether or not questioning is intended.

322.3 TEMPORARY CUSTODY (§§ 300, 601, OR 602 W&I)

No juvenile may be held in temporary custody at the California State University Chico Police facility without authorization of the arresting officer's supervisor or the Operations Lieutenant. An individual taken into custody for Welfare & Institutions Code § 300 or § 601 shall be processed as soon as practical. Juveniles detained under Welfare & Institutions Code § 602 may not be held at this facility for more than 6 hours from the time of arrival at the police department without supervisor approval. When a juvenile is taken into custody, the following steps shall be taken by the arresting officer or the investigator assigned to the case:

- Once the detained juvenile has been placed in secure or non-secure custody, complete the Juvenile Detention Log located in the Field Supervisor's office.
- Notify the juvenile's parent, guardian or a responsible relative that such juvenile is in custody and provide the location where the juvenile is being held and the intended disposition (Welfare & Institutions Code § 627).
- Submit a completed report to the Field Supervisor for approval.

Status offenders and abused or neglected children (juveniles falling within provisions of Welfare & Institutions Code §§ 300 and 601) may not be detained in police jails or lockups. They may be taken to welfare workers but may not be held in a secured environment or come into contact with adults in custody in the station.

322.3.1 TEMPORARY CUSTODY REQUIREMENTS

All juveniles held in temporary custody shall have the following made available to them:

- Access to toilets and washing facilities.
- One snack upon request during term of temporary custody if the juvenile has not eaten within the past four hours or is otherwise in need of nourishment. The snack

shall be provided by the arresting officer and/or supervisor. The officer or supervisor can purchase food/snack for the juvenile if needed. (Officer or Supervisor will place the receipt inside an envelope and seal it. Write juvenile's name, case number and total amount of purchase on front of envelope and turn it in to the Chief's Assistant for reimbursement).

- Access to drinking water;
- Privacy during visits with family, guardian, or lawyer.
- Provide the juvenile an opportunity to make at least two telephone calls within one hour of being taken into temporary custody. The telephone calls must be made to a parent, guardian, responsible relative, employer, or an attorney.

322.3.2 NON-CONTACT REQUIREMENTS (208 WIC)

Contact between juveniles in temporary custody, both secure and non-secure, and adult prisoners shall be restricted as follows:

- There will be no communication between the juvenile and adult prisoners allowed.
- If an adult prisoner, including an inmate worker, is present with the juvenile in the same room or area, a California State University Police Department employee trained in the supervision of inmates shall maintain a constant side-by-side presence with either the juvenile or adult prisoner to assure there is no communication between the juvenile and adult prisoner.
- Situations in which a juvenile and adult prisoner may be in the same room or corridor shall be limited to:
  - Booking
  - Medical screening
  - Inmate worker presence while performing work necessary for the operation of the California State University Police Department such as meal service and janitorial service.
  - Movement of persons in custody within the California State University Chico Police Department.

322.4 TYPES OF CUSTODY

The following provisions apply to types of custody, and detentions of juveniles brought to the California State University Chico Police Department.

322.4.1 NON-SECURE CUSTODY

All juveniles not meeting the criteria to be placed in a locked detention room, or any juvenile under the age of 14 taken into custody for a criminal violation, regardless of the seriousness of the offense, may be temporarily detained in the police facility; however the custody must be non-secure. Non-secure custody means juveniles shall be placed in an unlocked room or open area. Juveniles may be handcuffed, but not to a stationary or secure object. Juveniles shall receive constant personal visual supervision by law enforcement personnel. Monitoring a juvenile using audio, video or other electronic devices does not replace constant personal visual supervision.

322.4.2 SECURE CUSTODY – WIC § 602

Secure custody means a juvenile may be locked in a room or secured in a detention room subject to the following conditions:

- Juvenile is 14 years of age or older.
- Juvenile is taken into custody on basis of having committed a criminal law violation as defined in 602 WIC.
- Detention at this facility does not exceed 6 hours from the time of arrival at the police station, when both secure and non-secure time is combined.

- Detention is for the purpose of giving the officer time to investigate the case, facilitate the release of the juvenile to parents, or arrange transfer to Juvenile Hall.
- The officer apprehending the juvenile has reasonable belief that the juvenile presents a "serious security risk of harm to self or others." Factors to consider include:
    - Age, maturity, and delinquent history of juvenile;
    - Severity of offense for which taken into custody;
    - Juvenile's behavior;
    - Availability of staff to provide adequate supervision or protection of the juvenile;
    - Age, type, and number of other individuals detained at the facility.

322.4.3 SECURE DETENTION OF JUVENILES OUTSIDE OF DETENTION ROOM

Only juveniles meeting the criteria to be held in a locked detention room may be secured to a stationary object. The juvenile shall not be secured to a stationary object, i.e. chair, bench, etc., for more than 30 minutes unless a detention room is not available. If a juvenile is secured, the following conditions must be met:

- A Department employee must be present at all times to assure the juvenile's safety while secured to a stationary object.
- Juveniles who are secured to a stationary object are moved to a detention room as soon as one becomes available.
- Juveniles secured to a stationary object for longer than 30 minutes, and every 30 minutes thereafter, shall be approved by the Field Supervisor and the reason for continued secure detention shall be documented.

322.4.4 JUVENILE DETENTION ROOMS

Juveniles brought to the police facility may be temporarily detained in the break room while being monitored. This room may be used for the temporary detention of juveniles meeting the criteria of secure custody. Officers or Investigators placing juveniles into temporary detention shall comply with the following:

- It is the Officer's responsibility to notify the Field Supervisor, and/or Investigation personnel that a detention has begun. The juvenile must be told the reason for incarceration, the length of time secure detention will last and that it may not exceed a total of 6 hours.
- Any juvenile placed in a locked detention room shall be separated according to sex and the severity of the crime (felony or misdemeanor) unless emergency circumstances will not allow for this type of segregation. When such separation is not possible, the Field Supervisor shall be consulted for directions on how to proceed with the detention of the multiple juveniles involved.
- A written record will be maintained on a secure or non-secure detention log located in the Field Supervisor's office. This log will include the charges for which the juvenile is being detained, the circumstances that warrant a secured detention, the time the detention began, and the time it ended. There will also be a place for the Field Supervisor to initial the log approving the detention to occur and to initial the log when the juvenile is released.
- It is the responsibility of an Investigator (when available) to monitor the custody of the juvenile and to prepare the necessary paperwork to process the juvenile for release to a parent, guardian, or the appropriate juvenile custody facility. When an Investigator is not available, the Field Supervisor, or his/her designee, shall be responsible for monitoring the detention of the juvenile, and ensure that appropriate paperwork is prepared to process the juvenile out of the custody of this department. In all cases of a juvenile detention, the Field Supervisor shall be

notified of the detention, and, when applicable, the name of the investigator taking responsibility for the detention and processing of the juvenile.

- A thorough inspection of the detention room shall be conducted before placing a juvenile into the room. A second inspection shall be conducted after removing the juvenile. Any damage noted to the room shall be photographed and documented in the crime report.

322.4.5 JUVENILE'S PERSONAL PROPERTY

The officer placing a juvenile into a detention room must make a thorough search of the juvenile's property. This will ensure all items likely to cause injury to the juvenile or the facility are confiscated and placed in a property bag. The property shall be inventoried in the juvenile's presence and sealed into the bag. The property will be maintained by the responsible officer, or locked in a juvenile property locker until the juvenile is released from the custody of the California State University Chico Police Department.

322.4.6 MONITORING OF JUVENILES

The juvenile shall constantly be monitored during the entire detention. An in-person visual inspection shall be done to ensure the welfare of the juvenile and shall be conducted at least once each half-hour, on an unscheduled basis, until the juvenile is released. This inspection shall not be replaced by video monitoring. This inspection shall be conducted by a designee of the Field Supervisor, and the visual inspection shall be logged on the Inspection Log in the Field Supervisor's office.

More frequent visual inspections should be made as circumstances dictate as in the case of an injured or ill juvenile being detained, or if specific circumstances exist such as a disciplinary problem, or suicide risk. In such instances the Field Supervisor shall be fully informed about the special circumstances in order to evaluate continued detention of such a juvenile.

322.4.7 FORMAL BOOKING (WIC § 602 ONLY)

Juveniles may be formally booked at the Juvenile Hall based on their acceptance criteria. In the event the Juvenile Hall will not accept the detained juvenile, he or she shall be transported to the police facility for fingerprinting and photograph prior to being released to a responsible adult pending appearance date.

322.4.8 DISPOSITIONS

Any juvenile not transferred to another juvenile facility shall be released to one of the following:

- Parent or legal guardian
- An adult member of his/her immediate family
- An adult person specified by the parent/guardian
- An adult person willing to accept responsibility, when the juvenile's parents are unavailable as approved by the Field Supervisor.

If the 6-hour time limit has expired, the juvenile should be transported to the juvenile hall to accept custody.

After an officer has taken a juvenile into temporary custody for a violation of law, the following dispositions are authorized:

- The arresting officer may counsel or admonish the juvenile and recommend no further action be taken.

- If the arresting officer or the Field Supervisor feels that further action is needed, the juvenile will be released to a responsible person as listed above, and such juvenile will be advised that follow-up action will be taken. The officer will contact the parents and advise them of the course of action.
- The arresting officer may complete an application for petition on behalf of the juvenile and forward it to the records unit for processing.
- The juvenile may be transferred to Juvenile Hall with authorization of the Field Supervisor when the violation falls within the provisions of Welfare & Institutions Code § 602.
- If a juvenile is to be transported to Juvenile Hall, the following forms shall accompany the juvenile:
    - Application for Petition.
    - Any personal property taken from the juvenile at the time of detention.

322.5 JUVENILE CONTACTS AT SCHOOL FACILITIES

Absent exigent circumstances, officers should make every reasonable effort to notify responsible school officials prior to contacting a student on campus while school is in session.

Reasonable efforts should be taken to coordinate with school officials to minimize disruption of school functions and maintain a low profile police presence when contacting a student. Whenever circumstances warrant the temporary detention or interview of a juvenile student on campus, the officer should:

- Take all reasonable steps to notify a parent, guardian or responsible adult, including those phone numbers listed on any contact card on file with the school or provided by the student. All efforts to make contact with parents should be documented.
- If efforts to contact a parent, guardian or responsible adult are unsuccessful, an interview with the juvenile may proceed without them. Upon the request of the juvenile, a school official or lawyer may be present during the interview in lieu of a parent.
- If contacted, the selected parent or other responsible adult should be permitted to be present during any interview or provide oral consent for the interview to proceed in their absence. A student may select a responsible school official in the absence of a parent or guardian.

An adult suspected of child abuse or other criminal activity involving the juvenile, or an adult, who in the opinion of the officer appears to be under the influence or otherwise unable or incompetent to exercise parental rights on behalf of the juvenile, will not be permitted to be present.

If the officer reasonably believes that exigent circumstances exist which would materially interfere with the officer's ability to immediately interview the juvenile, the interview may proceed without the parent or other responsible adult. In such circumstances, the exigent circumstances should be set forth in a related report.

Whenever circumstances warrant the temporary detention or interview of a juvenile student on a secondary school campus, the officer should:

- Take all reasonable steps to notify a parent, guardian or responsible adult, including those phone numbers listed on any contact card on file with the school or

provided by the student. All efforts to make contact with parents should be documented.

- If efforts to contact a parent, guardian or responsible adult are unsuccessful, an interview with the juvenile may proceed without them. Upon the request of the juvenile, a school official or lawyer may be present during the interview.

322.6 RELEASE OF INFORMATION CONCERNING JUVENILES

Court decisions and legislation have combined to carefully specify situations in which information may be given out or exchanged when a case involves a juvenile. Officers of this department shall not divulge any information regarding juveniles in situations where they are uncertain of the legal authority to do so.

322.6.1 RELEASE OF INFORMATION BY SUPERIOR COURT ORDER

A copy of the current policy of the Juvenile Court concerning authorized release of information and appropriate acknowledgment forms shall be kept with copies of this procedure in the Policy Manual. Such releases are authorized by Welfare & Institutions Code § 827.

322.6.2 RELEASE OF INFORMATION TO OTHER AGENCIES

Welfare & Institutions Code § 828 authorizes the release of certain information to other agencies. It shall be the responsibility of the Records Supervisor to ensure that personnel of the records unit act within legal guidelines.

322.7 ADDITIONAL CONSIDERATIONS PERTAINING TO JUVENILES

322.7.1 EMERGENCY MEDICAL CARE OF JUVENILES IN CUSTODY

When emergency medical attention is required for a juvenile who is either in secure or non secure custody, the paramedics will be called. The Field Supervisor shall be notified of the need for medical attention for the juvenile.

In cases where injury or illness is life threatening and where lost minutes may be the deciding factor, the arresting officer or the discovering officer should administer first aid prior to the arrival of the paramedics. The juvenile will then be transported to a medical facility.

In the event of a serious illness, suicide attempt, injury or death of a juvenile, the following persons shall be notified as soon as possible:

- The Juvenile Court,
- The parent, guardian, or person standing in loco parentis, of the juvenile.

322.7.2 SUICIDE PREVENTION OF JUVENILES IN CUSTODY

The arresting officer should be alert to potential symptoms based upon exhibited behavior that may indicate the juvenile is a suicide risk. These symptoms may include depression, refusal to communicate, verbally threatening to kill himself/herself, or any unusual behavior which may indicate the juvenile may harm himself/herself while in custody in either secure or non-secure detention.

The detaining or transporting officer is responsible to notify the Field Supervisor if he/she believes the juvenile may be a suicide risk. The Field Supervisor will then make arrangements to contact a mental health team for evaluation, or to contact Juvenile Hall and make arrangements for the transfer of the juvenile, providing the juvenile meets the intake criteria. The juvenile shall be under constant personal supervision until the transfer is completed.

322.7.3 USE OF RESTRAINT DEVICES

California State University Chico Police Department Policy Manual § 306 refers to the only authorized restraint device. The policy of the California State University Chico Police Department is that restraints will not be used for inmates retained in custody. This policy also applies to juveniles held in temporary custody. The use of a restraint is an extreme measure and only for a temporary measure pending transportation to another facility or until other custodial arrangements can be made. The use of restraints shall only be used when the juvenile:

- Displays bizarre behavior that results in the destruction of property or show intent to cause physical harm to self or others;
- Is a serious and immediate danger to himself/herself or others;
- Otherwise falls under the provisions of Welfare and Institutions Code § 5150.

Restraint devices include devices which immobilize a juvenile's extremities and/or prevent the juvenile from being ambulatory. Restraints shall only be used after less restrictive measures have failed and with the approval of the Field Supervisor.
Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others.

Direct visual observation shall be conducted at least twice every thirty minutes to ensure that the restraints are properly employed, and to ensure the safety and well being of the juvenile.

The Field Supervisor shall arrange to have the juvenile evaluated by a mental health team as soon as possible if there is evidence of mental impairment. When mental impairment is suspected, constant personal visual supervision shall be maintained in order to ensure that restraints are properly employed and to ensure the safety and well being of the juvenile. Such supervision shall be documented in the police report.

While in restraint devices, all juveniles shall be housed alone to protect them from abuse. In no case shall restraints be used as a punishment, or as a substitute for treatment.

322.7.4 DISCIPLINE OF JUVENILES IN CUSTODY

No discipline shall be administered by police personnel while a juvenile is in custody.

322.7.5 DEATH OF A JUVENILE WHILE DETAINED

In the event of a juvenile's death while being detained at the California State University Chico Police Department, the District Attorney's Office and the Sheriff-Coroners Office will conduct the investigation of the circumstances surrounding the death. The Operations Lieutenant or his/her designee will conduct an administrative review of the incident.

In any case in which a juvenile dies while detained at the California State University Chico Police Department, the following shall apply:

- The Chief of Police or his or her designee shall provide to the Board of Corrections a copy of the report submitted to the Attorney General under Government Code § 12525. A copy of the report shall be submitted to the Board within 10 calendar days after the death.
- Upon receipt of a report of death of a juvenile from the Chief of Police or his or her designee, the Board may within 30 calendar days inspect and evaluate the juvenile facility, jail, lockup or court holding facility pursuant to the provisions of Article 4, Title 15 § 1341. Any inquiry made by the Board shall be limited to the standards and requirements set forth in these regulations.

- A medical and operational review of every in-custody death of a juvenile shall be conducted. The review team shall include the following:
  - Chief of Police or his or her designee;
  - The health administrator;
  - The responsible physician and other health care and supervision staff who are relevant to the incident.

322.8 INTOXICATED AND SUBSTANCE ABUSING MINORS

Juveniles who are arrested while intoxicated may be at risk for serious medical consequences, including death. Examples include acute alcohol poisoning, seizures and cardiac complications of cocaine, markedly disordered behavior related to amphetamines or hallucinogenic drugs, and others. In certain cases, a medical clearance should be obtained prior to detention of juveniles at the California State University Police Department where the minor appears to be under the influence of alcohol or intoxicating substances. Each incident is unique and the determination is left to the officer's discretion in determining if a minor may require medical attention. The following criteria may help establish if a minor is intoxicated to the point a medical evaluation is warranted:

- Known history of ingestion or sequestration of a balloon containing drugs in a body cavity.
- Minor is known or suspected to have ingested any substance that could result in a medical emergency.
- A minor who is intoxicated to the level of being unable to care for him or herself.
- An intoxicated minor whose symptoms of intoxication are not showing signs of improvement.

Juveniles with lower levels of alcohol in their system may not need to be evaluated. An example is a minor who has ingested low levels of an alcoholic beverage would not normally meet this criterion.

A minor detained and brought to the California State University Chico Police Department who displays symptoms of intoxication as a result of alcohol or drugs shall be handled as follows:

- Observation of juvenile's breathing to determine that breathing is regular. Breathing should not be erratic or indicate that the juvenile is having difficulty breathing.
- Observation of the juvenile to ensure that there has not been any vomiting while sleeping and ensuring that intoxicated juveniles remain on their sides rather than their backs to prevent the aspiration of stomach contents.
- An arousal attempt to ensure that the juvenile will respond to verbal or pressure stimulation. This is the most important monitoring procedure.

Personal observation shall be conducted on a frequent basis while the minor is in the custody of the California State University Chico Police Department, and no less than once every 15 minutes until such time as the symptoms are no longer present. For juveniles held in secure detention inside a locked enclosure, officers will ensure constant audio monitoring is maintained in addition to conducting the in person visual checks. All other forms of detention require the officer to maintain constant visual supervision of the minor.

The 15-minute checks of the juvenile shall be documented on the Juvenile Detention Log in the Field Supervisor's office.

Any juvenile who displays symptoms suggestive of a deepening comatose state (increasing difficulty or inability to arouse, irregular breathing patterns, or convulsions), shall be

considered an EMERGENCY. Paramedics should be called and the juvenile taken to a medical treatment facility.

Juveniles undergoing acute withdrawal reactions shall immediately be transported to a medical facility for examination by a physician.

A medical clearance may be required before the minor is transported to juvenile hall if it is known that the minor ingested any intoxicating substances or appears to be under the severe influence of alcohol.

Once the minor no longer displays symptoms of intoxication, the requirements in the above section will no longer be required. The minor will still be monitored on a 30 minute basis as outlined in this policy. The minor will continue to be monitored as required for secure or non secure detentions.

APPROVED

JOHN M. REID
CHIEF OF POLICE

Secure Detention of Juvenile Log

Note: a Juvenile shall not be detained in a law enforcement facility for a period exceeding six hours.

Date: _____

Secure Detention Conditions:

1. The juvenile is 14 years of age or older.
2. The juvenile is detained under Section 602WIC.
3. The detaining officer has reason to believe that the juvenile presents a serious security risk of harm to self or others.
4. The detention is for the purpose of investigating the case, facilitating release to a parent or guardian, or arranging transfer to an approved detention facility.

SECURE DETENTION

A. Complete this section for each juvenile placed in secure detention for any length of time.

B. Complete this section when juvenile is released or transferred.

Juvenile's Name	Sex	Age	Reason Detained: Charge	Entered Facility: Date	Entered Facility: Time	30 Minute Observations: Time	30 Minute Observations: Emp. Initials	30 Minute Observations: Time	30 Minute Observations: Emp. Initials	When Released: Date	When Released: Time	Total Time in Facility: Hrs/Mins	Type of Release Code*	Release Information	207.1 WIC Advisement Information
Arresting Officer:														Released To:	Juvenile Advised Of: (Initial Each Line)
Detention Approved By:														Release By:	___ Purpose of secure detention ___ Expected duration of detention ___ 6 hr. detention limit
Arresting Officer:														Released To:	Juvenile Advised Of: (Initial Each Line)
Detention Approved By:														Release By:	___ Purpose of secure detention ___ Expected duration of detention ___ 6 hr. detention limit
Arresting Officer:														Released To:	Juvenile Advised Of: (Initial Each Line)
Detention Approved By:														Release By:	___ Purpose of secure detention ___ Expected duration of detention ___ 6 hr. detention limit
Arresting Officer:														Released To:	Juvenile Advised Of: (Initial Each Line)
Detention Approved By:														Release By:	___ Purpose of secure detention ___ Expected duration of detention ___ 6 hr. detention limit

Supervisor Approving:

Secure Detention of Juvenile Log

Instructions: This log shall be kept pursuant to Section 207.1 (d)(F) of the Welfare and Institutions Code. At the end of each month, the entries on the log of juveniles held in secure detention shall be tallied and entered on the Board of Corrections form entitled Monthly Report On The Detention Of Minors In Buildings That Contain Lockups/Jails. Ensure that each juvenile is counted only once. Retention begins when the juvenile enters the law enforcement facility and ends when the juvenile leaves the facility.

Section A
Detentions:

Information shall be entered for each juvenile placed in non-secure detention, regardless of the length of time. "Reason Detained" shall be the appropriate charge (e.g., 211 PC, 459 PC, 11350 H&S).

Section B
Type of Release Codes:

Code #	Description
1)	Juvenile released to parents.
2)	Transfer to detention facility.
3)	Other type of release.

California State University, Chico Police Department Month/Year _____
Holding Facility Control Log

CUSTODY INFORMATION							RELEASE INFO			SECURITY CHECKS
NAME	DOB	ROOM #	VIOL	When Confined		OFFICER	When Released		Type of Release	DATE, TIME, and INITIAL
				Date	Time		Date	Time		

H:\Forms\Holding Facility Control Log 10/06

REVISED: 1/31/2018
Effective: 2/13/2007

California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 324

ELDER ABUSE

324.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with direction and understanding of their role in the prevention, detection, and intervention in incidents of elder abuse. It is the policy of the California State University Chico Police Department to treat reports of violence against elderly persons as high priority criminal activity which is to be fully investigated regardless of the relationship between the victim and the suspect(s).

324.2 DEFINITIONS

For purposes of this policy, the following definitions are provided (Welfare & Institutions Code §§ 15610; et. seq. and Penal Code § 368).

DEPENDENT ADULT means any person residing in this state, between the ages of 18 and 64 years, who has physical or mental limitations that restrict his or her ability to carry out normal activities or to protect his or her rights including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age. Dependent Adult includes any person between the ages of 18 and 64 who is admitted as an inpatient to a 24-hour health facility, as defined In Health and Safety Code §§ 1250, 1250.2, and 1250.3.

ELDER means any person residing in this state, 65 years of age or older.

FIDUCIARY ABUSE means a situation in which any person who has the care or custody of, or who stands in a position of trust to, an elder or a dependent adult, takes, secretes, or appropriates their money or property, to any use or purposes not in the due and lawful execution of his or her trust.

ABUSE OF AN ELDER OR A DEPENDENT ADULT means physical abuse, neglect, fiduciary abuse, abandonment, isolation or other treatment with resulting physical harm or pain or mental suffering, or the deprivation by a care custodian of goods or services that are necessary to avoid physical harm or mental suffering.

ADULT PROTECTIVE SERVICES AGENCY means a county welfare department, except persons who do not work directly with elders or dependent adults as part of their official duties, including members of support staff and maintenance staff.

NEGLECT means the negligent failure of any person having the care or custody of an elder or a dependent adult to exercise that degree of care, which a reasonable person in a like position would exercise. Neglect includes, but is not limited to, all of the following:

- Failure to assist in personal hygiene, or in the provision of food, clothing, or shelter.
- Failure to provide medical care for physical and mental health needs. No person shall be deemed neglected or abused for the sole reason that he or she voluntarily relies on treatment by spiritual means through prayer alone instead of medical treatment.

324.3 MANDATORY REPORTING REQUIREMENTS

Pursuant to Welfare & Institutions Code § 15630, the California State University Chico Police Department is considered a mandated reporter. “Any employee who has observed an incident that reasonably appears to be physical abuse, observed a physical injury where the nature of the injury, its location on the body, or the repetition of the injury clearly indicates that physical abuse has occurred or is told by an elder or dependent adult that he or she has experienced behavior constituting physical abuse shall report the known or suspected instance of abuse by telephone immediately or as soon as possible, and by written report sent within two working days to Adult Protective Services.”

324.3.1 DISPATCH/RECORDS UNIT RESPONSIBILTY

The Dispatch/Record Unit is responsible for the following:

- Provide a copy of the elder/dependent abuse report to Adult Protective Services. This requirement is applicable even if the initial call was received from Adult Protective Services.
- Provide the yellow copy to Adult Protective Services and retain the white and pink copies with the initial case file.

324.4 OFFICER’S RESPONSE

Officers shall investigate all calls of elder abuse and dependent abuse that they encounter. Officers responding to incidents of actual or suspected elder abuse shall consider the following when handling these calls:

324.4.1 INITIAL RESPONSE

Officers may be called upon to affect a forced entry as the first responder to the scene of a suspected elder abuse. Entry should be immediate when it appears reasonably necessary to protect life or property. When the need for an emergency entry is evident, officers should seek supervisory approval. Officers must be prepared to provide emergency care pending the arrival of medical personnel if not already present.

324.4.2 STABILIZE THE SITUATION

Officers must quickly assess the situation in an effort to ensure the immediate safety of all persons. Officers shall also consider the following:

- Attempt to identify the victim, suspect and witnesses as well as the roles and relationships of all parties. Parties should be interviewed separately when possible. Frequently it is wrongfully assumed that elderly persons are incapable of accurately reporting the incident. Do not automatically discount the statement of an elderly person.

- Preserve the crime scene where evidence may be present. All persons should be removed from the scene until it has been photographed and processed. Any evidence such as injuries that may change in appearance should be photographed immediately.
- Assess and define the nature of the problem. Officers should assess the available information to determine the type(s) of abuse that may have taken place or the potential for abuse in the future that may be eliminated by our intervention.
- Make on-scene arrests when appropriate. Immediate arrest of an abuser (especially when the abuser is a family member or caretaker) may leave the elderly victim without necessary support and could result in institutionalization. The effect of an arrest on the victim should be considered and weighed against the assessed risk and the competent victim's desires. The present and future safety of the victim is of utmost importance.

324.4.3 SUPPORT PERSONNEL

The following person(s) should be considered if it appears an in-depth investigation is appropriate:

- Patrol Supervisor
- Investigative personnel
- Evidence collection personnel
- Protective Services Agency Personnel
- Ombudsman shall be called if the abuse is in a long-term care facility.

324.4.4 EMERGENCY PROTECTIVE ORDERS

In any situation which an officer reasonably believes that an elder or dependant adult is in immediate and present danger of abuse based on an allegation of a recent incident of abuse or threat of abuse (other than financial abuse alone), the officer may seek an emergency protective order against the person alleged to have committed or threatened such abuse. Family Code § 6250(d).

324.5 ELDER ABUSE REPORTING

Every allegation of elder abuse shall be documented. Reporting of cases of elder/ dependent abuse is confidential and will only be released as per Policy Manual § 810. The following information should be provided in addition to the general information provided on the crime report:

- Current location of the victim;
- Victim's condition/nature and extent of injuries, neglect or loss;
- Names of agencies and personnel requested and on scene.

Officers investigating elder/dependent abuse shall complete State of California form SOC 341 (Report of Suspected Dependent Adult/Elder Abuse).

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 01/31/2018
Effective: 01/01/2014

California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 326

DISCRIMINATORY HARASSMENT

326.1 PURPOSE AND SCOPE

To prevent department members from being subjected to discrimination or sexual harassment and to ensure full equal employment opportunity, in conformance with Title VII of the Civil Rights Act of 1964, the guidelines issued by the Equal Employment Opportunity Commission, the California Fair Employment and Housing Act and the guidelines issued by the California Fair Employment and Housing Commission.

In response to recent legal and legislative developments in the area of anti-harassment laws, CSU Executive Order 10-89 replaces CSU Executive Order 927. Executive Order 10-89 broadens the scope of what was once the CSU's Sexual Harassment policy to one that prohibits unlawful harassment based on any statutory category protected by the Fair Employment and Housing Act. Executive Order 10-89 reemphasizes the importance of training the CSU community on anti-harassment and anti-retaliation policies and procedures in order to prevent and correct harassment.

326.2 POLICY

The California State University Chico Police Department is committed to creating and maintaining a work environment that is free of all forms of discrimination and intimidation, including sexual harassment. The department will take preventative, corrective and disciplinary action for any behavior that violates this policy or the rights and privileges it is designed to protect.

326.3 DEFINITIONS

326.3.1 DISCRIMINATION

Any act or omission of an act which would create a hostile work environment, or exclude any person from employment or promotional opportunities, because of sex, sexual orientation, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition, age, marital status or denial of family care or pregnancy disability leave.

Discrimination includes, but is not limited to, derogatory comments, slurs or jokes, pictures, cartoons or posters, and actions which result in an employee being offended or insulted because of a protected classification status enumerated in § 326.31 of this order.

326.3.2 HARASSMENT

Harassment occurs when unwelcome conduct is engaged in which include race, color, religion, national origin, ancestry, age, sex, sexual orientation, marital status, veteran status, physical disability, mental disability, or medical condition, and:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis or threatened to be used as the basis for employment or assessments affecting an individual; or
- Such conduct is so severe or pervasive that its effect, whether or not intended in a work environment that could be considered by a reasonable person in the shoes of the individual, and is in fact considered by the individual, as intimidating, hostile or offensive.
  Harassment can be written (in print or electronically), verbal, visual, or physical.

Examples of harassment include:

- Written communications, such as sending inappropriate jokes or comments in print or by e-mail;
- Verbal communications, such as making graphic or degrading comments about an individual and or his or her body or personal characteristics, or using epithets, derogatory comments or slurs:
- Physical acts, such as unwanted touching, physical interference, or even assault;
- Visual acts or displays, such as derogatory cartoons, drawings, or posters, or inappropriate gestures.
- Making unwelcome sexual advances or propositions, or offering employment benefits or giving preferential treatment in exchange for sexual favors;
- Making or threatening reprisals after a negative response to unwelcome conduct

"Sex" includes, but is not limited to: the victim's actual sex; the harasser's perception of the victim's sex; the harasser's perception of the victim's identity, appearance, or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with victim's sex at birth; and pregnancy; childbirth; or medical conditions related to pregnancy or childbirth.

Sexual harassment is prohibited whether perpetrated by a CSU employee or a non-employee. Where the CSU employee who engages in unlawful sexual harassment is a supervisor or manager, the conduct is especially invidious. Sexual harassment may be perpetrated by someone who is of the same sex as the victim. The person who complains of sexual harassment may be the victim toward whom the harassing conduct was directed or a third party who witnessed the harassing conduct.

326.4 DEFINITIONS

Employee includes any full- or part-time CSU employee, whether permanent, tenured, probationary, temporary, intermittent, casual employment, or Management Personnel Plan employee.

Applicant refers to an individual who has completed the application process for a specific, available position at a CSU campus or at the Chancellor's Office.

Independent contractor refers to "a person providing services pursuant to a contract." As deemed by the Fair Employment and Housing Act, "a person providing services pursuant to a contract" is a person who meets all of the following criteria:

- The person has the right to control the performance of the contract for services and discretion as to the manner of performance.
- The person is customarily engaged in an independently established business.
- The person has control over the time and place the work is performed, supplies the tools and instruments used in the work, and performs work that requires a particular skill not ordinarily used in the course of the employer's work.

A person with a disability is a person who:

- Has a physical or mental impairment which limits one or more major life activities; or
- Has a record of such an impairment; or
- Is regarded as having such an impairment.

Medical condition means: A health impairment related to a diagnosis of cancer or a record or history of cancer; or a genetic characteristic that is known to cause a disease or disorder, or to statistically increase the risk of developing a disease or disorder, but currently is not manifested in any symptoms of the disease or disorder.

326.5 POLICY IMPLEMENTATION (EXECUTIVE ORDER 10-89)

The chancellor and the presidents, or their designees, shall be responsible for implementing this system wide policy at each campus. This includes, but is not limited to, publicizing the policy, conducting training, and establishing an administrative structure consistent with this executive order that facilitates the prevention and elimination of unlawful harassment.

326.6 TRAINING & INTERNAL COMMUNICATION

To prevent harassment and encourage the reporting of harassment, training shall be provided by each campus to all employees upon their initial arrival at the campus.

Such training shall explain, but not be limited to what constitutes harassment under applicable law; the rights and responsibilities of each individual relating to workplace harassment; the protection against retaliation for individuals who report harassment or participate in an investigation; the internal complaint procedures for filing, investigating and resolving a harassment complaint; and the option and method for filing a harassment complaint with external government agencies such as the Department of Fair Employment and Housing (DFEH) and the Equal Employment Opportunity Commission (EEOC). After training has been given to employees upon their first arrival at the campus, training shall be provided, when necessary, to refresh and update employees' knowledge of harassment and retaliation laws.

Recent amendments to FEHA include additional training requirements for supervisory employees, who generally must receive at least two hours of interactive sexual harassment training within six months of assignment to a supervisory position, and continued training every two years.

Each campus should ensure that the requisite training is provided and maintain documentation of the provided training.
Each campus shall distribute a copy of the following documents to all employees upon their first arrival at the campus. It is recommended that this information be made accessible for reference to current employees annually.

- The DFEH pamphlet "Discrimination and Harassment in Employment are Prohibited by Law" [DFEH-162 (04/04)];
- This executive order, or a superseding document, if applicable:
- Executive Order 883, or a superseding document, if applicable; and
- Executive Order 675, or a superseding document, if applicable.

Each campus shall obtain the poster on discrimination in employment from the DFEH, or create an equivalent document, and shall post such poster/document in prominent and accessible locations on campus.

The chancellor and the presidents, or their designees, shall designate the individuals responsible for receiving and investigating complaints of harassment on their respective campuses. Once selected, each campus shall publicize the job titles, phone numbers and addresses of these individuals. Their job titles, rather than names, should be publicized so as to eliminate confusion when there is a staffing change. Training shall be provided to these individuals, as needed, to update their knowledge and skills.

328.7 COMPLAINT PROCESSING

Complaints of harassment are processed in the same manner as complaints of discrimination.

The type of internal complaint procedure that is available to each person for filing a discrimination complaint will vary depending upon two factors:

- The employment status of the person, and
- The applicable collective bargaining agreement.

To direct a person who has a harassment complaint to the appropriate complaint procedure, the campus should first determine whether the person is an employee, applicant, or independent contractor. If the person is an employee, the campus should next determine if the employee is covered by a collective bargaining agreement.

326.7.1 EMPLOYEES COVERED BY A CBA

Employees who are covered by a collective bargaining agreement that provides a procedure for filing discrimination or harassment complaints shall he directed to the relevant provision in the respective labor contract. Where the collective bargaining agreement does not provide a procedure for filing discrimination or harassment complaints or, where the collective bargaining agreement does not provide for the type of discrimination or harassment claim the employee articulates (e.g., co-worker harassment), the employee shall be directed to Executive Order 675, or a superseding executive order, if applicable.

326.7.2 EMPLOYEES NOT COVERED BY CBA

Employees who do not belong to a collective bargaining unit (e.g., MPP and Confidential) shall be directed to utilize Executive Order 675, or a superseding executive order, if applicable.

326.7.3 APPLICANTS & INDEPENDENT CONTRACTORS

There is currently no system wide discrimination or harassment complaint procedure for applicants or independent contractors. Yet, their harassment complaints must be investigated and appropriate actions taken pursuant to this executive order and in accordance with state and federal non-discrimination laws. Consequently, each campus shall provide for these investigations by having in place a complaint procedure to handle harassment complaints from applicants and independent contractors. Such a procedure shall designate several persons to whom a report of harassment can be made.

326.8 RESPONSIBILITIES

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

All employees shall promptly report any observed or known violations of this policy to a supervisor. Employee(s) not comfortable with reporting violations of this policy to their immediate supervisor may bypass the chain of command and report it to a higher-ranking officer.

326.8.1 SUPERVISOR RESPONSIBILITY

Each supervisor and manager shall:

- Ensure that the work environment is free from all types of unlawful discrimination, including sexual harassment.
- Take prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination.
- Train their subordinates as to what constitutes discrimination and harassment.
- Notify the Chief of Police through the chain of command.

Individual employees may be held personally liable for discriminatory acts, including sexual harassment.

326.8.2 SUPERVISOR'S ROLE

Because of differences in individual values, supervisors and managers may find it difficult to recognize that their behavior or the behavior of others is discriminatory or harassing. Supervisors and managers shall be aware of the following considerations:

- Behavior of supervisors and managers should represent the values of our department and professional law enforcement standards.
- False or mistaken accusations of discrimination and sexual harassment have negative effects on the careers of innocent employees.
- Supervisors and managers must act responsibly in the handling of such situations.
- Supervisors and managers must make a determination on any allegations based upon all available facts.

326.9 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the investigation, the supervisor of the involved employees should take reasonable steps to mitigate or eliminate any continuing hostile work environment.

326.9.1 SUPERVISORY RESOLUTION

Whenever possible, employees who believe they are experiencing discrimination and/or harassment are encouraged to inform the individual that his/her behavior is unwelcome, offensive, unprofessional or highly inappropriate. If this does not resolve the concern or if an employee feels uncomfortable, threatened, or has difficulty expressing his/her concern, supervisory or management assistance or counseling should be sought from a supervisor or manager one rank higher than the alleged offender.

326.9.2 FORMAL INVESTIGATION

Upon being notified of any complaint that cannot be satisfactorily resolved through the supervisory means cited above, the Chief of Police or his or her designee shall initiate a formal investigation.

The employee assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. The investigative authority includes accessibility to records and cooperation of any employees involved. No influence will be used to suppress any complaint and (except as herein provided) no employee 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 and will include, but not be limited to, details of the specific incident, frequency and dates of occurrences and names of any witnesses.

326.9.3 DISPOSITION OF COMPLAINTS

Only one of the following 4 dispositions will be used to classify the disposition of an allegation of harassment:

- Sustained Complaints - If the complaint is substantiated, this policy and procedure prohibiting discrimination/harassment will be reviewed with the offender. Appropriate disciplinary action and/or training, will be taken pursuant to the department disciplinary procedures.
- Not Sustained Complaints - If there is insufficient evidence to either prove or disprove the allegation(s), both parties to the complaint will be informed of the reason(s) for this disposition.
- Unfounded Complaint - If it is determined that an act reported pursuant to this policy/procedure did not in fact occur, a finding of unfounded shall be made.
- Exonerated Complaints - If it is determined that an act reported pursuant to this policy/procedure did in fact occur, but was lawful and proper within the guidelines established herein, a finding of exonerated shall be made.

Should it be determined that the reporting party filed the complaint in good faith and/or through a mistake of fact, that employee shall be counseled/trained pursuant to Policy Manual § 326.41(c).

Should it be determined that the reporting party maliciously filed the complaint knowing that it was false or frivolous at the time of the complaint, that employee shall be subject to the disciplinary process up to, and including termination.

326.10 NOTIFICATION OF DISPOSITION

Complainant and/or victim will be notified in writing of the disposition of the investigation and action(s) taken to remedy the complaint.

326.11 DOCUMENTATION OF COMPLAINTS

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

- Approved by the Chief of Police.
- Maintained for a minimum of five (5) years.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 2/13/2007

California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 328

CHILD ABUSE REPORTING

328.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines and procedures for reports of suspected child abuse and the taking of minors into protective custody.

328.2 DEFINITIONS

For purposes of this section the following definitions are provided:

CHILD means a person under the age of 18 years.

CHILD ABUSE means a physical injury which is inflicted by other than accidental means on a child by another person. Child abuse also means the sexual abuse or any act or omission proscribed by Penal Code § 273a (willful cruelty or unjustifiable punishment of a child) or Penal Code § 273d (unlawful corporal punishment or injury). Child abuse also means the neglect of a child or abuse in out-of-home care. Child abuse does not include a mutual affray between minors. Child Abuse does not include an injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his or her employment as a peace officer. (Penal Code § 11165.6).

CHILD PROTECTIVE AGENCY means a police or sheriff's department, a county probation department or a county welfare department. This section does not include school district police or security department.

328.3 CHILD ABUSE REPORTING

Pursuant to Penal Code § 11165.9, this department is defined as a "child protective agency". All employees of this department are responsible for the proper reporting of child abuse. Any employee who encounters any child whom he or she reasonably suspects has been the victim of child abuse, shall immediately take appropriate action and prepare a crime report pursuant to Penal Code § 11166. The mandatory reporting responsibilities are as follows:

- Report immediately or as soon as practicably by telephone.
- Complete a Child Abuse Summary Report, Department of Justice (DOJ) Form SS 8583 available from the DOJ website at http://www.ag.ca.gov/childabuse/forms.php#doj, and mail the form to the District Attorney's Office, Child Abuse Unit and Child Protective Services within 36 hours of the reported incident.

- Departments must report every incident of suspected child abuse for which they conduct an active investigation and determine not to be unfounded to DOJ on the Form SS 8583.

328.3.1 MANDATORY NOTIFICATION

Pursuant to Penal Code § 11166.1, when this agency receives a report of abuse occurring at the below listed facilities, notification shall be made within 24 hours to the licensing office with jurisdiction over the facility.

- A facility licensed to care for children by the State Department of Social Services.
- A report of the death of a child who was, at the time of death, living at, enrolled in or regularly attending a facility licensed to care for children by the State Department of Social Services, unless the circumstances of the child's death are clearly unrelated to the child's care at the facility.

Additionally, an immediate notification is required to the appropriate licensing agency if the suspected child abuse occurs while the child is being cared for in a child day care facility, involves a child day care licensed staff person, or occurs while the child is under the supervision of a community care facility licensee or staff person.

Reports shall also be sent to the following:

Department of Justice
Bureau of Criminal Statistics and Special Services
P.O. Box 13417
Sacramento, California 95813
Attn: Child Abuse Central Registry

State of California
Department of Social Services
Community Care Licensing Division
107 South Broadway, Room 6016
Los Angeles, California 90012

328.3.2 POLICE REPORTS

Employees responding to incidents of suspected child abuse where it can not initially be shown that a crime occurred shall document the incident in a general report. No Suspected Child Abuse Report is required if the incident is documented in a general or miscellaneous report.

328.3.3 RELEASE OF REPORTS

Reports of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to Penal Code § 11167.5 and Policy Manual § 810.

328.4 INVESTIGATION RESPONSIBILITY

The duties of the investigators assigned to investigate child abuse include but are not limited to:

- Responsibility for the investigation, collection of evidence, and preliminary preparation for prosecution of all cases of child abuse and molestation;

- Investigation into the deaths of children that could be attributed to abuse, molest, or Sudden Infant Death Syndrome (SIDS);
- Investigate reports of unfit homes, child abandonment, child endangering, or neglect;
- Provide follow-up on suspected child abuse reports (compliance calls);
- Provide appropriate training to patrol personnel;
- Coordinate with other enforcement agencies, social service agencies, and school administrators in the application and enforcement of the laws regarding child abuse cases.

328.5 PHYSICAL EXAMINATIONS

If the child has been the victim of sexual abuse requiring a medical examination, the officer should arrange for transportation of the victim to the appropriate hospital. The officer will need to fill out the Medical Report - Suspected Child Sexual Abuse Form, (OCJP form 925) prior to the doctor doing the examination.

328.6 TEMPORARY CUSTODY OF JUVENILES

Pursuant to Welfare & Institutions Code §§ 300 et. seq., a child may be taken into protective custody if they are the victim of suspected child abuse.

APPROVED

JOHN M. REID
CHIEF OF POLICE

SUSPECTED CHILD ABUSE REPORT

To Be Completed by **Mandated Child Abuse Reporters**
Pursuant to Penal Code Section 11166

PLEASE PRINT OR TYPE

CASE NAME: _____

CASE NUMBER: _____

A. REPORTING PARTY

NAME OF MANDATED REPORTER	TITLE		MANDATED REPORTER CATEGORY
REPORTER'S BUSINESS/AGENCY NAME AND ADDRESS — Street	City	Zip	DID MANDATED REPORTER WITNESS THE INCIDENT? ❒ YES ❒ NO
REPORTER'S TELEPHONE (DAYTIME) ( )	SIGNATURE		TODAY'S DATE

B. REPORT NOTIFICATION

❒ LAW ENFORCEMENT ❒ COUNTY PROBATION ❒ COUNTY WELFARE / CPS (Child Protective Services)	AGENCY		
ADDRESS — Street	City	Zip	DATE/TIME OF PHONE CALL
OFFICIAL CONTACTED - TITLE			TELEPHONE ( )

C. VICTIM
One report per victim

NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE	SEX / ETHNICITY
ADDRESS — Street	City	Zip	TELEPHONE ( )	
PRESENT LOCATION OF VICTIM	SCHOOL		CLASS	GRADE
PHYSICALLY DISABLED? ❒ YES ❒ NO	DEVELOPMENTALLY DISABLED? ❒ YES ❒ NO	OTHER DISABILITY (SPECIFY)	PRIMARY LANGUAGE SPOKEN IN HOME	
IN FOSTER CARE? ❒ YES ❒ NO	IF VICTIM WAS IN OUT-OF-HOME CARE AT TIME OF INCIDENT, CHECK TYPE OF CARE: ❒ DAY CARE ❒ CHILD CARE CENTER ❒ FOSTER FAMILY HOME ❒ FAMILY FRIEND ❒ GROUP HOME OR INSTITUTION ❒ RELATIVE'S HOME		TYPE OF ABUSE *(CHECK ONE OR MORE)* ❒ PHYSICAL ❒ MENTAL ❒ SEXUAL ❒ NEGLECT ❒ OTHER (SPECIFY)	
RELATIONSHIP TO SUSPECT	PHOTOS TAKEN? ❒ YES ❒ NO		DID THE INCIDENT RESULT IN THIS VICTIM'S DEATH? ❒ YES ❒ NO ❒ UNK	

D. INVOLVED PARTIES

VICTIM'S SIBLINGS

NAME	BIRTHDATE	SEX	ETHNICITY	NAME	BIRTHDATE	SEX	ETHNICITY
1.				3.			
2.				4.			

VICTIM'S PARENTS/GUARDIANS

NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY
ADDRESS — Street	City	Zip	HOME PHONE ( )	BUSINESS PHONE ( )	
NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY
ADDRESS — Street	City	Zip	HOME PHONE ( )	BUSINESS PHONE ( )	

SUSPECT

SUSPECT'S NAME (LAST, FIRST, MIDDLE)		BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY
ADDRESS — Street	City	Zip	TELEPHONE ( )	
OTHER RELEVANT INFORMATION				

E. INCIDENT INFORMATION

IF NECESSARY, ATTACH EXTRA SHEET(S) OR OTHER FORM(S) AND CHECK THIS BOX ☐ *IF MULTIPLE VICTIMS, INDICATE NUMBER:* _____

DATE / TIME OF INCIDENT	PLACE OF INCIDENT

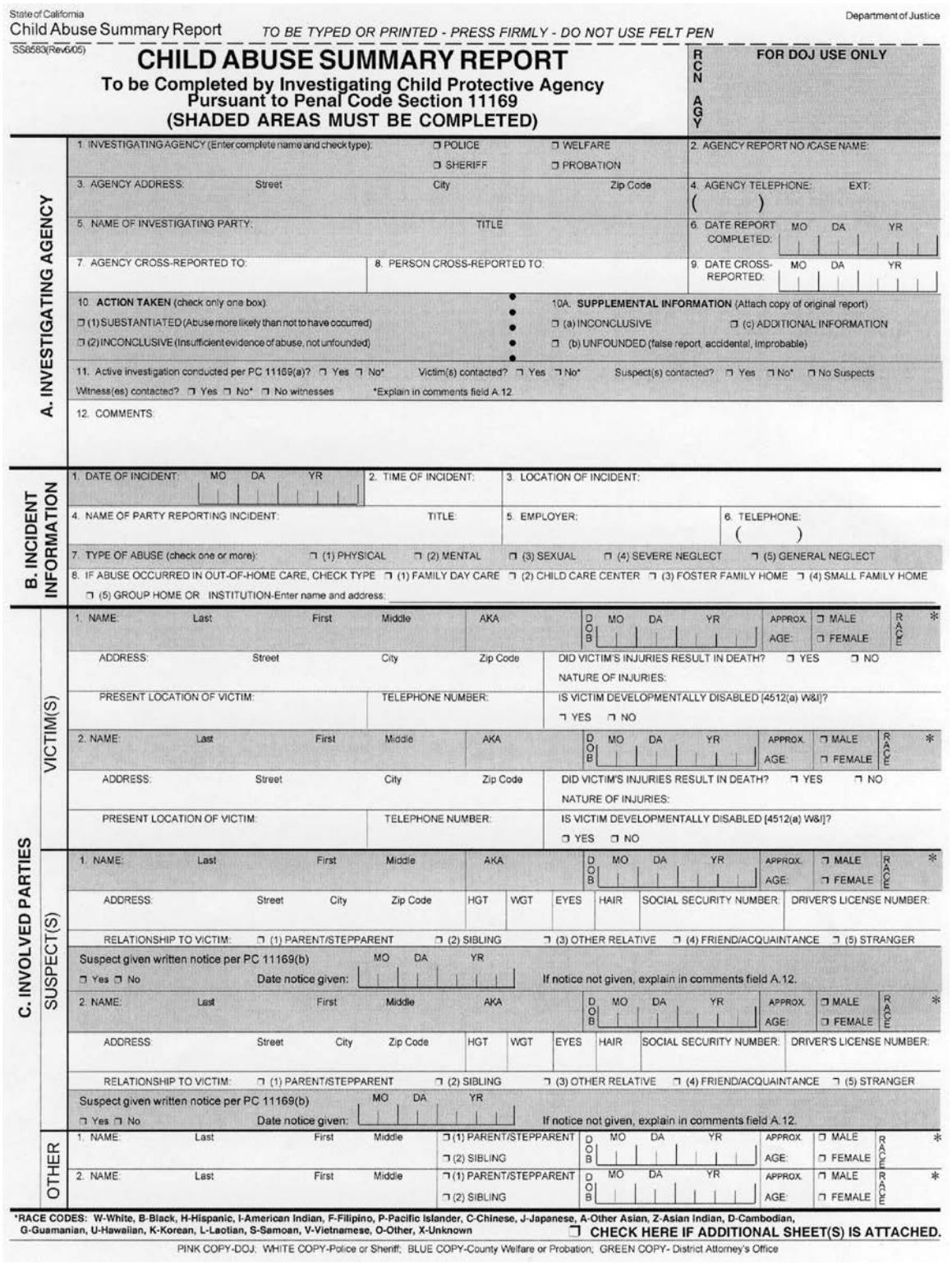
NARRATIVE DESCRIPTION (What victim(s) said/what the mandated reporter observed/what person accompanying the victim(s) said/similar or past incidents involving the victim(s) or suspect)

SS 8572 (Rev. 12/02)

DEFINITIONS AND INSTRUCTIONS ON REVERSE

DO NOT submit a copy of this form to the Department of Justice (DOJ). The investigating agency is required under Penal Code Section 11169 to submit to DOJ a Child Abuse Investigation Report Form SS 8583 if (1) an active investigation was conducted and (2) the incident was determined not to be unfounded.

WHITE COPY-Police or Sheriff's Department; BLUE COPY-County Welfare or Probation Department; GREEN COPY- District Attorney's Office; YELLOW COPY-Reporting Party



State of California
Child Abuse Summary Report
SS8583(Rev6/05)

Department of Justice

TO BE TYPED OR PRINTED - PRESS FIRMLY - DO NOT USE FELT PEN

CHILD ABUSE SUMMARY REPORT

To be Completed by Investigating Child Protective Agency Pursuant to Penal Code Section 11169
(SHADED AREAS MUST BE COMPLETED)

RCN
AGY

FOR DOJ USE ONLY

A. INVESTIGATING AGENCY

1. INVESTIGATING AGENCY (Enter complete name and check type): ❒ POLICE ❒ WELFARE ❒ SHERIFF ❒ PROBATION
2. AGENCY REPORT NO./CASE NAME:
3. AGENCY ADDRESS: Street City Zip Code
4. AGENCY TELEPHONE: EXT: ( )
5. NAME OF INVESTIGATING PARTY: TITLE
6. DATE REPORT COMPLETED: MO DA YR
7. AGENCY CROSS-REPORTED TO:
8. PERSON CROSS-REPORTED TO:
9. DATE CROSS-REPORTED: MO DA YR
10. **ACTION TAKEN** (check only one box):
❒ (1) SUBSTANTIATED (Abuse more likely than not to have occurred)
❒ (2) INCONCLUSIVE (Insufficient evidence of abuse, not unfounded)
10A. **SUPPLEMENTAL INFORMATION** (Attach copy of original report)
❒ (a) INCONCLUSIVE ❒ (c) ADDITIONAL INFORMATION
❒ (b) UNFOUNDED (false report, accidental, improbable)
11. Active investigation conducted per PC 11169(a)? ❒ Yes ❒ No* Victim(s) contacted? ❒ Yes ❒ No* Suspect(s) contacted? ❒ Yes ❒ No* ❒ No Suspects
Witness(es) contacted? ❒ Yes ❒ No* ❒ No witnesses *Explain in comments field A.12.
12. COMMENTS:

B. INCIDENT INFORMATION

1. DATE OF INCIDENT: MO DA YR
2. TIME OF INCIDENT:
3. LOCATION OF INCIDENT:
4. NAME OF PARTY REPORTING INCIDENT: TITLE:
5. EMPLOYER:
6. TELEPHONE: ( )
7. TYPE OF ABUSE (check one or more): ❒ (1) PHYSICAL ❒ (2) MENTAL ❒ (3) SEXUAL ❒ (4) SEVERE NEGLECT ❒ (5) GENERAL NEGLECT
8. IF ABUSE OCCURRED IN OUT-OF-HOME CARE, CHECK TYPE ❒ (1) FAMILY DAY CARE ❒ (2) CHILD CARE CENTER ❒ (3) FOSTER FAMILY HOME ❒ (4) SMALL FAMILY HOME
❒ (5) GROUP HOME OR INSTITUTION-Enter name and address:

C. INVOLVED PARTIES

VICTIM(S)

1. NAME: Last First Middle AKA DOB MO DA YR APPROX. AGE: ❒ MALE ❒ FEMALE RACE*
ADDRESS: Street City Zip Code
DID VICTIM'S INJURIES RESULT IN DEATH? ❒ YES ❒ NO
NATURE OF INJURIES:
PRESENT LOCATION OF VICTIM: TELEPHONE NUMBER:
IS VICTIM DEVELOPMENTALLY DISABLED [4512(a) W&I]? ❒ YES ❒ NO

2. NAME: Last First Middle AKA DOB MO DA YR APPROX. AGE: ❒ MALE ❒ FEMALE RACE*
ADDRESS: Street City Zip Code
DID VICTIM'S INJURIES RESULT IN DEATH? ❒ YES ❒ NO
NATURE OF INJURIES:
PRESENT LOCATION OF VICTIM: TELEPHONE NUMBER:
IS VICTIM DEVELOPMENTALLY DISABLED [4512(a) W&I]? ❒ YES ❒ NO

SUSPECT(S)

1. NAME: Last First Middle AKA DOB MO DA YR APPROX. AGE: ❒ MALE ❒ FEMALE RACE*
ADDRESS: Street City Zip Code HGT WGT EYES HAIR SOCIAL SECURITY NUMBER: DRIVER'S LICENSE NUMBER:
RELATIONSHIP TO VICTIM: ❒ (1) PARENT/STEPPARENT ❒ (2) SIBLING ❒ (3) OTHER RELATIVE ❒ (4) FRIEND/ACQUAINTANCE ❒ (5) STRANGER
Suspect given written notice per PC 11169(b) ❒ Yes ❒ No Date notice given: MO DA YR If notice not given, explain in comments field A.12.

2. NAME: Last First Middle AKA DOB MO DA YR APPROX. AGE: ❒ MALE ❒ FEMALE RACE*
ADDRESS: Street City Zip Code HGT WGT EYES HAIR SOCIAL SECURITY NUMBER: DRIVER'S LICENSE NUMBER:
RELATIONSHIP TO VICTIM: ❒ (1) PARENT/STEPPARENT ❒ (2) SIBLING ❒ (3) OTHER RELATIVE ❒ (4) FRIEND/ACQUAINTANCE ❒ (5) STRANGER
Suspect given written notice per PC 11169(b) ❒ Yes ❒ No Date notice given: MO DA YR If notice not given, explain in comments field A.12.

OTHER

1. NAME: Last First Middle ❒ (1) PARENT/STEPPARENT ❒ (2) SIBLING DOB MO DA YR APPROX. AGE: ❒ MALE ❒ FEMALE RACE*

2. NAME: Last First Middle ❒ (1) PARENT/STEPPARENT ❒ (2) SIBLING DOB MO DA YR APPROX. AGE: ❒ MALE ❒ FEMALE RACE*

*RACE CODES: W-White, B-Black, H-Hispanic, I-American Indian, F-Filipino, P-Pacific Islander, C-Chinese, J-Japanese, A-Other Asian, Z-Asian Indian, D-Cambodian, G-Guamanian, U-Hawaiian, K-Korean, L-Laotian, S-Samoan, V-Vietnamese, O-Other, X-Unknown

❒ **CHECK HERE IF ADDITIONAL SHEET(S) IS ATTACHED.**

PINK COPY-DOJ; WHITE COPY-Police or Sheriff; BLUE COPY-County Welfare or Probation; GREEN COPY- District Attorney's Office

REVISED: 11/22/2019
REVISED: 1/31/2018
Effective: 2/13/2007

California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 330

MISSING PERSON REPORTING

330.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

330.1.1 DEFINITIONS

At risk- Includes, but is not limited to (Penal Code§ 14215):

- A victim of a crime or foul play.
- A person missing and in need of medical attention.
- A missing person with no pattern of running away or disappearing.
- A missing person who may be the victim of parental abduction.
- A mentally impaired missing person, including cognitively impaired or developmentally disabled.

Missing person - Any person who is reported missing to law enforcement when the person's location is unknown. This includes a child who has been taken, detained, concealed, enticed away or kept by a parent in violation of the law (Penal Code§ 277 et seq.). It also includes any child who is missing voluntarily, involuntarily or under circumstances that do not conform to his/her ordinary habits or behavior, and who may be in need of assistance (Penal Code§ 14215).

Missing person networks - Databases or computer networks available to law enforcement and that are suitable for information related to missing persons investigations. These include the National Crime Information Center (NCIC}, the California Law Enforcement Telecommunications System (CLETS}, Missing Person System (MPS) and the Unidentified Persons System (UPS).

330.2 POLICY

The department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The department gives missing person cases priority over property-related cases and will not require any time frame to pass before beginning a missing person investigation (Penal Code§ 14211).

330.3 REQUIRED FORMS AND DNA COLLECTION KITS

The department ensure the forms and kits are developed and available in accordance with this policy, state law, federal law and the California Peace Officer Standards and Training (POST) Missing Persons Investigations guidelines, including:

- Department report form for use in missing person cases
- Missing Person Investigation Checklist, providing investigation guidelines and resources available in the early hours of a missing person investigation (Penal Code § 13519.07)
- Missing Person School Notification Form
- Medical Records Release Form from the California Department of Justice
- California DOJ missing person forms as appropriate
- DNA Missing Persons Specimen Collection Kits

330.4 ACCEPTANCE OF REPORTS

Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay (Penal Code § 14211). This can be accomplished by accepting the report via telephone or in-person and initiating the investigation. Those members who do not take such reports or who are unable to render immediate assistance shall promptly dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any other question of jurisdiction (Penal Code § 14211).

330.5 INITIAL INVESTIGATION

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

(a) Respond to a dispatched call for service as soon as practicable.

(b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.

(c) Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).

(d) Broadcast a "Be on the Look-Out" (BOLO) bulletin if the person is under 21 years of age or there is evidence that the missing person is at risk. The BOLO shall be broadcast without delay within the department's jurisdiction (Penal Code§ 14211).

(e) Ensure that entries are made into the appropriate missing person networks within two hours of the time of the initial report.

(f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.

(g) Collect and/or review:

1. A photograph and a fingerprint card of the missing person, if available.

2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).

3. Any documents that may assist in the investigation, such as court orders regarding custody.

4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers}.

(h} When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier.

(i} Contact the appropriate agency if the report relates to a previously made missing person report and another agency is actively investigating that report. When this is not practical, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.

330.6 REPORT PROCEDURES AND ROUTING

Employees should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

330.6.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of the supervisor shall include, but are not limited to:

a) Reviewing and approving missing person reports upon receipt. The reports should be promptly sent to the Records Division.

b) Ensuring resources are deployed as appropriate.

c) Initiating a command post as needed.

d) Ensuring applicable notifications and public alerts are made and documented.

e) Ensuring that records have been entered into the appropriate missing persons networks.

f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.

If the case falls within the jurisdiction of another agency, the supervisor should

facilitate transfer of the case to the agency of jurisdiction.

330.6.2 RECORDS DIVISION RESPONSIBILITIES

The receiving member shall:

(a) As soon as reasonable under the circumstances, notify and forward a copy of the report to the law enforcement agency having jurisdiction over the missing person's residence in cases where the missing person is a resident of another jurisdiction (Penal Code§ 14211).

(b) Notify and forward a copy of the report to the law enforcement agency in whose jurisdiction the missing person was last seen (Penal Code § 14211).

(c) Notify and forward a copy of the report to the law enforcement agency having jurisdiction over the missing person's intended or possible destination, if known.

(d) Forward a copy of the report to the Investigations Division.

(e) Coordinate with the NCIC Terminal Contractor for California to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (42 USC§ 5780).

330.7 INVESTIGATIONS DIVISION FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

(a) Shall ensure that the missing person's school is notified within 10 days if the missing person is a juvenile.

1. The notice shall be in writing and should also include a photograph (Education Code § 49068.6).
2. The investigator should meet with school officials regarding the notice as appropriate to stress the importance of including the notice in the child's student file, along with contact information if the school receives a call requesting the transfer of the missing child's files to another school.

(b) Should recontact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to determine if any additional information has become available via the reporting party.

(c) Should consider contacting other agencies involved in the case to determine if any additional information is available.

(d) Shall verify and update CLETS, NCIC and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (42 USC§ 5780).

(e) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.

(f) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children® (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (42 USC§ 5780).

(g) Should make appropriate inquiry with the Coroner.

(h) Should obtain and forward medical and dental records, photos, X-rays and biological samples pursuant to Penal Code § 14212 and Penal Code § 14250.

(i) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not previously been obtained and forward the photograph to California DOJ (Penal Code§ 14210) and enter the photograph into applicable missing person networks (42 USC§ 5780).

(j) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).

(k) In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC§ 586).

330.8 WHEN A MISSING PERSON IS FOUND

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the relatives and/or reporting party, as appropriate, and other involved agencies and refer the case for additional investigation if warranted.

a) The department shall ensure that, upon receipt of information that a missing person has been located, the following occurs (Penal Code§ 14213):

b) Immediately notify the Attorney General's Office

   a. Notification shall be made to any other law enforcement agency that took the initial report within 24 hours.

c) In the event that a missing person is found alive or dead in less than 24 hours and the local police or sheriff's department has reason to believe that the person had been abducted, the department shall submit a report to the National Crime Information Center in a format established by the Attorney General'. In the event that a missing person has been found before he or she has been reported missing to the center, the information related to the incident shall be submitted to the center.

d) The missing person's school is notified.

330.8.1 UNIDENTIFIED PERSONS

Department members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

a. Obtain a complete description of the person.

b. Enter the unidentified person's description into the NCIC

Unidentified Person File.

c. Use available resources, such as those related to missing persons, to identify the person.

330.9 CASE CLOSURE

The Watch Commander may authorize the closure of a missing person case after considering the following:

(a) Closure is appropriate when the missing person is confirmed returned or evidence has matched an unidentified person or body.

(b) If the missing person was a resident of the University, or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.

(c) If this department is not the lead agency, the case can be made inactivate if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks as appropriate.

{d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

330.10 TRAINING

Subject to available resources, the Training Sergeant should ensure that members of this department whose duties include missing person investigations and reports receive regular training that includes:

a) The initial investigation:

1. Assessments and interviews
2. Use of current resources
3. Confirming missing status and custody status of minors
4. Evaluating the need for a heightened response
5. Identifying the zone of safety based on chronological age and developmental stage

b) Briefing of department members at the scene.

c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile and catastrophe).

d) Verifying the accuracy of all descriptive information.

e) Initiating a neighborhood investigation.

f) Investigating any relevant recent family dynamics.

g) Addressing conflicting information.

h) Key investigative and coordination steps.

i) Managing a missing person case.

j) Additional resources and specialized services.

k) Update procedures for case information and descriptions.

l) Preserving scenes.

m) Internet and technology issues (e.g., Internet use, cell phone use).

n) Media relations.

APPROVED

JOHN M. REID
CHIEF OF POLICE

AUTHORIZATION TO RELEASE
DENTAL/SKELETAL X-RAYS
OF MISSING ADULT

NAME OF MISSING ADULT	
REPORTING AGENCY AND CASE NUMBER	REPORTING PARTY

Under California Penal Code Section 14206, the family or next-of-kin of any person reported missing and has not been located within 30 days may authorize the release of the dental or skeletal X-rays, or both, of the person reported missing. ***Dental X-rays are preferred. Skeletal X-rays should be sent only if dental X-rays are not available.*** This release form **shall** be taken to the dentist, physician and surgeon, or medical facility of the missing person to obtain the release of the dental or skeletal X-rays. The dental or skeletal X-rays, or both, **shall** be released to the person presenting this request. The person to whom the records are released **shall**, within 10 days, bring those records to the police or sheriff's department or other law enforcement agency having jurisdiction over the investigation.

If the missing adult is found, please notify the law enforcement agency **immediately**.

AUTHORIZATION

I am a family member or next-of-kin of the above-named missing adult and I hereby authorize the release of all dental or skeletal X-rays to assist law enforcement agencies in locating the above-named missing adult. I also consent to the release of the above-named missing adult's photograph, physical description, and circumstances surrounding the disappearance. This information may be used by the Department of Justice for inclusion in missing person bulletins and posters which will be distributed throughout California to law enforcement agencies, state buildings, appropriate roadside rest areas, and other parties determined appropriate by the Department of Justice to assist in locating the missing person, including the Attorney General's Web Site at *www.caag.state.ca.us.*

NAME OF DENTIST			
ADDRESS			
CITY	STATE	ZIP	TELEPHONE NUMBER ( )
NAME OF PHYSICIAN, SURGEON OR MEDICAL FACILITY			
ADDRESS			
CITY	STATE	ZIP	TELEPHONE NUMBER ( )
SIGNATURE OF FAMILY MEMBER			
RELATIONSHIP TO MISSING ADULT		DATE	
ADDRESS			
CITY	STATE	ZIP	TELEPHONE NUMBER ( )

BCIA 4048 (Rev. 3/00)

AUTHORIZATION TO RELEASE
DENTAL/SKELETAL X-RAYS/PHOTOGRAPH
OF MISSING JUVENILE

NAME OF MISSING JUVENILE	
REPORTING AGENCY AND CASE NUMBER	REPORTING PARTY

Under California Penal Code Section 14206, the family or next-of-kin of any person under the age of 18 years who is reported missing and has not been located within 30 days may authorize the release of the dental or skeletal X-rays, or both, and a recent photograph of the missing juvenile. ***Dental X-rays are preferred. Skeletal X-rays should be sent only if dental X-rays are not available.*** This release form **shall** be taken to the dentist, physician and surgeon, or medical facility of the missing person to obtain the release of the dental or skeletal X-rays. The dental or skeletal X-rays, or both, **shall** be released to the person presenting this request. The person to whom the records are released **shall**, within 10 days, bring those records to the police or sheriff's department or other law enforcement agency having jurisdiction over the investigation.

If the law enforcement authority determines the disappearance involves evidence the person is at risk regardless of age, or if the missing juvenile is under 16 years of age and has been missing at least 14 days, this release form **shall** be taken to the dentist, physician and surgeon, or medical facility **immediately** and the dental or skeletal X-rays, or both, and a recent photograph of the missing child **shall** be submitted **immediately** to the law enforcement agency.

If your missing juvenile is found, please notify the law enforcement agency **immediately**.

AUTHORIZATION

I am a family member or next-of-kin of the above-named missing juvenile and I hereby authorize the release of all dental or skeletal X-rays to assist law enforcement agencies in locating the above-named missing juvenile. I also consent to the release of the above-named missing juvenile's photograph, physical description, and circumstances surrounding the disappearance. This information may be used by the Department of Justice for inclusion in missing children bulletins and posters which will be distributed throughout California to law enforcement agencies, elementary and secondary schools, state buildings, appropriate roadside rest areas, and other parties determined appropriate by the Department of Justice to assist in locating the missing juvenile, including the Attorney General's Web Site at *www.caag.state.ca.us.*

NAME OF DENTIST			
ADDRESS			
CITY	STATE	ZIP	TELEPHONE NUMBER ( )
NAME OF PHYSICIAN, SURGEON OR MEDICAL FACILITY			
ADDRESS			
CITY	STATE	ZIP	TELEPHONE NUMBER ( )
SIGNATURE OF FAMILY MEMBER			
RELATIONSHIP TO MISSING JUVENILE			DATE
ADDRESS			
CITY	STATE	ZIP	TELEPHONE NUMBER ( )

BCIA 4048 (Rev. 3/00)

REVISED: 1/31/2018
Effective: 2/13/2007

California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 332

AMBER ALERT

332.1 PURPOSE AND SCOPE

An Amber Alert is a voluntary partnership between law-enforcement agencies, broadcasters, and transportation agencies to activate an urgent bulletin in the most serious child abduction cases. Broadcasters use the Emergency Alert System to air a description of the abducted child and suspected abductor. The goal of an AMBER Alert is to instantly galvanize the entire community to assist in the search and safe recovery of the child.

332.2 DEFINITIONS

Abduction – is any child under the age of 18, who has been unwillingly removed from his/her environment without permission form the child's legal guardian or a designated legal representative.

332.3 CHILD ABDUCTION CRITERIA

An AMBER Alert should only be implemented in the following cases;

a) A confirmed abduction;
b) The victim is 17 years of age or younger, or of proven mental or physical disability; or
c) The victim is reasonably believed by local law enforcement to be in imminent danger of serious bodily injury or death; or
d) There is information available that, if disseminated to the general public, could assist in the safe recovery of the victim.

Note: 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. However, agencies should continue to exercise their discretion when determining which of the many tools available would be the most appropriate for transmitting information and photos of missing children to other officers, the media and the public.

332.4 PROCEDURE

Step 1: ACTIVATE THE EMERGENCY ALERT SYSTEM (EAS)

Once it is confirmed that all AMBER Alert criteria have been met, and there is not extenuating investigative need that dictates otherwise, activation of the EAS is required.

To initiate a multi-regional or statewide EAS alert, contact the California Highway Patrol (CHP), Emergency Notification and Tactical Alert Center (ENTAC) at (916)845-8931.

To initiate a more localized, regional EAS alert, contact ENTAC to verify the case meets their activation criteria. Then contact the local CHP office to activate.

Provide available summary information for the EAS message, including the name, age, sex, physical description and clothing of the victim and suspect, vehicle description, possible direction of travel and location and time last seen. Also include the agency's name and telephone number for the public to call with leads.

CAUTION: The EAS should be used only in time-critical circumstances in which local television and radio programming should be pre-empted by the emergency broadcast. Agencies should use proper discretion when deciding to activate the EAS in response to a child abduction.

Step 2: SEND AN EDIS FLASH MESSANGE VIA CLETS

The EDIS FLASH message contains summary information regarding the child abduction for dissemination to other law enforcement agencies and media outlets statewide. The media will decide if, and in what priority, the message should be broadcast. This message must be sent in all cases in which EAS has been activated.

To send an EDIS FLASH message, transmit a Be-On-the Look-Out (BOLO) administrative message via CLETS, using the AMBER Alert Users Group Code 4500. The following is a sample message in the prescribed format:

E 001 4500
EDIS FLASH
SUBJECT: CHILD ABDUCTION (RIVER CITY)
REQUEST MEDIA BROADCASTS IMMEDIATELY
THE RIVER CITY POLICE DEPARTMENT IS INITIATING A CHILD ABDUCTION ALERT. WE ARE REQUESTING THE PUBLIC'S ASSISTANCE IN LOCATING A 9 YR OLD WHITE FEMALE. HER NAME IS JAMIE SMITH. SHE HAS BLOND HAIR, BLUE EYES, IS 4' TALL AND WIGHS 85 POUNDS. SHE WAS LAST SEEN WEARING A RED TOP AND BLACK PANTS. POLICE BELIEVE SHE WAS ABDUCTED BY A WHITE MALE, APPROXIMATELY 25-35 YEARS OLD, BROWN HAIR WITH A SHORT BEARD AND MUSTACHE. HE IS DRIVING A SILVER SUB, LAST SEEN HEADING NORTH TOWARDS INTERSTATE 80 FROM THE ARCASE AREA. IF YOU HAVE ANY INFORMATION. PLEASE CALL (916) 555-6543 IMMEDIATELY.

CONTACT DETECTIVE STEVE HILL, RIVER CITY POLICE DEPARTMENT AT (916) 555-3456 FOR FURTHER INFORMATION.

All text following the words "EDIS FLASH: will be relayed to the media and the public exactly as it was entered. Also, these words should not be preceded with multiple spaces, a quotation mark, asterisk or other characters. **Do not include any confidential information intended for law enforcement use only.**

Note: In addition to this step, agencies should continue to transmit a BOLO Administrative message via CLETS in the prescribed format to initiate a regional law enforcement response to reported missing person cases, pursuant to Penal Code section 14205(a).

Step 3: CREAT A CHILD ABDUCTION POSTER ON THE INTERNET
As soon as photos or sketches of the victim, suspect and/or vehicle are available, create a poster on the EDIS Web Site for direct access by the media and the public.

Photos can be emailed to ENTAC and they will assist by creating the poster for the agency.

Once the poster has been added to the EDIS Web site, an EDIS and CLETS message will be generated notifying law enforcement and the media that the poster is available. The poster will also be accessible to the public at www.edis.ca.gov.

If your agency does not have an EDIS user account or is otherwise unable to create a poster on the EDIS Web site, you may email your image(s) and date to CHP's ENTAC at swc1@chp.ca.gov. This process should be coordinated with CHP at (916)845-8931.

Step 4: INITIATE ALERT UPDATES/CANCELLATION AS APPROPRIATE

Any updates or cancellations of an AMBER Alert should be sent to all affected agencies on a timely basis. Transmit the appropriate information via CLETS in the form of an EDIS FLASH, using the same format as specified in Step 2. Original EDIS messages can not be modified once they are transmitted; therefore, any corrections or updates to the messages require a new transmission.

To include new images or information on a poster stored on the EDIS Web Site, repeat Step 3 to create a new poster; posters stored on the EDIS Web Site can not be modified. Law enforcement and the media automatically will be notified when new posters are created. Posters will be retained for up to four weeks, as specified by the user during the poster creation process.

Call the CHP's ENTAC at (916) 657-8287 for assistance in cancelling an AMBER Alert.

332.5 RESOURCES

California Highway Patrol (800) TELL-CHP (835-5247)
www.chp.ca.gov

Emergency Notification and Tactical Alert Center (ENTAC) (916) 845-8931
E-mail: erchq@chp.ca.gov

Governor's Office of Emergency Services
www.oes.ca.gov

OES 24 hr Warning Center (800) 421-2921 or (916) 845-8911

EDIS Program (916) 845-8610
www.edis.ca.gov

info@edis.oes.ca.gov

Office of the Attorney General - California Department of Justice	
24-hr Command Center	(916) 227-3244
Violent Crime Information Center	(916) 227-3280
Missing and Unidentified Persons Unit	(916) 227-3290, (24 hour)
www.ag.ca.gov/missing	(916) 227-3270 (fax)
E-mail: missing.persons@doj.ca.gov	
24 hour Missing Children Hotline:	(800) 222-FIND (222-3463)
TRAK	(916) 227-2761
Investigative Services Program	(916) 227-4736
Sex Offender Tracking Program	(916) 227-3288
Office of Victim's Services	(877) 433-9069 (toll free)
Crime and Violence Prevention Center	(916) 324-7863
www.ag.ca.gov/cvpc	
Federal Bureau of Investigation	
Los Angeles	(310) 477-6565
Sacramento	(916) 481-9110
San Diego	(619) 514-5500
San Francisco	(415) 553-2000
National Center for Missing and Exploited Children	(800)THE-LOST (843-5678)
www.missingkids.com	
TRAK - Technology to Recover Abducted Kids	1-(800) 724-8725
www.trak.org	

APPROVED

JOHN M. REID
CHIEF OF POLICE

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California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 334

VICTIM WITNESS ASSISTANCE PROGRAM

334.1 PURPOSE AND SCOPE

CSU Chico Police Department shall treat victims and witnesses with fairness, dignity and compassion. To ensure the full support of victims, this Department will comply with state laws relative to assistance to victims. This Department will also notify victims of violent crimes of the California State program entitled "Victims of Violent Crime Program" and the provisions of Government Code Section 13950 et. seq. Persons defined as victims in state law will be advised of the benefits provided them in California law.

334.2 APPLICABLE LAWS AND DEFINITIONS

The State of California has determined that it is in the public interest to assist residents of the State of California in obtaining restitution for the pecuniary loss they suffer as a direct result of a crime. (Government Code Section 13950)

Government Code Section 13951, et. seq. provides applicable definitions and qualifications for a crime victim's participation in the Restitution Fund.

The Victims of Violent Crime Act provides for reimbursement to persons who, as the result of a violent crime, have suffered a monetary loss due to a physical or emotional injury not covered by another source.

Penal Code Section 13897 establishes provisions for a resource center to provide services to crime victims. The Victims of Crime Resource Center operates California's statewide, toll-free line 1-800-VICTIMS. Through its telephone service, Center staff provides resource and referral information to victims and their families, victim service providers and other victim advocates.

334.2.1 VICTIM DEFINED

A 'Victim' is defined as "a person who suffers direct or threatened physical, psychological, or financial harm as a result of the commission or attempted commission of a crime or delinquent act. The term 'victim' also includes the person's spouse, parents, children, siblings, or guardian, and includes a lawful representative of a crime victim who is deceased, a minor or physically or psychologically incapacitated. The term 'victim' does not include a person in custody for an offense, the accused, or a person whom the court finds would not act in the best interests of a minor victim."

334.2.2 CRIME DEFINED

"Crime" shall mean a crime or public offense as defined in Penal Code 15, which results in injury to a resident of this state, including such a crime or public offense, wherever it may take place, when such resident is temporarily absent from the state. No act involving the operation of a motor vehicle, aircraft, or water vehicle which results in injury or death shall constitute a crime of violence for the purposes of this article, except that a crime of violence shall include an:

(a) Injury or death intentionally inflicted through the use of a motor vehicle, aircraft, or water vehicle; or,
(b) Injury or death sustained in an accident caused by a driver in violation of Vehicle Code 2001, 23152, or 23153; or,
(c) Injury or death caused by a driver of a motor vehicle in the immediate act of fleeing the scene of a crime in which he knowingly and willingly participated.

334.3 ADVISEMENT RESPONSIBILITY

Law enforcement officers are required to inform victims at the time of the crime about the availability of state compensation funds and the location of the local victim/witness assistance center. This advisement shall include presenting the victim with a copy of the Butte County "Victim of Violent Crime" form, which should include the case number for the specific crime report (Government Code Section 13962) as well as a copy of the "Marsy's Law" pamphlet.

334.4 INVESTIGATOR RESPONSIBILITY

In the event the victim cannot be identified or due to the nature of the injury cannot be advised, the investigating officer who later contacts or identifies the victim and/or dependents shall make the necessary advisement.

334.5 SUPERVISOR RESPONSIBILITY

It is the responsibility of any supervisor approving a written report where the victim of a crime has sustained injury, to ensure that information is included to document the proper advisement being made or the fact that such advisement could not be accomplished. The Investigation supervisor is then responsible to ensure that the proper advisement is accomplished and properly documented as the follow-up investigation is conducted.

334.6 DISPATCH/RECORDS RESPONSIBILITY

It is the responsibility of the Dispatcher/Records clerk who is processing the report, to forward a copy of the report to the Butte County Victim/Witness office.

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JOHN M. REID
CHIEF OF POLICE

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California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 336

HATE CRIMES

336.1 PURPOSE AND SCOPE

The CSU, Chico Police Department recognizes the rights of all individuals guaranteed under the Constitution and the laws of this State. When such rights are infringed upon by violence, threats or other harassment, this Department will utilize all available resources to see that justice is served under the law. This policy provides members of this Department with guidelines for identifying and investigating incidents and crimes which may be motivated by hatred or other bias.

336.2 DEFINITIONS

HATE CRIME – means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim: (Penal Code Section 422.55)

- Disability
- Gender
- Nationality
- Race or ethnicity
- Religion
- Sexual orientation
- Association with a person or group with one or more of these actual or perceived characteristics.

HATE INCIDENTS **–** any non-criminal conduct that is motivated by hatred, prejudice or bigotry and directed at any individual, residence, house of worship, institution or business expressly because of the victim's (person or institution) real or perceived race, nationality, religion, sexual orientation, gender or disability. Hate incidents also include conduct directed against an individual or group because of their association or advocacy on behalf of a member or members of a protected class.

336.3 CRIMINAL STATUTES

Penal Code §422 – prohibits verbal, written or electronically transmitted threats to commit great bodily injury or death to another or his/her immediate family.

Penal Code §422.6 (a) – prohibits the use of force or threats of force to willfully injure, intimidate, interfere with, oppress, or threaten any person in the free exercise or enjoyment of rights and privileges secured by the Constitution or law because of the person's real or perceived race, color, religion, ancestry, national origin, disability, gender or sexual orientation. (NOTE: Speech alone does not constitute a violation of this section except when the speech itself threatened violence and the defendant had the apparent ability to carry out the threat.)

Penal Code §422.6 (b) – prohibits knowingly defacing, damaging or destroying the real or personal property of any person for any of the purposes set forth in 422.6 (a).

Penal Code §422.56 – defines gender for purposes of various hate crime statutes to mean the victim's actual sex or the defendant's perception of the victim's sex and includes the defendant's perception of the victim's identity, appearance, or behavior, whether or not that identity, appearance or behavior is different from that traditionally associated with the victim's sex at birth.

Penal Code §422.7 – provides for other criminal offenses involving threats, violence or property damage in excess of $950.00 to become felonies if committed for any of the purposes set forth in 422.6.

Penal Code §422.77 – provides for the criminal enforcement of any order issued pursuant to Civil Code § 52.1.

Penal Code §11411 – prohibits terrorizing by placing or displaying any unauthorized sign, mark, symbol, emblem or other physical impression (including Nazi swastika or burning cross) on another person's private property.

Penal Code §11412 – prohibits terrorizing threats of injury or property damage to interfere with the exercise of religious beliefs.

Penal Code § 594.3 – prohibits vandalism to religious buildings or places of worship.

Penal Code §11413 – prohibits use of explosives or other destructive devices for terrorizing another at health facilities, places of religion, group facilities and other specified locations.

336.4 CIVIL STATUTES

Civil Code §51.7 – except for statements made during otherwise lawful labor picketing, all persons in this state have the right to be free from any violence or intimidation by threat of violence against their person or property because of actual or perceived race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, disability or position in a labor dispute.

Civil Code §52 – provides for civil suit by individual, Attorney General, District Attorney or City Attorney for violation of 51.7, including damages, TRO and injunctive relief.
Civil Code §52.1 – provides for TRO and injunctions for violations of individual and constitutional rights enforceable as criminal conduct under Penal Code §422.77.

336.5 PROCEDURE FOR INVESTIGATING HATE CRIMES

Whenever any member of this Department receives a report of a suspected hate crime or other activity which reasonably appears to involve a potential hate crime, the following should occur:

- Officer(s) will be promptly assigned to contact the victim, witness or reporting party to investigate the matter further as circumstances may dictate.
- A supervisor should be notified of the circumstances as soon as practical.
- Once "in progress" aspects of any such situation have been stabilized (e.g. treatment of victims, apprehension of present suspects, etc.), the assigned officer(s) will take all reasonable steps to preserve available evidence which may tend to establish that a hate crime was involved.

- The assigned officer(s) will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.
- Depending on the situation, the assigned officer(s) or supervisor may request additional assistance from detectives or other resources to further the investigation.
- The assigned officer(s) will include all available evidence indicating the likelihood of a hate crime in the relevant report(s). All related reports will be clearly marked as "Hate Crimes" and, absent prior approval of a supervisor, will be completed and submitted by the assigned officer(s) before the end of the shift.
- Per Penal Code § 422.92 states that every state and local law enforcement agency in this state shall make available a brochure on hate crimes to victims of these crimes and the public. The assigned officer(s) will provide the victim(s) of any suspected hate crime with a brochure on hate crimes. The assigned officer(s) should also make reasonable efforts to assist the victim(s) by providing available information on local assistance programs and organizations.
- The assigned officer(s) and supervisor should take reasonable steps to insure that any such situation does not escalate further. (e.g. Possible Temporary Restraining Order (TRO). Penal Code § 136.2 or Civil Code § 52.1 as indicated).
- It is the responsibility of the Records Unit to ensure that each report with a hate crime indication, as stated in sub-section (f) above, be flagged in the records management system as such, thus allowing statistical analysis at a later time.

336.5.1 INVESTIGATION RESPONSIBILITY

If a case is assigned to the Investigations Unit, the assigned Detective will be responsible for following up on the reported Hate Crime as follows:

- Coordinate further investigation with the District Attorney and other appropriate law enforcement agencies, as appropriate.
- Maintain contact with the victim(s) and other involved individuals as needed.

336.6 REPORTING REQUIREMENTS

Law enforcement agencies must report all hate crime to the Department of justice that involves a criminal act or an attempted criminal act and a bias motivation against a protected class. Penal Code Section 13023 directs the Attorney General to collect any information relative to any criminal acts or attempted criminal acts motivated by hatred. This information is collected through the Uniform Crime Report.

The Clery Act Crime Awareness and Campus Security Act of 1990 requires that hate crime statistics (bias motivated offenses) be reported annually to the Department of Education and be published in the University Police Department's Annual Security Report.

Hate crime statistics will also be reported to the CSU Chancellor's Office on a monthly basis.

336.7 TRAINING

All members of this Department will receive POST approved training on Hate Crime recognition and investigation as provided by Penal Code §13519.6.

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JOHN M. REID
CHIEF OF POLICE

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California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 338

DEPARTMENT COMPUTER USE

338.1 PURPOSE AND SCOPE

This policy describes the use of Department computers, software, and systems.

338.2 DEFINITIONS

The following definitions relate to terms used within this policy:

Computer System means all computers (on-site and portable), hardware, software, and resources owned, leased, rented, or licensed by the CSU, Chico Police Department, which are provided for official use by agency employees.

Hardware includes, but is not limited to, computers, computer terminals, network equipment, modems or any other tangible computer device generally understood to comprise hardware.

Software includes, but is not limited to, all computer programs and applications including "shareware." This does not include files created by the individual user unless done so at the direction of the Chief of Police or his/her designee.

Temporary or Permanent File or File means 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 or messages.

338.3 SYSTEM INSPECTION OR REVIEW

An employee's supervisor has the express authority to inspect or review the System, any and all temporary or permanent files and related electronic systems or devices, and any contents thereof when such inspection or review is in the ordinary course of his/her supervisory duties, or based on cause.

When requested by an employee's supervisor, or during the course of regular duties requiring such information, the Information Technology Manager or his or her designee may extract, download, or otherwise obtain any and all temporary or permanent files residing or located in or on the System.

Reasons for inspection or review may include, but are not limited to: system malfunctions, problems or general system failure, a lawsuit against the agency involving the employee or related to the employee's duties, an alleged or suspected violation of a

Department policy, or a need to perform or provide a service when the employee is unavailable.

338.4 AUTHORIZED SOFTWARE

To protect the department systems and data, only software authorized by the Department or the University shall be allowed to reside on Department computer systems. Employees shall not acquire and install any additional software. If additional software is required for legitimate Department business, a request can be made for installation. All requests for new software shall be made to the Information Technology Manager for review. The Information Technology Manager may consult with supervisors and other staff to determine a legitimate need. If new software is approved, installation and configuration shall be performed only by trained Information Technology staff.

338.5 UNAUTHORIZED DUPLICATION OF SOFTWARE

Employees shall not copy or duplicate any copyrighted and/or licensed software except for a single copy for backup purposes. To reduce the risk of personal computer virus infection, employees are not permitted to install personal copies of any software onto the Department's computers. If an employee must copy data onto a disk and download it on a non-agency computer, the employee shall scan the disk for viruses before reloading the data on an agency computer system.

No employee shall knowingly make, acquire, or use unauthorized copies of computer software not licensed to the Department while on Department premises or on a Department computer system. The Department and individuals can be subject to civil damages of as much as $100,000 per title copied, along with criminal penalties including fines and imprisonment.

338.6 INTERNET USE

Internet access provided by the Department should be limited to Department-related business activities. Internet sites containing information that is not appropriate or applicable to Departmental use and which shall not be intentionally accessed include, but are not limited to, adult forums, pornography, "chat rooms," and similar or related web sites. Certain exceptions may be permitted as a function of an assignment.

Downloaded information shall be limited to messages, mail, and data files. No copyrighted and/or unlicensed software program files shall be downloaded. Employees shall report any unauthorized access to the System, or suspected intrusion from outside sources (including the Internet), to a supervisor.

338.7 PROTECTION OF AGENCY SYSTEMS AND FILES

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

It is expressly prohibited for an employee to allow an unauthorized user to access the System at any time or for any reason.

To protect sensitive data, all documents containing sensitive materials or Department related information shall be stored on the Department’s file server. Documents of a personal nature should be stored on the employee’s personal drive while Department related documents shall be stored on one of the Department’s shared drives.

Documents stored on the file server are backed-up regularly and protected by additional security precautions. Documents left on local file systems are subject to loss due to hardware failures, system re-configuration, employee error, and various security threats. An employee shall not assume that files stored locally are secured or protected from loss.

338.8 USER RESPONSIBILITIES AND ACCEPTABLE USE

Access to the University's computing and communications facilities and resources is a privilege granted for educational use and legitimate University-related business.

The purpose for computing and communications systems, services, and facilities at CSU, Chico PD is to support the service mission of the Department. Use of the Department's computing and communications resources is governed by all applicable CSU System, University and Department policies and procedures, as well as by all applicable federal, state, and local laws and statutes.

Acceptable use of computing and communications facilities and resources at CSU, Chico includes:

- Respect for the legal protections provided by copyright and licenses to programs and data as well as University contractual agreements.
- Respect for the rights of others by complying with all University policies regarding intellectual property (e.g., EM 83-08) and the University code of ethics.
- Using accurate identification in all electronic communications to avoid deliberately misrepresenting any user's identity.
- Respect for the privacy of student records by complying with all University policies regarding student records (e.g., EM 01-01).

The following guidelines further pertain to the appropriate use of campus computing and network services. (EM 97-18)

1. Threats, Harassment*. Users may not use campus computing or network services to threaten, harass, defame, or otherwise interfere with the legal rights of others. (*Harassment is defined as the creation of an intimidating, hostile, or offensive working or educational environment.)
2. Public Areas. Users should take care not to display on screens in shared facilities images, sounds, or messages which could create an atmosphere of discomfort or harassment to others. Users should make arrangements for a private work area if an assignment requires them to access such materials.
3. Respect for Privacy. Users must respect the privacy of other users. Examples of lack of respect for the privacy of others include reading their mail, accessing their files, or using their computer account or electronic mail address (except as may be required in the case of university employees for the purpose of facilitating official university business).

338.9 GENERAL USE OF E-MAIL

Thee proper use and application of electronic mail (e-mail) by employees of this Department is taken seriously. E-mail is a communication tool available to Department employees to enhance the 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).

338.9.1 PROHIBITED USE OF E-MAIL

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing, or any other inappropriate messages on the e-mail system will not be tolerated.

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 prevent the misuse of an individual's e-mail, name and/or password by others.

338.9.2 MANAGEMENT OF E-MAIL

Because the e-mail system is not designed for long-term retention of messages, e-mail that the employee desires to save or that becomes part of an official record should be printed.

Users of e-mail are solely responsible for the management of their mailboxes. Messages should be purged manually by the user.

338.10 MDC (MOBILE DATA COMPUTER) USE

The Mobile Computer Terminal (MDC) accesses confidential records from the State of California, Department of Justice and Department of Motor Vehicles and PSNet Records Systems databases. Employees using the MDC shall comply with all appropriate federal and state rules and regulations.

The MDC shall be used for official police communications only. Messages that are of a sexual nature, racist, offensive, or otherwise critical of any member of the Department are strictly forbidden.

Messages may be reviewed by supervisors at anytime without prior notification. Employees generating or transmitting messages not in compliance with this policy are subject to discipline.

338.10.1 MDC USE WHILE DRIVING

Use of the MDC should be limited to times when the patrol vehicle is stopped. Sending or reading MDC messages while a patrol vehicle is in motion is a potentially dangerous practice. Short transmissions, such as entry of a license number for a stolen or registration check are permitted if they can be done safely. Reading messages while in motion should only be attempted when the message requires the officer's immediate attention. In no case shall an officer attempt to send or review lengthy messages while the patrol vehicle is in motion.

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California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 340

REPORT PREPARATION

340.1 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 both substantial formalized training and on-the-job training.

340.1.1 REPORT PREPARATION

It is the primary responsibility of the assigned officer to assure that reports are fully prepared or that supervisory approval has been obtained to delay the report before going off duty. The preparing officer must determine whether the report will be available in time for appropriate action to be taken. For example, investigative leads may need to be acted on quickly. Furthermore, if a suspect is in custody, additional time constraints may apply.

Handwritten forms must be prepared legibly. If the report is not prepared legibly, the officer will be required by the supervisor to promptly correct the report.

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. Officers shall not repress, conceal or distort the facts of any reported incident, nor shall any officer make a false report orally or in writing.

340.2 REQUIRED REPORTING

Reports are required in all of the following situations, and on the appropriate department-approved form(s), unless another course of action is approved by a supervisor:

340.2.1 CRIMINAL ACTIVITY REPORTING

When an officer responds to a call for service, or as a result of self-initiated activity becomes aware of an incident in which a crime has occurred, the officer is required to document the activity. The fact that a victim does not desire prosecution is not an exception to documenting an incident. The following are examples of required documentation:

- In every instance where a felony has occurred, the documentation shall take the form of a written crime report.
- In every instance where a misdemeanor crime has occurred, and the victim desires a report, the documentation shall take the form of a written crime report. If the victim does not desire a report, and the incident does not meet

the criteria for a mandated report, the incident may, under certain circumstances, be handled as a "Log Entry Only", and simply documented on the dispatcher's log. However, if the nature of the incident is such that other campus departments would have an interest in obtaining a Summary Report , then a formal police report must be filed.

- In every case where any force is used against any person by police personnel, a report must be filed. Conversely, if any force is used against any police personnel by any other person, a report must be filed.
- All incidents involving Domestic Violence, Child Abuse, Elder Abuse, and Hate Crimes must be documented in a police report.
- All arrests must be documented in a police report.
- A police report is required for all towed vehicles.
- A police report is required for all reported incidents of workplace violence involving CSU personnel.

340.2.2 NON-CRIMINAL ACTIVITY

The following incidents shall be documented using the appropriate department-approved form(s):

- Reported missing persons (regardless of jurisdiction).
- Found property, contraband, or evidence.
- All incidents involving the death of a human being (see Policy Manual §360 "Death Investigations").
- Traffic collisions (see Policy Manual §502 "Traffic Accident Reporting").

340.2.3 INJURY CAUSED BY CSU PERSONNEL

A report shall be taken if an injury occurs to any person, and that injury is the result of an act of a CSU employee.

340.2.4 MISCELLANEOUS INJURIES

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

- The injury is the result of a drug overdose.
- It is an alcohol overdose involving a minor.
- The injury appears to be related to an attempted suicide.
- It is a serious injury, where death could result.
- The circumstances surrounding the injury are suspicious in nature.
- An injury accident involving CSU, Chico property has occurred (i.e. tripping over a bike rack).

340.2.5 DAMAGE TO CSU PROPERTY OR EQUIPMENT

A report shall be taken if damage occurs to any CSU property or CSU equipment.

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.

340.3 GENERAL POLICY REGARDING EXPEDITIOUS REPORTING

In general, all officers and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. Incomplete reports, unorganized reports, or reports delayed without supervisory approval are not acceptable. Reports shall be completed according to established priorities.

340.3.1 GENERAL POLICY REGARDING 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.

340.4 REPORT CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should state the reasons for rejection and return the report to the officer. It shall be the responsibility of the originating officer to ensure that any report returned for correction is processed in a timely manner.

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CHIEF OF POLICE

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California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 342

NEWS MEDIA RELATIONS

342.1 PURPOSE AND SCOPE

This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies, and other law enforcement activities.

342.2 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police. However, in situations not warranting immediate notice to the Chief and in situations where the Chief has given prior approval, field sergeants may prepare and release information to the media in accordance with this policy and the applicable law.

The press release is to be forwarded to CSU Chico Public Relations, Vice President for Business and Finance, and the President. The press release is also to be sent to all media on the Department Notification list.

Depending on the seriousness/sensitivity and complexity of the case the supervisor for investigations and district attorney are to be considered prior to the release of the press release.

Copies of the press release shall be distributed as follows:

- A copy shall be kept in the sergeant's press release binder. The oncoming sergeant shall be briefed on the status of the case.
- A copy shall be forwarded to the Chief of Police.
- A copy shall be forwarded to the Operations Lieutenant.
- A copy is to be retained in the case file.
- A copy shall be forwarded to dispatch.

342.3 MEDIA ACCESS

Pursuant to Penal Code § 409.5(d), authorized and bona fide members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions:

- The media representative shall produce valid press credentials which shall be prominently displayed at all times while in areas otherwise closed to the public.
- Media representatives may be prevented from interfering with emergency operations and criminal investigations.
    - In situations where media access would reasonably appear to interfere with emergency operations and/or a criminal investigation, every

reasonable effort should be made to provide media representatives with access to a command post at the nearest location which will not interfere with such activities.

(a) No member of this Department shall be subjected to media visits or interviews without the consent of the involved employee. Government Code § 3303(e).

(b) Media interviews with individuals who are in custody shall not be permitted without the approval of the Chief of Police and the expressed consent of the person in custody.

342.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

The Department will maintain a daily information log of significant law enforcement activities which shall be made available, upon request, to media representatives through the Communications Unit. This log will generally contain the following information:

- The date, time, location, case number, type of crime, extent of injury or loss, and names of individuals (except confidential informants) involved in crimes occurring within this jurisdiction unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.
- The date, time, location, case number, name, age, 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.
- The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident subject to the restrictions of this policy and applicable law.

At no time shall identifying information pertaining to a juvenile arrestee, victim or witness be publicly released without prior approval of a competent court.

Information concerning incidents involving certain sex crimes and other offenses set forth in Government Code § 6254(f) shall be restricted in accordance with applicable statutory provisions.

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or otherwise cleared through the Coroner's Office.

Any requests for copies of related reports or additional information not contained in this log shall be referred to the designated custodian of records. Such requests will generally be processed in accordance with the provisions of the Public Records Act (Government Code §§ 6250, et seq.)

342.41 RESTRICTED INFORMATION

It shall be the responsibility of the authorized employee dealing with media requests to ensure that restricted information is not inappropriately released to the media by this Department. When in doubt, authorized and available legal counsel should be obtained. Examples of such restricted information include, but are not limited to:

- Confidential Peace Officer Personnel information. (See Policy Manual §1026)
    - The identities of officers involved in shootings or other major incidents may only be released to the media pursuant to consent of the involved officer or upon a formal request filed and processed in accordance with the Public Records Act.

- Copies of traffic collision reports (except to the involved parties and their authorized representatives) Vehicle Code § 20012.
- Criminal history information.
- Information which would tend to endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.
- Information pertaining to pending litigation involving this Department or the University.
- Information obtained in confidence.
- Any information which is otherwise privileged or restricted under state or federal law. Government Code § 6254(k)

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 2/13/2007

California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 344

COURT APPEARANCE & SUBPOENAS

344.1 PURPOSE AND SCOPE

This procedure has been established to provide for the acceptance of subpoenas and to assure that officers appear when subpoenaed, or are available to appear in court when requested and present a professional appearance.

344.1.1 DEFINITIONS:

ON-CALL - When an officer has appeared in court, or is at the time on duty, and has been told by a member of the court that he/she is free to leave the court or return to duty, subject to being available by phone or pager if called back.

STANDBY - When an officer receives a subpoena of a type which allows him or her to not appear in court, but remain available by phone or pager so that he or she may be directed to appear in court within a reasonable amount of time.

TRAILING STATUS - When an officer remains on standby status for additional court sessions until notified otherwise.

MANDATORY APPEARANCE - Subpoenas marked as “Ordered to Appear” require an employee’s physical appearance in the specified court. Failure to timely appear in the specified court, either intentionally or by negligence may result in disciplinary action.

344.2 COURT SUBPOENAS

Employees who receive subpoenas related to their employment with this agency are subject to the provisions of this policy. Employees should be aware that their compliance is mandatory on all cases for which they have been properly subpoenaed, or properly notified. This policy applies to civil and criminal subpoenas. Employees are expected to cooperate with the prosecution to insure the successful conclusion of a case.

344.2.1 SERVICE OF SUBPOENA

Service of a subpoena requiring the appearance of any Department employee in connection with a matter arising out of the employee’s course and scope of official duties may be accomplished by personal service on the employee or by delivery of two copies of the subpoena on the employee’s supervisor or other authorized Departmental agent, Government Code §68097.1. Subpoena service is also acceptable by courier or court liaison from the court to this Department.

344.2.2 VALID SUBPOENAS
Any subpoena received at this Department for an employee of this Department must be properly served and have originated from a recognized legal authority.

344.2.3 ACCEPTANCE OF SUBPOENA
Any employee accepting a subpoena shall immediately provide a copy of the subpoena to the Department Dispatch/Records Staff. The Dispatch/Records Staff will maintain a chronological log of all Department subpoenas and provide a copy of the subpoena to each involved employee.

344.2.4 REFUSAL OF SUBPOENA
Valid reason for not accepting subpoenas includes illness, previously approved training, and vacations, which are scheduled and approved, before receipt of the subpoena. Regular scheduled days off are not valid reasons for refusing the subpoena or missing court. If refusing the subpoena is justified, the subpoena needs to be promptly returned to the Department Dispatch/Records Unit with a specified reason for refusal as well as the dates when the officer will become available. It shall then become the responsibility of Dispatch/Records personnel to notify the District Attorney's Office, assigned Deputy District Attorney, or other attorney of record of the bona fide unavailability of the employee.

344.2.5 COURT STANDBY
If an employee on standby changes his/her location during the day, the employee shall notify Department Dispatch/Records personnel of how he/she can be reached by telephone. Employees are required to remain on standby each day the case is trailing. In a criminal case the Deputy District Attorney handling the case is the only person authorized to excuse an employee from standby status.

344.2.6 NON WORK RELATED SUBPOENAS
Employees receiving valid subpoenas for non-work actions shall comply with the requirements of the subpoena. Employees receiving these subpoenas are not compensated for their appearance and arrangements for time off shall be coordinated through their immediate supervisor.

344.2.7 FAILURE TO APPEAR
Any employee who fails to comply with the terms of any valid and properly served subpoena may be subject to discipline as well as court imposed civil and/or criminal sanctions.

344.3 CIVIL SUBPOENAS
This Department will compensate officers who appear in their official capacity on civil matters. CSU, Chico Police Department will receive reimbursement for the officer's compensation through the civil attorney of record who subpoenaed the officer.

344.3.1 PROCEDURE
To assure that the officer is able to appear when required, that the officer is compensated for such appearance, and to protect this Department's right to reimbursement, officers shall follow the established procedures for the receipt of a civil subpoena.

344.3.2 CIVIL SUBPOENA ACCEPTANCE
Subpoenas shall not be accepted in a civil action, in which the officer or Department is not a party, without properly posted fees pursuant to Government Code § 68097.6.

344.3.3 PARTY MUST DEPOSIT FUNDS
The party in the civil action who seeks to subpoena an officer must deposit the statutory fee of $150.00 (Government Code §68097.2) for each appearance with the Department's designated Administrative Assistant before such subpoena will be accepted. Parties seeking to have the officer make multiple appearances must make an additional deposit in advance.

344.4 OVERTIME APPEARANCES
If the officer appeared on his/her off-duty time, he/she will be compensated in accordance with the current employee's Memorandum of Understanding. The overtime on such appearance will be paid from the time the officer left his/her residence until he/she returned.

344.5 COURTROOM PROTOCOL
Employees must be punctual when appearing in court, and shall be prepared to proceed immediately with the case for which they are subpoenaed.

344.5.1 PREPARATION FOR TESTIMONY
Before the date of testifying, the subpoenaed officer shall request a copy of relevant reports and become familiar with their content in order to be prepared for court.

344.5.2 COURTROOM ATTIRE
Employees shall dress in uniform or business attire. For example, suitable business attire for men may consist of a coat, tie, and dress pants. Female employees suitable business attire may consist of a dress jacket, dress blouse and skirt or slacks.

344.6 COURTHOUSE DECORUM
Employees shall observe all rules of the court in which they are appearing, refrain from smoking or chewing gum in the courtroom, and shall remain alert to changes in the assigned courtroom where their matter is to be heard.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 2/13/2007

California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 346

OUTSIDE AGENCY ASSISTANCE

346.1 PURPOSE AND SCOPE

The California State University Chico Police Department may be requested to assist other agencies by taking persons into custody or detaining them. This department may also request an outside agency to provide assistance. Our policy is to provide assistance whenever possible, consistent with the applicable laws of arrest and detention policies of this agency.

346.1.1 ASSISTING OUTSIDE AGENCIES

Generally, calls for assistance from other agencies are routed to the Watch Commander's office for approval. When an authorized employee of an outside agency requests the assistance of this Department in taking a person into custody, available officers will respond and assist in making a lawful arrest. If an officer receives a request in the field for assistance, that officer will notify a supervisor. Arrestees may be temporarily detained by our agency until arrangements for transportation are made by the outside agency. Only in exceptional circumstances will this department provide transportation of arrestees to other county facilities.

When an outside agency requests this agency to make an 836 PC arrest on an individual in CSU Chico Police jurisdiction, they shall be requested to send a teletype or fax request to this agency with the name and personal information of the person they are requesting be arrested with a list of the charges including the 836 PC authority.

346.1.2 REQUESTING ASSISTANCE FROM OUTSIDE AGENCIES

If assistance is needed from another agency, the employee requesting assistance shall first notify a supervisor of his/her intentions, when feasible.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Updated: 2/25/2009
Effective: 3/28/2007

California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 348

REGISTRATION OF SEX OFFENDERS

348.1 PURPOSE AND SCOPE

The purpose of this policy is to provide information on the procedures for the dissemination of information regarding certain registered sex offenders under California's Megan's law, pursuant to Penal Code Sections 290 and 290.4.

348.1.2 REGISTRATION OF SEXUAL OFFENDERS

Effective October 28, 2002, Penal Code Section 290.01 was expanded and requires sexual offenders to register with University Police.

Convicted sexual offenders are required to register under Section 290 if:

- Residing on the University campus; or
- Enrolled as a student of the University; or
- Employed by the University, either full-time or part-time (includes paid employees or volunteers); or
- Working or carrying on a vocation at the University (e.g. contractors) for more than 14 days or for an aggregate period exceeding 30 days in a calendar year (including paid workers as well as volunteers).

The persons listed above must register with the University Police within five working days of commencing enrollment or employment with the university. Registrants are also required to notify the University Police within five days of ceasing to be enrolled or employed, or ceasing to carry on a vocation at the University.

This department shall follow the same registration procedures with sexual offender registrants as outlined by the Department of Justice (DOJ). All sex offender registration information shall be entered in VCIN (Violent Crimes Information Network) and the appropriate DOJ forms used.

Effective January 1, 2003, all Colleges and Universities must include in their annual Clery statistical report a description of where sex offender information may be obtained. Compliance with this requirement will be met by adding a sentence to the Clery report as follows "Public information regarding sex offenders in California may be obtained by viewing the Department of Justice On-Line Megan's Law Web Site."

348.2 IMPLEMENTATION OF MEGAN'S LAW

The Department of Justice has categorized each registered sex offender as either serious, high risk, or other. Disclosure under Megan's law is allowed only as to serious and high-risk offenders. Department employees can identify the category of an offender by accessing the Violent Crime Information Network/Supervised Release File (VCIN) or by contacting the Department of Justice directly.

- Penal Code 290.45 states any designated law enforcement entity may provide information to the public about a person required to register as a sex offender pursuant to Section 290, by whatever means the entity deems appropriate, when necessary to ensure the public safety based upon information available to the entity concerning that specific person.

    - The law enforcement entity shall include, with the disclosure, a statement that the purpose of the release of information is to allow members of the public to protect themselves and their children from sex offenders.
    - Information that may by provided pursuant to subdivision (a) may include, but is not limited to, the offender's name, known aliases, gender, race, physical description, photograph, date of birth, address, which shall be verified prior to publication, description and license plate number of the offender's vehicles or vehicles the offender is known to drive, type of victim targeted by the offender, relevant parole or probation conditions, crimes resulting in classification under this section, and date of release from confinement, but excluding information that would identify the victim.
    - The designated law enforcement entity may authorize persons and entities who receive the information pursuant to this section to disclose information to additional persons only if the entity determines that disclosure to the additional persons will enhance the public safety and identifies the appropriate scope of further disclosure. A law enforcement entity may not authorize any disclosure of this information by its placement on an Internet Web Site.
    - A person who receives information from a law enforcement entity pursuant to paragraph (1) may disclose that information only in the manner and to the extent authorized by the law enforcement entity.

348.3 DEPARTMENT NOTIFICATION

348.3.1 AGENCIES OR ENTITIES WHICH CAN BE NOTIFIED

Public and private educational institutions, day care establishments, and organizations that primarily serve individuals likely to be victimized by the offender may be notified by the department that a serious sex offender lives, works, or otherwise frequents the area. Each department employee should be aware of the geographic boundaries of the area served in its jurisdiction.

348.3.2 UNIFORM IMPLEMENTATION

There shall be uniform implementation of the department's disclosure of information to these entities. For example, if the department chooses to notify one school of a serious sex offender in its area, it should notify all schools in the department's jurisdiction of serious sex offenders posing a risk to children.

348.3.3 UPDATING

The department shall update its information on the addresses of serious sex offenders in the defined area.

348.3.4 OTHER COMMUNITY MEMBERS WHO CAN BE NOTIFIED

The department may notify other community members at risk. For example, this department may choose to notify women who reside in the same block as a rapist; or may decide to notify parents of children living near a park where a serious sex offender is known to frequent.

348.4 ACCESS BY LAW ENFORCEMENT FOR PROACTIVE DISSEMINATION TO THE PUBLIC ABOUT SERIOUS SEX OFFENDERS

The information shall be obtained by CSU, Chico Police Department employees by utilizing the CLETS, Violent Crime Information Network/Supervised Release File.

A peace officer must have reasonable suspicion, based on information that has come to his or her attention, that a person may be at risk from the sex offender and the offender is likely to encounter that person.

When these conditions are met, the police officer shall obtain approval from a supervisor or designee before disseminating information to the public. Any disclosure must comply with the requirements of Penal Code Section 290.

348.5 PROACTIVE DISSEMINATION TO THE PUBLIC ON HIGH-RISK SEX OFFENDERS

Law enforcement can disseminate information on sex offenders by whatever means the department deems necessary to ensure the public safety. The information disclosed must comply with the requirements of Penal Code Section 290.45.

If a department employee disseminates information on a sex offender, a record of the means and dates of dissemination must be kept for a minimum of five years. The Supervised Release File may be utilized to maintain this record.

348.6 290PC REGISTRANT PROCEDURE

290 PC Registrants who attend, work (with or without compensation), or carry on a vocation at a college or university are required to register, within 5 days, with the University Police Department. This includes students, staff, faculty, contractors, vendors and transients. The registration process will not be conducted in the presence of any persons who are not law enforcement personnel and will only be completed in a secure area within the police department. 290 PC Registrants are only required to register with our department once. They do have to notify our department when they no longer attend or work at the university. The only time a subject would register more than once with our department would be if he/she were enrolled or worked on campus, left employment or attendance, then re enrolled or was re-employed on campus.

348.6.1 DISPATCHER'S RESPONSIBILITY

When a subject comes into this department to register under 290 PC the dispatcher will:

- Obtain the registrant's current registration receipt, which is issued by the agency having jurisdiction over the registrant's home address, and a photo

ID. Make a photocopy of both, then return the original documents to the registrant.

- Create a CAD call with all appropriate information entered into the call. Do not issue a case number.
- Retrieve a registration packet. This will include a yellow "Registrant Change of Address/Annual Update" form, a "290 Registrant Information" sheet, a registration fingerprint card and two "Registration Receipt's."
- Run a 10-27 and 10-29 thru CLETS/NCIC and print out the returns. Do not attach the teletypes to the registration packet. The dispatcher will enter the registrant into the "MCR" (Major Crime Registrant) section of RMS using the information located on the teletypes. Note the registrant number generated from the MCR entry on the teletypes. This number will be used by the officer to enter a digital photograph of the registrant into the "Image Manager" module of psNET.
- Type out both a temporary and a permanent registration receipt. Attach both to the registration packet.
- Have an officer respond to complete the registrant interview process.

348.6.2 OFFICER'S RESPONSIBILITY

The officer will obtain the registration packet from the dispatcher. The officer will escort the registrant from the lobby to an interview room or an unoccupied office within the department. The officer will complete the following:

- Take a digital photograph of the registrant.
- Fill out all applicable information on the front of the "Registrant Change of Address/Annual Update" form. Have the registrant sign and date the front of the form. The officer will turn the form over and admonish the registrant to read and initial all "Registration Notification Statements."
- Fill out all applicable information on both sides of the "290 Registrant Information" sheet.
- Fill out all applicable information on the registration fingerprint card, sign in the appropriate space, have the registrant sign both sides of the card in the appropriate spaces and obtain the registrants fingerprints. The registrant's right thumbprint shall be obtained, in the appropriate locations, on the "Registration Change of Address/Annual Update" form and both of the temporary and permanent registration receipt.
- Both the officer and the registrant will sign both the temporary and permanent registration receipts. The temporary registration receipt will be given to the registrant. The permanent receipt will be attached to the registration packet with the remaining completed forms.
- Remind the registrant that they must let our department know when they will no longer be on campus and that they may leave.
- Return all completed forms in the registration packet to the dispatcher.
- Obtain the registrant # generated by the MCR entry from the dispatcher for use when you download the digital photograph of the registrant into the Image Manager section of psNET.

Once the completed registration forms are returned to the dispatcher he/she will:

- Mail the permanent registration receipt to the registrants listed home address.
- Update the registrant in VCIN (See attached format).

- Make a photocopy of the “Registration Change of Address/Annual Update” form and place in the Detective Sergeants mailbox.
- On the “Confidential Briefing Log”, under the FYI section, list the registrant’s name, DOB, reason for registration, why the registrant is on campus (i.e.; student, staff, faculty, etc.) and the date of registration.

Attach together all completed remaining registration forms with all teletype printouts and file alphabetically in the “290 Registrants” binder located in dispatch.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 2/13/2007

California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 350

MAJOR INCIDENT NOTIFICATION

350.1 PURPOSE AND SCOPE

Incidents that are of a significant nature and that fall into listed criteria require notification to certain members of this department. It is critical that staff members are informed of certain incidents in order to apprise their superiors and properly address inquiries from members of the press.

350.2 MINIMUM CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Chief of Police. 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;
- Robbery with serious injury;
- Officer involved shooting
- Significant injury or death to employee;
- Request for Critical Response Unit (CRU) team and/or mutual aid request;
- Death of a CSU Chico official;
- Arrest of department employee or CSU Chico official;
- In-custody death;
- Death or major injury to CSU Chico student, faculty or staff which occurs on the University;
- Suicide;
- Hate crime;
- Car jacking and/or kidnapping;
- Sexual assault;
- Major incident involving CSU Chico housing;
- Major damage to CSU Chico property including Foundation properties;
- Domestic terrorism threat;
- Major hazardous materials spills
- Discretionary situations (events which could bring heightened media attention to the Department / University, expose the Department / University to significant litigation and/or create heightened community concern)

350.3 SUPERVISOR NOTIFICATION RESPONSIBILITY

The Supervisor shall make reasonable attempts to obtain as much information on the incident as possible before notification. The Supervisor shall attempt to make the notification as soon as practical. The on-duty Supervisor is responsible for notifying the Operations Lieutenant. The Operations Lieutenant will either notify the Chief of Police or instruct the Supervisor to do so.

350.3.1 INVESTIGATIONS NOTIFICATION

In the event of a significant incident (i.e. crimes against persons, or evidence that is likely to be destroyed if mishandled, i.e., crime involving computers) the on-duty Supervisor shall notify the Detective Sergeant as soon as practical.

350.3.2 EMERGENCY OPERATION CENTER

In the event of a disaster, which may require opening the Emergency Operation Center (EOC), the Operations Lieutenant shall be notified immediately.

350.4 CSU CHANCELLOR'S OFFICE NOTIFICATION

Chancellor's Office Coded Memorandum HR-2005-19, in part provides the following guidelines:

In addition to the normal presidential notice to the Chancellor of major incidents, presidents need to ensure their campus police chiefs and/or appropriate staff report as soon as possible all serious and/or fatal injuries and emergency incidents to General Counsel and Risk Management at the Chancellor's Office.

A Major Incident is any incident involving the campus and its students, faculty, or staff which may be newsworthy or potentially sensitive. Major incidents include serious crimes such as homicide, rape, robbery, assault, burglary (involving large sums of money or valuables), arson, bombs, bomb threats where buildings need to be closed, riots, disturbances, embezzlement of funds or misuse of funds, serious or fatal injuries or illnesses or suicides. Major incidents also include disasters or emergencies, such as fire, earthquake, power outage or hazardous materials spills where there is a significant campus impact.

All Watch Commanders/Officers in Charge are required by this procedure to complete and e-mail the Major Incident Report (MIR) on incidents described below, prior to the end of their shift on the day the serious incident occurs. It will then be e-mailed to the Chief of Police and/or designee. Further, the information contained in the MIR is considered confidential and no member of this department will release a copy of the MIR to anyone other than the Chief of Police and/or designee, without the expressed approval of the Chief of Police and/or designee. A copy may be used to brief the on-coming patrol shift/investigations.

Examples of incidents in which a MIR will be completed include:

- Rapes;
- Robbery (All);
- Kidnapping, to include child abductions;

- Carjacking;
- Murders;
- Disasters and emergencies;
- Shootings/stabbings;
- Assaults where substantial injury has been received;
- Major crime arrests or major crime attempts;
- Other incidents where their may be an interest to the University or off-campus community;
- Incidents that generate requests for information from the media.

APPROVED

JOHN M. REID
CHIEF OF POLICE

The California State University
Public Safety
Major Incident Report

To: CSU Police Coordinator

From: _____

_____
Campus

Incident Details

Date of Incident: _____ Time of Incident: _____

Type of Incident:

Synopsis:

Victim Information: ☐Yes ☐No				
Name:		☐Student	☐Faculty/Staff	☐Other
Injury: ☐Yes ☐No	Description:			
Age:	Sex:	Status-Location:		
Additional Information:				

Suspect Information: ☐Yes ☐No				
Name:		☐Student	☐Faculty/Staff	☐Other
Custody: ☐Yes ☐No	Charges:			
Age:	Sex:	Status-Location:		
Additional Information:				

REVISED: 1/31/2018
Effective: 2/13/2007

California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 352

DEATH INVESTIGATION

352.1 PURPOSE AND SCOPE

The investigations of cases involving death include those ranging from natural causes 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.

352.2 INVESTIGATION CONSIDERATIONS

Death investigation cases require certain actions be taken. Paramedics shall be called in all suspected death cases unless the death is obvious (decapitated, decomposed, etc.). Officers are not authorized to pronounce death. A supervisor shall be notified in all death investigations.

352.2.1 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:

- 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.)
- Wherein the deceased has not been attended by a physician in the 20 days prior to death.
- 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.)
- Known or suspected homicide.
- Known or suspected suicide.
- Involving any criminal action or suspicion of a criminal act. (Includes child and dependent adult negligence and abuse.)
- Related to or following known or suspected self-induced or criminal abortion.
- Associated with a known or alleged rape or crime against nature.
- 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.
- Drowning, fire, hanging, gunshot, stabbing, cutting, starvation, exposure, alcoholism, drug addiction, strangulation or aspiration.
- Accidental poisoning. (Food, chemical, drug, therapeutic agents)

- Occupational diseases or occupational hazards.
- Known or suspected contagious disease and constituting a public hazard.
- 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.
- In prison or while under sentence. (Includes all in-custody and police involved deaths.)
- All deaths of unidentified persons.
- All deaths of state hospital patients.
- Suspected Sudden Infant Death Syndrome (SIDS) deaths.
- All deaths where the patient is comatose throughout the period of the physician's attendance. (Includes patients admitted to hospitals unresponsive and expire without regaining consciousness.)

The body shall not be disturbed or moved from the position or place of death without permission of the coroner.

352.2.2 SEARCHING DEAD BODIES

The Coroner or Deputy Coroner is the only person permitted to search a dead body. Under exigent circumstances where it is determined the identity of the deceased is of immediate importance, the officer at the scene may cause a search of the body to be conducted for identification. Time permitting, notification should be made to the Deputy Coroner if property is to be removed from the body.

352.2.3 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 police unit of 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 investigators may need to talk to the next-of-kin.

352.2.4 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" or "Jane Doe" number for the report.

352.2.5 DEATH INVESTIGATION REPORTING

All incidents involving a death shall be documented on the appropriate form.

352.2.6 SUSPECTED HOMICIDE

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the Sergeant responsible for the Investigations Division shall be notified to determine the possible need for an investigator to respond to the scene for further immediate investigation.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 354

IDENTITY THEFT

354.1 PURPOSE AND SCOPE

Identity theft is a growing trend which frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

354.2 REPORTING

In an effort to maintain uniformity in reporting, officers presented with the crime of "identity theft" (Penal Code § 530.5) shall initiate a report for victims residing or working within the jurisdiction of this Department. For incidents of identity theft occurring outside this jurisdiction, officers should observe the following:

- For any victim not residing within this jurisdiction, the officer shall take a courtesy report to be forwarded to the victim's residency agency.
- 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 our jurisdiction).
- 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).
- 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.
- The reporting officer should inform the victim of identity theft of their right to obtain court ordered access to the Department of Justice identity theft database pursuant to Penal Code § 530.7.
- Following supervisory review and departmental processing, the initial report should be forwarded to the appropriate investigator for follow up investigation, coordination with other agencies and prosecution as circumstances dictate.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 2/13/2007

California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 356

PRIVATE PERSONS ARRESTS

356.1 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.

356.2 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.

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.

Private individuals should be discouraged from using force to affect 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.

356.3 ARRESTS BY PRIVATE PERSONS

Penal Code § 837 provides that a private person may arrest another:

- For a public offense committed or attempted in his or her presence;
- When the person arrested has committed a felony, although not in his or her presence; or
- When a felony has been in fact committed, and he or she has reasonable cause for believing the person arrested has committed it.

NOTE: 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.

356.4 OFFICER'S 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.

- 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.
    - 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.
    - 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.

- 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:
    - Take the individual into physical custody for booking;
    - Release the individual pursuant to a Notice to Appear;
    - Release the individual pursuant to Penal Code § 849.

356.5 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.

APPROVED

JOHN M. REID
CHIEF OF POLICE

CALIFORNIA STATE UNIVERSITY CHICO
POLICE DEPARTMENT
CHICO, CA 95929-0133
(530) 898-5555

To: John M. Reid, Chief of Police
CSU Chico Police Department
California State University, Chico

People of the State of California)
vs.)
)
)
)
Defendant or Defendants

You are hereby requested to take into custody the above named defendant, he/she having committed the crime of

_____,

a misdemeanor, in my presence, and hold him/her in Butte County Jail pending his/her release by bail or order of the magistrate.

The above named person is arrested by me under authority of sections 834, 837, 841 and 847 of the Penal Code of the State of California.

I will further, in the interest of justice, keep the California State University Chico Police Department aware of my address so that I may be notified to appear, if necessary, as a witness in the Butte County Superior Court, within whose jurisdiction the arrest was made.

Signature of Arresting Party	Signature of Police Officer
Dated	Case Number

REVISED: 01/31/2018
Effective: 2/14/2007

California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 358

MEDICAL TRANSPORTS

358.1 PURPOSE AND SCOPE

This policy outlines the responsibility of CSU Chico Police Department regarding medical transports to/from campus.

358.2 POLICY

CSU, Chico Police Department personnel will not transport individuals whose medical condition does not appear to be stabilized. These include, but are not limited to:

- Injuries
- Illness
- Drug and Alcohol overdoses

In these situations, Fire Rescue/Ambulance services shall be requested.

358.3 TRANSPORT REQUESTS FOR MENTAL HEALTH CONDITIONS

CSU, Chico Police Department patrol officers will respond to assist, evaluate and transport individuals who are potentially at risk due to their mental conditions (5150 W&I).

In the event the individual's behavior has escalated and for the safety of the individual, as well as the officer(s) an ambulance should be requested for transport.

Depending on the situation, the officer can follow the ambulance. If there is an immediate safety concern for the ambulance crew, the officer should ride with the transport crew.

358.4 COURTESY TRANSPORTS

CSU, Chico Police Department staff will not provide courtesy transports to medical facilities. This includes requests from Student Health Services and University Housing.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 2/14/2007

California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 360

INTERPRETER SERVICES

360.1 PURPOSE AND SCOPE

Effective communications is essential when providing quality service to our community. Occasionally, members of our department encounter situations where they are unable to communicate, or experience difficulty in communicating with persons with Limited English Proficiency (LEP). In such cases, personnel should request the assistance of an interpreter.

360.2 PROCEDURE

After determining what communication resource is required, the following list of options should be considered:

- Contact AT&T Interpreter Services, either directly or through dispatch at 1-800-448-3003. CSU Chico Police Department's Client ID is #901124.
- For the hearing-impaired who have a Telecommunications Device for the Deaf (TDD), communications can take place through dispatch. Both dispatch stations are equipped with TDDs.
- For the hearing-impaired when officers do not have a TDD available, the California Relay Service can be contacted at 1-800-854-7784.
- Adults should be used as interpreters whenever reasonably possible. However, when the circumstances indicate an immediate need for information and an adult capable of interpreting is not available, children may be used to provide initial interpreter services. An interpreter's age, proficiency in English, and relationship to any person involved in a matter (whether as a victim, witness or suspect) should be considered when determining reliability of the information provided by the interpreter.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 01/31/2018
Effective: 3/28/2007

California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 400

PATROL FUNCTION

400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the functions of the patrol unit of the department to ensure intra-department cooperation and information sharing.

400.1.1 FUNCTION

Officers will generally patrol in clearly marked police vehicles, patrol assigned geographic areas within the jurisdiction of CSU, Chico, respond to citizen calls for assistance, act as a deterrent to crime, enforce local as well as state laws, and respond to emergencies 24 hours a day, seven days a week.

The patrol unit will generally provide the following services within the limits of available resources:

- Patrol that is directed at the prevention of criminal acts, vehicle code violations and collisions, the maintenance of public order, and the discovery of hazardous situations or conditions.
- Crime prevention activities such as proactive enforcement at resident hall locations and campus buildings, campus community presentations, etc.
- Calls for service, both routine and emergency in nature.
- Investigation of both criminal and non-criminal acts.
- The apprehension of criminal offenders.
- Community Oriented Policing activities such as citizen assists and individual citizen contacts of a positive nature.
- The sharing of information between the patrol unit and other divisions within the department, as well as other governmental agencies.
- The application of resources to specific problems or situations within the campus community, which may be improved or resolved by Problem Oriented Policing Strategies.
- Traffic direction and control.

400. 2 PATROL INFORMATION SHARING PROCEDURES

The following guidelines are intended to develop and maintain intra-department cooperation and information flow between the various divisions of the CSU, Chico Police Department.

Crime Reports
A Crime Report may be completed by any patrol officer who receives criminal information. The report will be processed and forwarded to the appropriate unit for retention or follow-up investigation.

Patrol Briefings
Patrol supervisors, detectives and members of special units are encouraged to share information as much as possible. All supervisors and/or officers will be provided an opportunity to share information at the daily patrol briefings as time permits.

Bulletin Boards
A bulletin board is kept in the Department hallway for display of suspect information, intelligence reports and photographs. New Executive Directives will be made available for patrol supervisors and will be discussed at briefings and shift meetings. A copy of the directive will be placed on the hallway bulletin board.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Updated: 3/16/2009
Effective: 3/28/2007

California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 402

RESPONSE TO FIRE CALLS

402.1 PURPOSE AND SCOPE

Because of the potential threat to human life and destruction of state property, CSU, Chico Police Department personnel shall adhere to the protocol outlined below.

402.2 CSU CHICO POLICE DISPATCH

When a CSU, Chico Police Dispatcher receives a report of a fire, or a fire alarm, the City of Chico Fire Department shall be requested and a CSU, Chico Police Officer shall be dispatched. If a CSU, Chico Police Dispatcher receives a report of a fire, gas leak or another emergency where evacuation would be appropriate, and no alarm is sounding, the dispatcher will tell the reporting party, if he/she is still in the building, to pull the fire alarm before exiting.

The dispatcher will enter all call related information into Computer Aided Dispatch (CAD). Information shall include police officer arrival times and Chico Fire Department arrival times.

As soon as possible, after police officer(s) and Chico Fire Department engines have been dispatched, CSU, Chico Police Dispatch shall notify FMS.

402.2.1 FMS CALLOUT PROCEDURES – ALARM CALLS

During regular business hours, dispatch will call FMS to confirm that the alarm was received by their office and that an electrician is responding. The dispatcher shall ascertain an estimated time of arrival. Dispatch is to notify the officer(s) that the request for an electrician has been made and, if possible, provide them an ETA for electrician's arrival on scene.

After regular business hours, FMS electrician requests will be made by CSU, Chico Police Dispatch from an on-call list provided by FMS. The dispatcher will call individuals on the list and advise them of the fire alarm. The dispatcher will request an estimated time of arrival. If the dispatcher cannot locate anyone on the on-call list, messages will be left on answering machines.

402.2.2 FMS CALLOUT PROCEDURES – FIRE (NO ALARM)

During business hours, the CSU, Chico Police Dispatcher will notify FMS to report the incident. EHS and Risk Management shall also be notified.

During non-business hours, a representative from FMS, EHS and Risk Management will be contacted by the dispatcher from the on-call lists.

402.3 CSU, CHICO POLICE OFFICERS

CSU, Chico Police Officers shall respond to the scene and open / unlock any and all doors to afford Chico Fire Department personnel full access to all necessary areas.

402.3.1 CSU, CHICO POLICE OFFICERS RESPONSIBILITY DURING ALARM CALLS

The first CSU, Chico Police Officer to arrive on scene, regardless of rank, should don the "Incident Commander" vest and take command of the incident. The incident should be assigned an appropriate name and further communications should reference the name of the incident. When an officer of higher rank arrives, that officer may relieve the first officer and assume command. This requires a face to face-turn over report from the current incident commander, a passing of the vest and a notification to dispatch of who is now the new incident commander.

CSU, Chico Police Officers will inform Chico Fire personnel at the scene as to the estimated arrival time of the FMS electrician. When the situation has been resolved and the building has been cleared for entry by Chico Fire, Environmental Health and the Police Department, an all-clear notification will be given, by the Incident Commander, to the building manager who should disseminate the information to the evacuation coordinators and allow re-entry. At this point "Command" can be terminated and the Police Department resources can clear the scene.

CSU Chico Police Officers shall NOT reset fire alarms. Fire alarms are to be reset by FMS electricians.

402.4 SIMPLEX TROUBLE ALARMS

When the Dispatcher receives a report of a Simplex Trouble Alarm, an Officer will be dispatched to respond Code 1.

The Dispatcher will enter all call-related information into CAD. Information will include the Officer's arrival time and reason for the Simplex Trouble Alarm.

Once the Officer has confirmed the Simplex Trouble Alarm, Dispatch will notify an FMS electrician. During non-business hours, notification should be made from the FMS on-call list.

The Chico Fire Department will not be called out for Simplex Trouble Alarms.

402.4.1 PATROL OFFICER'S RESPONSIBILITIES

Determine the source and location of the Simplex Trouble Alarm by pressing the "Trouble Acknowledge" button, which is labeled "TBL ACK".

The reason for the alarm, and the exact location of the problem, will be visible on the screen. The Officer will proceed to the specified location, and verify that there are no other problems at that location.

Once the Simplex Trouble Alarm has been confirmed, the Officer can clear the call regardless of whether the FMS electrician has arrived or not. Officers do not reset Simplex Trouble Alarms.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 11/25/2019
REVISED: 1/31/2018
Effective: 3/28/2007

California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 404

BIAS-BASED POLICING

404.1 PURPOSE AND SCOPE

This policy provides guidance to police department members that affirms the 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 police department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

404.1.1 DEFINITION

Definitions related to this policy include:

Bias-based policing - An inappropriate reliance on characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement (Penal Code§ 13519.4).

404.2 POLICY

The CSU, Chico 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.

404.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.
However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

404.3.1 CALIFORNIA RELIGIOUS FREEDOM ACT

Members shall not collect information from a person based on religious belief, practice, affiliation, national origin or ethnicity unless permitted under state or federal law (Government Code § 8310.3).

Members shall not assist federal government authorities (Government Code § 8310.3):

a) In compiling personal information about a person's religious belief, practice, affiliation, national origin or ethnicity.
b) By investigating, enforcing or assisting with the investigation or enforcement of any requirement that a person register with the federal government based on religious belief, practice, or affiliation, or national origin or ethnicity.

404.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor.

404.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact.

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.

404.4.2 REPORTING OF STOPS

Unless an exception applies under 11 CCR 999.227, an officer conducting a stop of a person shall collect the data elements required by 11 CCR 999.226 for every person stopped and prepare a stop data report. When multiple officers conduct a stop, the officer with the highest level of engagement with the person shall collect the data elements and prepare the report (11 CCR 999.227).

If multiple agencies are involved in a stop and the CSU, Chico Police Department is the primary agency, the CSU, Chico Police Department's officer shall collect the data elements and prepare the stop data report (11 CCR 999.227).

The stop data report should be completed by the end of the officer's shift or as soon as practicable (11 CCR 999.227).

404.5 ADMINISTRATION

Each year, the Division Head should review the efforts of the CSU, Chico Police Department to provide fair and objective policing and submit an overview, including public concerns and complaints, to the Chief of Police.
This 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 report and discuss the results with those they are assigned to supervise.

404.6 TRAINING

Training on fair and objective policing and review of this policy should be conducted as directed by the Training Division.

a) All sworn members of the CSU, Chico Police 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 the CSU, Chico Police Department are encouraged to familiarize themselves with and consider racial and cultural differences among members of this community.
c) Each sworn member of the CSU, Chico Police 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)}.

404.7 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

The Internal Affairs Unit and the Records Specialist or authorized designee shall ensure that all data required by the California Department of Justice (DOJ) regarding complaints of racial bias against officers is collected and reported annually to the DOJ (Penal Code§ 13012; Penal Code§ 13020).

Supervisors should ensure that data stop reports are provided to the Records Specialist or authorized designee for required annual reporting to the DOJ (Government Code § 12525.5).

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 3/28/2007

California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 406

BRIEFING

406.1 PURPOSE AND SCOPE

Briefing is generally conducted before a patrol officer's assigned shift. Briefing provides an opportunity for an important exchange of information between employees and supervisors. A supervisor generally conducts briefing; however, senior officers may conduct briefing for training purposes with supervisor approval.

Briefing should accomplish, at a minimum, the following basic tasks:

- 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;
- Notifying officers of changes in schedules and assignments;
- Notifying officers of new directives or changes in directives;
- Reviewing recent incidents for training purposes;
- Providing training on a variety of subjects.

406.2 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.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
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California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 408

CRIME AND DISASTER SCENE INTEGRITY

408.1 PURPOSE AND SCOPE

The protection and integrity of a crime scene is of the utmost importance for the successful apprehension of criminals and successful prosecution. The integrity of a disaster scene is equally as critical for the protection of life and property and investigation by proper authorities.

408.2 CRIME SCENE RESPONSIBILITY

The first officer at the scene of a crime or major incident is responsible for the preservation of the scene. However, officers shall also consider officer safety and public safety issues including rendering medical aid for any injured parties. The integrity of the crime/disaster scene shall be maintained by the officer until the officer is relieved by another officer or supervisor.

408.2.1 FIRST RESPONDER CONSIDERATIONS

The following list describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive and is not necessarily in order of importance:

- Ensure no suspects are still within the area.
- Broadcast emergency information including all requests for additional assistance.
- Provide first aid to injured parties if it can be done safely.
- Secure the inner perimeter with crime scene tape.
- Protect items of apparent evidentiary value.
- Start chronological log noting critical times and personnel allowed access.

408.2.2 MEDIA ACCESS

Pursuant to Penal Code § 409.5(d), authorized and bona fide members of the media shall be provided access to disaster scenes, accident scenes, fires, hazardous materials incidents and other emergencies subject to the following conditions:

(a) The media representative shall produce valid press credentials which shall be prominently displayed at all times while in areas otherwise closed to the public.

(b) Media representatives shall not interfere with emergency operations.

1. In situations where media access would reasonably appear to interfere with emergency operations, or the environment is such that their presence would be dangerous to their health, every reasonable effort should be made to

provide media representatives with a media staging area, in a safe location, where they can receive regular briefings from an event P.I.O.

(c) Media representatives will not be allowed admittance to crime scenes.

1. Consideration should be given to providing the media with a briefing area. At the earliest opportunity, an event Public Information Officer will provide the media with information, provided that information will not jeopardize an ongoing investigation.

(d) No member of this Department shall be subjected to media visits or interviews without the consent of the involved employee. (Government Code §3303(e))

(e) Media interviews with individuals who are in custody shall not be permitted without the approval of the Chief of Police and the expressed consent of the person in custody.

The scene of a tactical operation will be treated the same as a crime scene, except that the news media will be permitted within the outer perimeter of the scene, subject to any restrictions set forth by the on-duty supervisor. Department members shall not jeopardize a tactical operation in order to accommodate the news media, but every effort shall be made to keep the media informed of the progress of the operation.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 3/28/2007

California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 410

EVENT MANAGEMENT AND CROWD CONTROL

410.1 PURPOSE AND SCOPE

The CSU, Chico Police Department will plan for and staff special events in a manner to ensure the safety of those attending the event, to protect University facilities and property, and to be able to respond effectively to unplanned, spontaneous activities. Officers will ensure that the rights of those participating in special events are protected.

410.2 THE FIRST AMENDMENT

Freedom of speech rights are a part of the California and United States Constitutions. The right of the people to speak freely from any viewpoint, however unpopular, cannot be allowed to yield to speculative apprehension of police authorities that some unpleasantness or even damage to property or injury to persons might occur. It is the duty of the police to prevent such occurrences and to protect the expression of viewpoints. (U.S. Serviceman's Fund v. Shands, 440 F.2d 44).

Criminal statutes cannot be applied to demonstrators in a manner that would interfere directly or indirectly with the exercise of free speech. A demonstration may not be deemed "an unlawful assembly" or "disturbing the peace" unless the demonstrations pose a "clear and present danger of imminent violence" or are engaged in committing a criminal act.

The First Amendment guarantees freedom of speech, but that guarantee does not protect individuals from the consequences of their unlawful acts.

Universities are forums for the exchange of ideas. The main responsibility of the CSU, Chico Police Department in demonstrations is to facilitate the lawful and peaceful expression of opinions.

410.3 DEFINITIONS

Spontaneous Events or Incidents are those events which may create threats to the public health and safety. Such events may include disorderly crowds, large, unplanned expressive activities, school incidents, transportation accidents, explosions, bombings, major fires and strikes.

- Events such as peaceful campus marches, rallies and picketing that do not create threats to public health and safety may not rise to the level of a spontaneous event or incident.

- The commanding officer should carefully assess the event and avoid implementing the steps outlined below, unless required by the nature of the event.

Approved Special Events are those events for which activity permits are required and large numbers of persons may gather or participate. Such events include rallies, cultural events, musical performances, religious or political gatherings and other expressive activities.

- Events that require permits for stage use or amplification, for example, but which would not attract large numbers of persons, do not constitute scheduled special events.
- The commanding officer should carefully assess the event and should avoid implementing the steps outlined below unless required by the size and nature of the event.

410.4 HANDLING SPONTANEOUS EVENTS OR INCIDENTS

The senior ranking officer on-duty should go to the scene and take command of events that pose a threat to public safety. A senior ranking officer on-duty will implement the procedures until relieved by a higher authority. For the purpose of this guideline, the senior ranking police officer in charge of a specific event, regardless of rank, shall be referred to as the incident commander.

If a spontaneous event is of a magnitude to require command intervention above the supervisor's level, notification to the Watch Commander and Chief of Police should be made after establishing a command post and activating the emergency operations center, if necessary.

Officers of succeeding levels of authority who assume command shall announce it explicitly.

The primary responsibilities of the first responding incident commander are the following:

- To establish an on-scene command
- To make and broadcast a situation estimate
- To initiate notifications
- To request needed personnel and equipment

The incident commander shall analyze the situation, specifically noting the following:

- Type and location of event.
- Type of structure or vehicle involved.
- Size of area involved.
- Number of additional officers needed.
- Location for a command post.
- Location for a staging area.
- Access (ingress and egress) routes.
- Additional assistance required (outside agencies, ambulance, and fire).

The incident commander shall establish a command post and:

- Restrict radio traffic to emergencies at the event, or establish a "tactical frequency" (secondary radio channel).

- Implement the Incident Command System (ICS).
- Prepare a graphic illustration of the area.

The incident commander should isolate the area of involvement and:

- As soon as practical, establish a perimeter to control access to, and departure from, the event.
- If possible, use parking and community service officers for the event if this can be done while preserving the safety of non-sworn personnel.
- In some instances, establish an inner perimeter to contain the event, and an outer perimeter, at a distance, to keep the general public from entering the area.
- The outer perimeter is a zone of control, which is established around the scene and inner perimeter in order to restrict vehicular and pedestrian traffic, which could come into conflict with the operation.

The incident commander shall make the necessary notifications:

- Emergency notifications are to be made in accordance with the local chain of command and applicable mutual aid agreements.
- In emergency situations, the on-duty dispatcher should make the notifications, however the on-scene commander must verify that notifications have been made.

The incident commander should establish contact with participants in the event:

- In crowd situations, establish and maintain contact with the formal or informal leaders of the group either by personal contact or electrical amplification.

The incident commander should acquire further information:

- Place plainclothes officers in the area if practical.
- Obtain information from contacts with participants.
- Establish observation posts.

The incident commander should prepare a written plan of operation:

- Prepare written orders when spontaneous events occur. In emergency situations these orders will be very brief but will encourage essential planning elements.
    - Delegation of essential operational tasks as noted above is very important at this stage in order to enable the incident commander time to plan.
    - If staffing prohibits such action, monitor the situation until a sufficient contingent of personnel is available.
- For consistency, the plan should have the following five basic sections in a format to be followed at all levels of operation:
    - Situation
    - Mission
    - Execution
    - Administration/Equipment.
    - Command/Control
    - The incident commander should make decisions about the control means to be employed, depending on the degree of violence and the type of event. Before taking enforcement action, consider the following factors:
        - Will the situation grow worse by action or inaction. If only scattered individuals are violent, it is better to make selective arrests of those individuals rather than disperse the entire crowd.

- Consider available resources.
- Establish safe and clear escape routes.
- Assemble arrest team(s).
- Have loudspeaker capability.
- Have a person videotape the event, and have an officer protect that person.
- If proper, warn participants of an unlawful assembly.
- Accomplish dispersal and/or arrests.

410.5 HANDLING SCHEDULED SPECIAL EVENTS

In preparing for planned events, the same essential tasks as are performed in spontaneous events or incidents must be accomplished. However, because of the luxury of time available, they can be performed more deliberately and in greater detail and occasionally the sequence is changed.

- Evaluate the situation.
- What is the type of event? (March, protest, demonstration, labor activity, entertainment)
- Who are the sponsors? Have their past events been peaceful or violent? Who will be attending the event?
- Are there persons in opposition to the sponsoring group?
- Where is the event to take place? What are the peculiarities of the location? How many people can it safely hold? What about access to and from? What are the control points for establishing a perimeter?
- Have past events of this type conducted at this place by these persons been peaceful or not?
- Consider a location for a command post.
- Consider a location for a staging area.

Meet with the sponsors.

- Prior meetings between organizers and department personnel are not required for activities protected by the First Amendment. Permits may be obtained without prior meetings with department personnel. However, cooperation with the event sponsors is encouraged and a departmental representative should endeavor to meet with sponsors prior to the event.
- If a meeting is arranged, the department representative should discuss needed permits, applicable laws, and enforcement policies. Documents and policies relating to crowd control should be made available for distribution to the sponsors. The representative should discuss ways to maintain communication with the sponsors throughout the event.
- If a prior meeting is not possible, then information relating to the size and nature of the event should be collected. Public announcements and media reports should be examined.

Plan for Perimeter Management:

- Facilitate access to and from the area of involvement.
- Determine need for more than one perimeter.
- Deploy barricades (if necessary) prior to the event.

Estimate the number of officers needed to police the event:

- Institute call-out of off-duty personnel if needed.

- Request assistance from other outside agencies if needed.

Obtain information:

- From sponsors.
- From any other legitimate source.

Write an operations plan that will include:

- Designation of a single person or position as supervisor or coordinator for the coverage of the event.
- A written estimate of traffic, crowd control, and crime problems that are anticipated.
- A contingency plan for traffic direction and control.
- Use of special operations personnel, if any.
- Logistical requirements.
- Coordination inside and outside the department.

Formulate an enforcement policy and communicate it to the officers.

As time permits, conduct drills and exercises to test the operational plan, particularly its complex aspects (mass bookings, formations for outside agencies, mobilizations).

410.6 CROWD MANAGEMENT METHODS

This section describes those methods used to manage assemblages of persons behaving lawfully. When the methods described in this section fail, or for other reasons assemblages become, or promise to become, an unlawful assembly, crowd control measures must be imposed. While it is the University's preference that management practices be used at all stages of the development of a plan for public assemblages, control plans will be developed along with management plans for immediate activation should the need arise.

410.6.1 DEFINITIONS

Crowd Management is the technique used by officers of all ranks to manage lawful public assemblages before and during the events for the purpose of keeping them from becoming unlawful, including conferences with event planners, monitoring the event with group leaders, and preparation of critiques to develop a department event history.

Crowd Control is the technique used by officers during public assemblages, which promise to be or are unlawful, including a show of force, crowd containment, dispersal tactics, encirclement and arrest.

Incident Commander is the senior ranking police official who is in charge of event management.

410.6.2 CROWD CONTROL MANAGEMENT (GENERAL PRINCIPLES)

Crowd management procedures do not start with the specific event but with events in the past and those occurring elsewhere. Pre-planning can be the best information to help manage events on University property. A record of past and current events will assist in planning for future events. All significant events should be recorded in written form.

Develop rapport with the crowd or its leaders, if practical. A rapport should be developed with the organizers before the event if possible. If this is not possible, a uniformed officer should establish a contact in the crowd and attempt to establish dialogue.

An important aspect of crowd management is the supervision of officers on the line. An individual officer engaging in a verbal dispute with an individual in the crowd could incite the entire crowd. It is very important that officers refrain from showing any type of visible agreement or disagreement with the issue at hand. It is important that supervisors and commanders monitor the mood of both the crowd and the officers and remove an officer from the line if the potential for conflict arises. A complete briefing on the specifics of the mission must be provided to all personnel involved.

It is preferable for the crowd to focus on the event rather than police tactics, such as unnecessary displays of uniformed police personnel.

Ensure that the event organizers have a specific location for the event.
For spontaneous events, a supervisor or watch commander should respond to the scene and evaluate the situation. If hostile factions are present, they should be kept safely apart and given an area to exercise their First Amendment rights.

410.6.3 CROWD CONTROL PROCEDURES

Whenever possible, police officers should be on the grounds prior to the event to set physical limits or, if an event is spontaneous, officers should define its limits with barricades and/or the placement of officers as soon as possible.

As a general rule, officers should be kept together in squads to police an event. (Resources should not be diluted by trying to encircle a large crowd).

Display of Police Officers

- The tension of a crowd can sometimes be reduced by the knowledge that a substantial police presence is nearby. It is not always necessary to display the officers.
- To make an effective display of police officers, assemble the group of officers out of view of the crowd and bring it into the crowd's presence as a body.
- Do not use a display of police officers to deter a crowd unless it is of sufficient size to accomplish a dispersal.
- If a display of police officers is accompanied by a dispersal order, and does not result in a voluntary dispersal, more forceful tactics may be employed.

Orders to Disperse

- When other measures fail to control or disperse an unlawful crowd, the crowd should be ordered to disperse and then, if they refuse, they may be arrested for violation of Penal Code Section 409.
- Announcements to a crowd to disperse or to move to another location should be based on reasonable and articulable factors justifying the order, must be made in accordance with State law, and should be recorded on either audio or video tape.
- Go as close to the crowd as possible and command them in the name of the people of the State of California to disperse immediately, utilizing the following script:

- "I am (Name and Rank) a Police Officer for the California State University, Chico Police Department. I hereby declare this to be an unlawful assembly. In the name of the People of the State of California, I order all those assembled at (give specific location) to disperse immediately. If you do not disperse, you will be subject to arrest."
- If circumstances permit (absent serious violence) the order should be made repeatedly over a period of time, and if necessary, from a variety of locations.
- The crowd should be provided with adequate time and a clear and safe route to disperse.
- If possible, the announcements should designate where the demonstrators can relocate.
- If it can be done safely, the Incident Commander should designate someone to listen and record the dispersal order from the other side of the crowd or a similar distance.

Post-Event Management

- After an event requiring police intervention, a critique meeting should be held to discuss the positive and negative aspects. All involved personnel should attend.
- Each event should be viewed in retrospect as a training tool for improving future operations.
- An after action report will also be completed.

410.7 EVENT MANAGEMENT CHECKLIST

The purpose of the Event Management Checklist is to provide event planners with a means to ensure that all planning areas have been covered, and to provide commanding officers with a method of ascertaining if required tasks have been performed.

It is not necessary to use each item for every event, but all items should be considered for each event and may be rejected if determined to be inapplicable in a given situation.

- Command Post:
  - Who is in charge?
  - Are all essential functions assigned to someone?
  - Where is it?
  - Available radio frequency?
- What is the command structure?
  - Who will be in charge at the scene of the event and what is the person's rank?
- Has an operations plan been prepared?
  - Provide a copy before the event.
- What is the overall mission statement?
- Have demonstration areas been designated in advance?
  - Will there be department barriers on the scene?
  - Are perimeters established?
- Have provisions been made for officers to be on the scene before the demonstration or event?
- Is a staging area provided for responding officers, and appropriately staffed with a secure vehicle?
  - Who is in charge of the staging area?
- How have similar events turned out?

410.8 CROWD MANAGEMENT CHECKLIST

The Crowd Management Checklist should consist of the following information:

- How many on-scene observers?
- Have you set up command post? Where?
- Have you notified communications?
- Make an estimate of the situation including:
    - What is the size of the crowd?
    - What is the purpose of the gathering?
    - Is it lawful or unlawful?
- Identify contact persons to communicate with participants.
- Number of officers needed to manage situation.
- Number of officers needed for traffic control.
- Special equipment needed.

NOTIFICATION as follows:

- Department Administration
- Request outside units
- Request video and photo teams

PLAN OF ACTION as follows:

- Monitor only
- Control the crowd
- Disperse the crowd
- Arrest

410.9 INCIDENT REPORT CHECKLIST

The following items should be considered when preparing your Incident Report Checklist:

- Names, addresses, telephone number of all witnesses, including observers. An attempt should be made to interview these persons.
- Names and station affiliations of press observers. This information is particularly significant in guiding the issuance of subpoenas for film or photographs.
- Was the scene videotaped or photographed by the police? Who was the photographer or camera person?
- Who was the officer in charge?
- Who is the case liaison officer?
- Complete descriptions of booked evidence. If signs or banners are seized, a description of their message only if relevant for identification purposes. If the evidence was used as a weapon or tool, a complete description of its size and/ other relevant characteristics.
- A complete description of damage to property as well as photographs and the name of the owner and person in control of the premises at the time of incident, if different from the owner. Statements should be obtained from all witnesses and victims and repair estimates promptly collected.
- Any photographs of arrested or cited persons and the name(s) of the persons who witnessed the conduct where the arrest citation was issued.
- Information as to whether any arrested or cited person was previously arrested or cited for similar conduct.

- Use of a control number for every arrested or cited person, which also appears on all police photographs, the police report, and police citation or arrest card. This will be invaluable in identifying persons who give false or multiple names or refuse to identify themselves to the police in the field or at the booking office.
- If there are buildings or offices invaded (inner offices, elevators, desks in an office) list the witnesses (not just the officer or building owner or manager). If any person were unable to perform his functions, were dispossessed, or if his telephone or other equipment were used, statements should be taken promptly.
- Any use of force should be documented, including the reason, location, officer, etc.

410.10 CROWD CONTROL MEASURES

If possible, crowd control management techniques should be used. They include the following:

- Isolate the demonstrators:
  - Barricades
  - Squads
- Show of Police Officers:
  - Assemble squads out of view, march to demonstration, form platoons, if numbers are sufficient.
- Selective Arrests:
  - Uniformed Officers-Squad/Platoon Arrest Circle
- Multiple Arrests:
  - Announce to demonstrators the intent to arrest.
  - Have loudspeaker capabilities.
  - Have sufficient transportation— buses, wagons, etc.
  - Have sufficient manpower/call other campuses/mutual aid/CRU
  - Have sufficient equipment— plastic cuffs, etc.
- Orders to Disperse:
  - Utilize bullhorn.
  - Use Section 409 of the Penal Code.
  - Tape broadcast (one to three minutes).
  - Provide crowd with an avenue of escape.
- Dispersal Techniques:
  - Squad or Platoon formations.
  - Leave avenues of escape.
  - Approach crowd swiftly and confidently.
  - Retain Squad/Platoon integrity.
  - If arrest teams accompany sweep, locate behind main skirmish line.

410.11 ADMONITION

I am (*rank, first and last name*), a sworn peace officer of the State of California, and I represent California State University Chico Police Department. I am acting on behalf of the California State University, and the Police Department. I request that you leave this area immediately as your conduct is in violation of Section 407 of the California Penal Code (unlawful assembly).

You have ten minutes to comply. *(Be sure to count off elapsed time starting after three minutes have elapsed).*

I hereby declare this to be an unlawful assembly. I command you in the name of the People of the State of California to disperse. If you fail to disperse, you will be arrested for unlawful assembly and refusal to disperse, violations of California Penal Code Sections 407, 409, 410, 416. You may also be charged with other related offenses.

410.12 ARREST STATEMENT

You are under arrest for violation of Penal Code Sections 407, 409, 410, and 416; unlawful assembly and refusal to disperse. If there is any resistance to arrest, including going limp, you will also be charged with a violation of California Penal Code Section 148, resisting or obstructing a peace officer in the performance of his/her duties, and you will not be eligible for release on citation.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 3/28/2007

California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 412

CITIZEN RIDER POLICY

412.1 PURPOSE AND SCOPE

The California State University, Chico Police Department ride-along program provides an opportunity for citizens to experience the police function first hand. This policy provides the requirements, approval process, and hours of operation for the ride-along program.

412.1.1 ELIGIBILITY

The California State University, Chico Police Department ride-along program is offered to residents, students and members of the community. 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. They include, but are not limited to:

- Being under the age of 13
- Prior criminal history
- Pending criminal action
- Pending lawsuit against the Department
- Denial by any supervisor

412.1.2 AVAILABILITY

The ride-along program is available on most days of the week, with certain exceptions established by the Chief of Police. Exceptions to this schedule may be made by the Chief of Police or the Watch Commander.

412.2 PROCEDURE TO REQUEST A RIDE-ALONG

The participant will complete a ride-along waiver form. Information requested will include a valid ID or California Driver's License number, address, telephone number and the preferred day and time the participant would like to ride. If the participant is under 18 years of age, a parent/guardian must be present to complete the ride-along form.

The on duty dispatcher receiving the application form shall run a criminal history check, a complete CLETS/NCIC check, driver's license/ID card information and a local CAD/RMS check on the applicant. The dispatcher will check and initial the appropriate boxes at the bottom of the application and attach all documentation showing that a brief background check was performed. The dispatcher will then write in the "Citizen Ride Along Log" the date the application was received, the name of the participant, the

dispatcher's name, initials, badge number or any combo thereof, and which Sergeant the application was given to.

The application and attached documents will then be given to the Sergeant who will be on duty on the day and time the participant prefers to ride. The Sergeant will approve or deny the ride-along.

If the ride-along is approved, the Sergeant will give the application to an officer he/she wishes the applicant to ride with. The Sergeant will write in the "Citizen Ride Along Log" which officer he/she assigned the application to. The assigned officer will contact the applicant to schedule the requested ride-along. The officer will note the date and time of the scheduled ride along at the bottom of the application and give the application to Dispatch/Records.

If the ride-along is denied, the Sergeant will contact the applicant and advise him/her of the denial.

412.2.1 PROGRAM REQUIREMENTS

Once approved, civilian ride-alongs will be allowed to ride no more than once every six months. An exception can only be made with the approval of the Watch Commander or Chief of Police.

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.

412.2.2 SUITABLE ATTIRE

Any person approved to ride-along is required to be suitably dressed in collared shirt, blouse or jacket, slacks and shoes. Sandals, T-shirts, tank tops, shorts and ripped or torn blue jeans are not permitted. Hats and ball caps will not be worn in the police vehicle. The Watch Commander or on duty Sergeant may refuse a ride-along to anyone not properly dressed.

412.3 OFFICER'S RESPONSIBILITY

The officer shall advise the dispatcher that a ride-along is present in the vehicle before going into service. The dispatcher will create a call in the CAD system using the call type "Rider," and place the participant's name in the RP field. The CAD call will be closed out when the officer advises the participant has secured. Officers shall consider the safety of the rider 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.

412.4 CONTROL OF RIDE-ALONG

The assigned employee shall maintain control over the rider at all times, and provide the following instructions to the rider:

- The citizen rider will follow the directions of the officer.
- The citizen rider will not become involved in any investigation, handle any evidence, discuss incidents with victims or suspects, or handle any police equipment.

- The citizen rider may terminate the ride-along at any time, and the officer may return the citizen rider to the station if the ride-along interferes with the performance of the officer's duties.
- Citizen riders may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety.
- Officers will not allow any rider 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.

APPROVED

JOHN M. REID
CHIEF OF POLICE

California State University, Chico Police Department
Citizen Rider Program

The CSU, Chico Police Department has instituted this program in order to allow members of the community an opportunity to ride and observe our police officers performing their duties. We would hope that you, as a participant in the program, will gain insight into the every day problems which face our community and how our police department responds to them.

OBSERVER RULES AND INSTRUCTIONS

- The request for ride-along application must be completed and liability waiver signed.
- Submission of false information will disqualify the observer from the program.
- Observer must agree not to discuss names of persons involved in police cases or incidents. Observers will be considered confidants of the police department and it is essential that all matters pertaining to evidence or statements gathered in an investigation be held confidential.
- Observer must not leave the vicinity of the patrol vehicle unless cleared to do so by the officer.
- Observer or officer may terminate the ride-along at any time.
- The length of the ride-along will not exceed (8) eight hours in one calendar year.
- Observers are required to be neatly dressed. Observers will not be allowed to participate if they appear in faded/patched jeans, T-shirt, halter-tops, etc.
- For purposes of safety and officer efficiency, the observer must obey **ALL** instructions or rules, written or verbal.
- Photographic equipment and recording devices are NOT to be used by observers. Use of these items could constitute an invasion of privacy of any suspects or victims who may be encountered during the course of the ride-along. Special arrangements for schools or organizations who wish to publish articles can be made through the Chief of Police or designee.
- It should be understood that participation in this program is a privilege, **NOT A RIGHT,** and that the basic premise of the ride-along program is to establish rapport with the police and learn about the functions of law enforcement.

APPLICATION:

Purpose for Ride-Along Request:		Date of Birth:
Application Date:	Name:	
Address:	City:	State:
Driver's License #:	State:	Gender:
Home Phone #:	Work Phone #:	
If a minor, what school do you attend?		
Day/Time Preference: (Be advised you are NOT guaranteed your day/time preference.)		

Who to notify in case of emergency:

Name:		Relationship:
Address:	City:	State:
Home Phone #:	Work Phone #:	
Doctor's Name:	Doctor's Phone #:	
List any allergic reactions to medications, or any other medical information we should know:		

READ THIS DOCUMENT IN FULL BEFORE SIGNING
CALIFORNIA STATE UNIVERSITY POLICE DEPARTMNET DECLARATION OF ASSUMPTION OF RISK AND RELEASE OF LIABILITY

I, _____, the undersigned, declare as follows:

I am _____ years of age and am not a member of the California State University Police Department. I have made a voluntary request to participate in the Ride-Along Program of the California State University Police Department, during which I understand that I will accompany any member of the CSU, Chico Police Department to whom I may be assigned during the performance of his/her official duties, which may include riding with said officer in a police vehicle.

I understand that the CSU, Chico Police Department will allow me to participate in the Ride-Along Program only on the condition that I assume the risks involved in said participation and that I will release the State of California; the Trustees of the California State University; California State University, Chico; and their officers, agents, and employees from liability, as specified below, and I agree to participate in the Ride-Along Program on these conditions.

I understand that the duties of members of the CSU, Chico Police Department are inherently dangerous and that I may be subjected to the risk of death or personal injury or of damage to my property during my participation in the Ride-Along Program. I further understand that said risks may arise from, but are not limited to, being told to exit the police vehicle as directed by an officer, the use of weapons and firearms, the acts and forcible resistance of criminal suspects, civil disturbances, explosion, electrocution, the escape of radioactive or other toxic substances, the effects of wind, rain, fire, and gas, and vehicular collision. I hereby agree to assume those and all other risks and to release and hold harmless all of the persons or entities named above who (through negligence or carelessness) might otherwise be liable to me for damages.

In consideration of my being permitted to participate in the Ride-Along Program, I hereby for myself, my heirs, executors, and administrators release the State of California; the Trustees of the California State University; California State University, Chico; and their officers, agents, and employees from any and all liability for any damage or injury which I may receive while participating in the Ride-Along Program. I understand and agree that this waiver, release, and assumption of risk is to be binding on my heirs and assigns. I understand and agree that this waiver, release, and assumption of risk shall be construed in accordance with the laws of the State of California.

I further stipulate and agree, while participating in the Ride-Along Program, to be bound by all orders, rules, and regulations concerning my participation and promptly obey all instructions of any police officer.

I have read and understand the contents of this document and sign the same of my own free will. I declare under penalty of perjury that the foregoing is true and correct.

Executed this _____day of _____, 20___, at Chico, California.

Signature of Applicant	Printed Name of Applicant
Signature of Witness	Printed Name
Signature of Parent or Guardian (if Applicant is a minor)	Printed Name

CITIZEN RIDE ALONG LOG

DATE RECEIVED	NAME OF PARTICIPANT	RECEIVED BY	SERGEANT GIVEN TO	ASSIGNED OFFICER	DATE/TIME OF RIDEALONG

REVISED: 1/31/2018
Effective: 3/28/2007

California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 414

HAZARDOUS MATERIAL RESPONSE

414.1 PURPOSE AND SCOPE

This department procedure establishes guidelines for handling incidents involving hazardous materials, including Weapons of Mass Destruction (WMD). This procedure applies to all members of the department.

414.2 BACKGROUND

Incidents that could involve hazardous materials/waste include, but are not limited to:

- Industrial accidents
- Transportation accidents
- Illegal drug labs
- Unsafe disposal
- Intentional criminal or terrorist acts.

Hazardous materials/waste may be found in one of three forms: gaseous, solid, or liquid. Contamination and injury may occur through inhalation (most common), skin absorption, ingestion, or injection. Illness or injury may occur immediately, or can be delayed, in some cases, up to twelve hours or longer after exposure.

Weapons of Mass Destruction weapons/materials can be categorized in the following five groups using the acronym “B-NICE”:

1. Biological - There are several biological agents that can be employed as terrorist weapons. The four common types of biological agents are:
    - Bacteria - Anthrax, Plague, Tularemia, Brucellosis;
    - Viruses - Smallpox, Viral Equine Encephalitis, Hemorrhagic Fever;
    - Rickettsia - Q Fever;
    - Toxins - Botulinum, Staphylococcal Enterotoxins, Ricin, Mycotoxins.

2. Nuclear - Nuclear terrorism can occur under three different scenarios:
    - The detonation or threatened detonation of a nuclear bomb;
    - The dispersion of radiological material using a conventional explosive or other dispersal device;
    - Conventional explosive at a nuclear facility.

3. Incendiary - An incendiary device is any mechanical, electrical, or chemical device used to intentionally initiate combustion and start a fire. They can be:

- Stationary
- Hand-thrown
- Self-propelled

4. Chemical - Chemical agents can be classified in five categories:
    - Nerve agents - Sarin, Tabun, Soman, VX;
    - Blister agents - Mustard, Lewisite;
    - Blood agents - Hydrogen Cyanide, Cyanogen Chloride;
    - Irritating agents- CS (Tear Gas), CR (Tear Gas), CN (Mace), OC (Pepper Spray).

5. Explosive - Explosive devices are the most commonly used WMD. Approximately 70 percent of all terrorist attacks worldwide involve explosives. They could be in the form of:
    - Conventional explosives;
    - Improvised Explosive Devices (IED) - vehicle bombs, pipe bombs, package or satchel bombs;
    - Suicide bombers.

414.3 PROCEDURES FOR COMMUNICATIONS

The CSU, Chico Police Dispatcher should immediately notify the Chico Fire Department that a hazardous material incident has occurred and provide as much information as possible. The Chico Fire Department will make all other required notifications (including the Public Health Department).

The CSU Chico Police Dispatcher should also dispatch a supervisor to the scene to coordinate with the Fire Department Incident Commander in carrying out the police department's responsibilities.

In the event the chemical is common and is easily identified (i.e., antifreeze, gasoline, diesel, motor oil), and the incident is confined to the CSU campus and can be easily contained, the CSU, Chico Police Dispatcher shall contact the campus Environmental Health & Safety Department to respond for clean up.

The CSU, Chico Police Dispatcher will notify the State Fire Marshal via the 24-hour emergency telephone number to advise the nature and location of the incident.

In the event a suspected improvised explosive device is discovered, the Butte County Bomb Squad should be called and Fire/EMS should be staged at a safe distance.

414.4 MAJOR INCIDENT NOTIFICATION

Refer to Policy 350 – Major Incident Notification.

The dispatcher shall enter all incident related information into the Computer Aided Dispatch (CAD), i.e. police and fire units' arrival and completion times, along with all notifications, etc. During regular business hours, CSU, Chico Police Dispatch will make the following notifications:

- Environmental Health and Safety (EHS)
- Facilities Management Services (FMS)

- Risk Management (RM). (Notify upon confirmation of an actual hazardous materials incident.)

After regular business hours and upon the request by CSU Chico Police Department or Chico Fire Department personnel, the dispatcher will make the following notifications:

- Environmental Health and Safety from an on-call list provided by EHS.
- Facilities Management Services personnel from an on-call list provided by FMS. CSU, Chico Police Dispatch will call the FMS business line and leave a brief message of who responded and the nature of the emergency.
- Risk Management, (Risk Manager) from the staff/faculty list. Notify in the event of damage to property on the CSU Chico Campus or Foundation property, or if there is an injury.

414.5 PROCEDURES FOR FIELD OFFICERS

The following procedures should be followed when field officers are responding to any hazardous materials incident:

- Respond tactically.
- Turn off radios, MDTs and cellular phones (if suspected explosive device).
- Stay UPWIND and UPHILL of the incident and advise responding units of the best route to the scene. Do not touch or walk through any materials.
- Assess the scene.
- Gather information.
    - Ensure that Dispatch is advised of the situation.
    - If placards or package labels are visible, advise the color and wording, if possible.
- Assess symptomology of victims.
- Don’t rush in and become a victim. Take all FEASIBLE steps to protect or save HUMAN life. DO NOT attempt an impossible rescue - do not become part of the problem.
- Determine initial safe distance.
    - Bomb - 300 feet.
    - Hazardous material incident - 700 feet.
    - If there is a possibility of a container exploding, the MINIMUM safe distance is 2,000 feet.
    - Refer to the Emergency Response Guide or consult the Fire Department.
- Determine appropriate personal protective equipment. Know your limitations as a police officer. Your best protection is:
    - Time - don’t rush in;
    - Distance - keep a safe distance; and
    - Shielding - put something between you and the incident (i.e., a building).
- Utilize the Incident Command System and establish a Unified Command.
- Isolate the scene.
- Consider secondary devices (if intentional criminal or terrorist act).
- Don’t approach or handle suspected devices.
- Don’t touch or get in close proximity to contaminated victims.
- Isolate victims. Try to segregate and retain those who have had possible contact with the hazardous material until they can be examined further. Obtain the names and addresses of those involved. The Fire Department Incident Commander will designate an isolation area for medical examination of contaminated persons.

- Prevent anyone from eating, drinking, or smoking in the area, or using food or drinking water that may have been in contact with material from the incident.
- Call for assistance and make proper notifications:
    - Fire Department,
    - EMS.
- Assist in warning the local population of any danger.
- Consult with Fire Department, Hazardous Material Unit or Public Health Department to determine whether to:
    - Assist in evacuations, or
    - Advise to shelter in place.

414.6 INCIDENT INDICATORS

In responding to a hazardous materials or weapons of mass destruction incident, be aware of the following indicators that may assist you in determining the type of incident or material involved:

- Biological
    - Unusual number of sick or dying people or animals.
    - A suspicious bombing incident.
    - Unscheduled or unusual dissemination of sprayed material.
    - Abandoned spray or dispersion device.
    - Containers from laboratory or biological supply houses.
    - Biohazard cultures or culture media labels.
    - Unusual swarms of insects.
    - Casualty distribution aligned with wind direction.
    - Unusually high prevalence of respiratory involvement in diseases that typically cause a non-pulmonary syndrome.
    - Written or verbal threats.
- Nuclear
    - Placards or labeling.
    - Specialized packaging.
    - Written or verbal threats.
- Incendiary
    - Written or verbal threats.
    - Smell of accelerant (e.g., gas, etc).
    - Unidentified/unexpected packages.
    - Bottles, cans or other containers containing liquid, powdered, or solid substances with obvious wires, timers, batteries, etc.
    - Anything out of place for its environment.
- Chemical
    - Dead or sick people or animals.
    - Lack of insect life.
    - Unusual liquid droplets.
    - Discolored or dead plant life.
    - Unexplained odors.
    - Low lying clouds/plumes.
    - Unusual metal debris.
    - Written or verbal threats.
- Explosive
    - Abandoned containers.
    - Obvious devices.

- Abandoned vehicles.
- Strong chemical odors.
- Unusual devices.
- Trip wires/booby traps.
- Suspicious mailing containers.
- Written or verbal threats.

414.7 EXPOSURE INFORMATION AND DECONTAMINATION

Personnel participating in incidents of this type should be kept to a minimum by the supervisor at the scene.

- Police personnel who have effected rescues or otherwise handled victims of hazardous material contamination should be isolated from others at a location determined by the Fire Department Incident Commander until screened by medical personnel to determine the need for decontamination.
- The Fire Department will coordinate decontamination arrangements. If contaminated or exposed to hazardous materials, in addition to themselves, officers should expect to have their patrol vehicles, personal and safety equipment, paper documents, personal items, radio equipment, etc., decontaminated.

Because illness/injury from hazardous materials/waste exposure may not be immediately noticeable, it is important to document possible exposures.

- Supervisors will complete the State of California Employers' Report of Occupational Illness/Injury (OSHA 301). All reports will list the EXACT spelling of ALL chemicals involved. The original report forms will be processed per Department procedures. Dispatch will retain a copy for 72 hours. This copy will provide immediate information for medical personnel in the event that an officer becomes ill after the end of shift.
- Dispatch will ensure these copies are stored in a location where they can be easily retrieved, but are not accessible to visitors or other inappropriate individuals. Dispatch will shred reports after 72 hours.

Most hazardous materials/waste shipping containers are clearly marked as such and present little hazard when sealed. Broken or leaking containers may be found at the scene of any accident involving hazardous materials/waste and may be dangerous. Police personnel should avoid touching any such containers or otherwise disturbing the contents, and should prevent unauthorized persons from doing so.

In the event of a hazardous material/waste incident involving a vehicle accident, all traffic should be detoured around the scene of the accident and away from any spilled substances.

- Vehicles may be moved the shortest distance necessary to clear the right of way ONLY after ALL alternatives have been considered and determined ABSOLUTELY impossible.
- The Fire Department Incident Commander must approve the moving of the vehicle(s).

414.8 IMPOUNDING OF HAZARDOUS MATERIALS/WASTE AS EVIDENCE

All hazardous material or waste (except explosives and radiological materials) needed as evidence in a criminal prosecution shall be impounded by an approved disposal

company. Contact Environmental Health & Safety for an appropriate hazardous materials contractor.

- OFFICERS SHALL NOT TRANSPORT OR IMPOUND HAZARDOUS MATERIALS OR HAZARDOUS WASTE AT ANY POLICE FACILITY unless approved by the Watch Commander PRIOR to transportation.
- The impounding of explosives should be coordinated with the Butte County Explosive Ordinance Disposal Unit.

The Fire Department and Environmental Health & Safety are to be notified whenever hazardous materials are discovered. They will determine when it is safe to proceed with impounding as evidence.

In many cases, when it has been determined that the material is needed as evidence, photographs and presumptive tests may be sufficient. If not, coordinate with investigations to have the substance impounded by the State Department of Justice Lab.

414.9 CLEAN-UP/DISPOSAL OF HAZARDOUS MATERIALS/WASTE

CSU, Chico has the primary responsibility for clean-up and removal of hazardous materials located on State Property. Environmental Health & Safety will coordinate clean-up with predetermined contractors after hazards to public safety have been mitigated by the Butte County Hazardous Material Unit.

APPROVED

JOHN M. REID
CHIEF OF POLICE

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CHAPTER 4 – PATROL OPERATIONS
SECTION 416

HOSTAGES & BARRICADED SUSPECTS

416.1 PURPOSE AND SCOPE

Hostage situations and barricaded suspects present unique problems for agencies. The protection of the public and law enforcement personnel is of the utmost importance. Proper planning and training will tend to reduce the risks involved with these incidents.

416.1.1 DEFINITIONS

HOSTAGE – A person held as security so that the holder's demands will be satisfied.

BARRICADED SUSPECT – A person who takes a position of cover or concealment, or maintains a position in a structure and who resists capture by law enforcement personnel. A barricaded suspect may be armed or suspected of being armed.

416.2 HOSTAGE NEGOTIATIONS

Promises of immunity or leniency and payment of ransom demands are rarely effective and will generally not be offered to barricaded suspects. Trained hostage negotiators, however, will be permitted to exercise flexibility in each situation based upon the circumstances presented and consistent with their training.

Personnel involved in barricaded/hostage situations are urged to exercise patience and extreme caution. The use of deadly force against any armed suspect will be governed by Policy Manual § 300, with particular attention directed toward the safety of hostages.

416.3 FIRST RESPONDER RESPONSIBILITY

Until the Incident Commander has been designated, the first officer on the scene of an actual or potential hostage/barricade situation shall consider the following:

- Attempt to avoid confrontation in favor of controlling and containing the situation, until the arrival of a supervisor and/or trained hostage negotiation personnel;
- Notification of tactical and hostage negotiation personnel;
- Notification of appropriate persons within and outside the agency, such as command officers, dog handlers, or helicopter pilots;
- Establishment of inner and outer perimeters;
- Evacuation of bystanders and injured persons;
- Establishment of central command post and appropriate chain of command;
- Request for ambulance, rescue, fire and surveillance equipment;
- Authorization for news media access and news media policy;
- Pursuit/surveillance vehicles and control of travel routes.

416.4 REPORTING

Unless otherwise relieved by a supervisor, the initial officer at the scene is responsible for completion of reports or coordination of reports for the hostage/barricade incident.

APPROVED

JOHN M. REID
CHIEF OF POLICE

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Effective: 3/28/2007

California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 418

RESPONSE TO BOMB CALLS

418.1 PURPOSE AND SCOPE

These guidelines have been prepared to assist officers in their initial response to incidents involving explosives, explosive devices, or explosion/bombing incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety shall always be the primary consideration.

418.2 FOUND EXPLOSIVES/SUSPECT DEVICES

When an officer responds to a call of a suspected explosive device, the following guidelines shall be followed:

(a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.

(b) Secure the perimeter for a minimum of three hundred feet, allowing for an entrance for support personnel.

(c) Relay as much initial information as possible to the Sergeant/Dispatcher without touching the device, including:

- The stated threat
- How the threat was made
- Exact comments
- Time
- Location
- Full description- size, shape, markings, wires, noises, etc. of the device in question

(d) Do not touch or transport the device to any other location.

(e) Do not transmit on any equipment that produces radio frequency energy within 300 feet. Consideration should be given to the possibility for evacuation if a device is located within a building.

(f) Secure a perimeter around the suspected device.

(g) Does the site or building contain chemicals, potential hazardous materials? If so, contact Environmental Health and Safety (EHS) for a complete list of materials.

(h) Consideration for support personnel, i.e. Paramedics, Fire Department, and staging area.

(i) A search of the area for secondary devices will be conducted by the Butte County Bomb Squad.

(j) Found explosives or military ordnances of any type should be handled only by the California Department of Forestry (CDF) Arson and Bomb Investigator and/or Butte County Bomb Squad.

(k) When in doubt, immediately call for assistance from the Butte County Bomb Squad.

418.3 EXPLOSION/BOMBING INCIDENTS

When an explosion has occurred, there are multitudes of considerations which may confront the patrol officer. As in other catastrophic incidents, a rapid response will help to minimize further injury to victims, contamination of the scene by gathering crowds, further damage by resulting fires or unstable structures, etc.

Whether the explosion was the result of an accident or a criminal act, the following issues should be considered:

- Injury to victims.
- First aid (primary Fire Department responsibility).
- Evacuation of victims (primary Fire Department responsibility).
- Secure perimeter around scene.
- Secondary explosive devices.

418.3.1 NOTIFICATIONS

When an explosion has occurred, the following people shall be notified as soon as practical if their assistance is needed:

- Fire Department
- Additional field officers
- Field supervisor
- California Department of Forestry (CDF) Arson and Bomb Investigator
- State Fire Marshal
- Federal Bureau of Investigations (FBI), if the incident appears to be related to an act of terrorism
- CSU, Chico Environmental Health and Safety
- CSU, Chico Facilities Management
- CSU, Chico Risk Management
- CS,U Chico Public Information Officer

418.3.2 CROWD CONTROL

No one should be allowed free access to the scene unless they have a legitimate and authorized reason for being there.

418.3.3 SCENE OF INCIDENT

As in any other crime scene, steps should immediately be taken to preserve the scene. The scene could be extended for several hundred feet. Evidence may be imbedded in nearby structures or hanging in trees and bushes, etc.

A search of the area should be conducted for other objects foreign to the area such as a secondary device. If an item is found, it should not be touched. The officer should secure a perimeter and wait for the arrival of the Butte County Bomb Squad or CDF Arson and Bomb Investigator and/or State Fire Marshal.

418.4 BOMB THREATS RECEIVED AT POLICE FACILITY

This procedure shall be followed should a bomb threat call be received at this police facility.

418.4.1 BOMB THREATS RECEIVED BY TELEPHONE

The following questions shall be asked if a call of a bomb is received at the Police Department:

- When is the bomb going to explode?
- Where is the bomb right now?
- What kind of bomb is it?
- What does it look like?
- Why did you place the bomb?

Attempt to keep the caller on the line as long as possible and obtain expanded answers to these five basic questions. During this time, record the following:

- Time of the call
- Exact words of the person as accurately as possible
- Age and sex
- Speech patterns and/or accents
- Background noises

If the incoming call is received at the police facility on a recorded line, steps shall be taken to ensure that the digital tape is retrieved as evidence.

418.4.2 RESPONSIBILITIES

As soon as a bomb threat has been received, the Shift Supervisor/Sergeant will be advised and fully informed of the details. The Sergeant will then direct and assign officers as required for coordinating a general building search or evacuation as he/she deems appropriate. If an evacuation is deemed necessary, direct all staff/employees to take all known personal items with them (backpacks, purses, etc.). This will reduce the amount of searching of unknown items.

418.4.3 POLICE REPORT REQUIREMENT

An incident number will be generated and a report taken, including false threats of a bomb.

418.4.4 DISPATCH RESPONSIBILITY

In the event of a false threat of a bomb, dispatch will call the State Fire Marshal, advise them a false report of a bomb has occurred and provide the incident number of the police report.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
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California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 420

MENTAL ILLNESS COMMITMENTS

420.1 PURPOSE AND SCOPE

This procedure describes an officer's duties when a person is to be committed to a mental health unit pursuant to Welfare and Institutions Code §5150. The commitment of a person under §5150 of the Welfare & Institutions code (W&I) does not constitute an arrest. If an officer believes that a person falls within the provisions of W&I §5150, he/she shall transport that person to the designated facility for evaluation and commitment.

420.2 W & I §5150 DEFINED

When any person, as a result of mental disorder, is a danger to others, or to himself or herself, or gravely disabled, a peace officer, member of the attending staff, as defined by regulation, of an evaluation facility designated by the county, designated members of a mobile crisis team provided by Welfare and Institutions Code §5651.7, or other professional person designated by the county may, upon probable cause, take, or cause to be taken, the person into custody and place him or her in a facility designated by the county and approved by the State Department of Mental Health as a facility for 72-hour treatment and evaluation.

Such facility shall require an application in writing stating the circumstances under which the person's condition was called to the attention of the officer, member of the attending staff, or stating that the officer, member of the attending staff, or professional person has probable cause to believe that the person is, as a result of mental disorder, a danger to others, or to himself or herself, or gravely disabled. If the probable cause is based on the statement of a person other than the officer, member of the attending staff, or professional person, such person shall be informed that he/she may be liable in a civil action for intentionally giving a statement which he or she knows to be false.

420.3 OFFICER'S RESPONSIBILITY

The officer initiating a "5150" commitment will be responsible for the following:

Ask the dispatcher to notify the Mental Health staff and advise them of the following information:

(a) Estimated time of arrival at the facility.
(b) Whether the patient is cooperative or combative.
(c) Any specific medical care needed must be administered prior to responding to Mental Health.

420.3.1 TRANSPORTATION

Officers may transport patients in the patrol unit and shall secure them in accordance with the handcuffing policy. Violent patients or those that are medically unstable may be restrained and transported by ambulance and ambulance personnel. The officer will escort the patient into the facility using the ambulance entrance and place that person in a designated treatment room as directed by a staff member. As soon as a staff member becomes available, the staff member should relieve the officer and physically remain in the treatment room with the patient.

420.3.2 RESTRAINTS

If the patient is violent or potentially violent, the officer will notify the staff of this concern. A staff member in charge will have discretion as to whether soft-restraints will be used. If these restraints are desired, the officer will wait while they are being applied to help provide physical control of the patient, if needed.

420.3.3 MENTAL HEALTH DOCUMENTATION

The officer will complete an "Application For 72-Hour Detention For Evaluation And Treatment" form (MH-302) and provide it to the staff member assigned to that patient. The officer will retain a copy of the form for inclusion in the police report. The officer shall also provide a verbal summary to a staff member regarding the circumstances leading to the involuntary detention.

420.3.4 SECURING OF WEAPONS

Firearms shall be secured in the trunk of the patrol unit or appropriate gun locker at the facility.

420.4 MENTALLY ILL PERSON CHARGED WITH A CRIME

When any person who also appears to be mentally ill is charged with a crime, he/she shall be booked at the CSU Chico Police Department or Butte County Jail. If the person has injuries or some other medical condition, he/she should be taken directly to Enloe Hospital for medical clearance. If booked into Butte County Jail, Officers shall inform booking staff of pertinent mental health information and reflect it in the report of the incident.

420.4.1 REPORTING MENTALLY ILL PERSONS CHARGED WITH A CRIME

The elements of the criminal violations will be documented in a report separate from the W&I §5150 report.

APPROVED

JOHN M. REID
CHIEF OF POLICE

State of California - Health and Human Services Agency — Department of Mental Health

APPLICATION FOR 72 HOUR DETENTION FOR EVALUATION AND TREATMENT
MH 302 (Rev. 08/04) Front

Confidential Client/Patient Information
See California WIC Section 5328 and
HIPAA Privacy Rule 45 C.F.R. § 164.508

Welfare and Institutions Code (WIC), Section 5157, requires that each person when first detained for psychiatric evaluation be given certain specific information orally, and a record be kept of the advisement by the evaluating facility.

☐ **Advisement Complete** ☐ **Advisement Incomplete**

Good Cause for Incomplete Advisement

Advisement Completed By | Position | Date

DETAINMENT ADVISEMENT

My name is _____

I am a (Peace Officer, etc.) with (Name of Agency). You are not under criminal arrest, but I am taking you for examination by mental health professionals at (Name of Facility).

You will be told your rights by the mental health staff.

If taken into custody at his or her residence, the person shall also be told the following information in substantially the following form:

You may bring a few personal items with you which I will have to approve. You can make a phone call and/or leave a note to tell your friends and/or family where you have been taken.

To _____

Application is hereby made for the admission of _____

Residing at _____, California, for 72-hour treatment and evaluation pursuant to Section 5150, (adult) et seq. or Section 5585 et seq. (minor), of the WIC. If a minor, to the best of my knowledge, the legally responsible party appears to be / is: (Circle one) Parent; Legal Guardian; Juvenile Court as a WIC 300; Juvenile Court as a WIC 601/602; Conservator. If known, provide names, address and telephone number:

_____

_____

_____

****

The above person's condition was called to my attention under the following circumstances: (see reverse side for definitions)

The following information has been established: (Please give sufficiently detailed information to support the belief that the person for whom evaluation and treatment is sought is in fact a danger to others, a danger to himself; herself and/or gravely disabled.)

Based up on the above information it appears that there is probable cause to believe that said person is, as a result of mental disorder:

☐ **A danger to himself/herself.** ☐ **A danger to others.** ☐ **Gravely disabled adult.** ☐ **Gravely disabled minor.**

Signature, title and badge number of peace officer, member of attending staff of evaluation facility or person designated by county. | Date / Time | Phone

Name of Law Enforcement Agency or Evaluation Facility/Person | Address of Law Enforcement Agency or Evaluation Facility/Person

☐ Weapon was confiscated and detained person notified of procedure for return of weapon pursuant to Section 8102 WIC.

(officer/unit & phone #) _____

NOTIFICATIONS TO BE PROVIDED TO LAW ENFORCEMENT AGENCY

NOTIFICATION OF PERSON'S RELEASE FROM AN EVALUATION AND TREATMENT FACILITY IS REQUESTED BY THE REFERRING PEACE OFFICER BECAUSE:

☐ Person has been referred under circumstances in which criminal charges might be filed pursuant to Sections 5152.1 and 5152.2 WIC.

Notify (officer/unit & telephone #) _____

☐ Weapon was confiscated pursuant to Section 8102 WIC.

Notify (officer/unit & telephone #) _____

SEE REVERSE SIDE FOR INSTRUCTIONS

State of California - Health and Human Services Agency — Department of Mental Health

APPLICATION FOR 72 HOUR DETENTION FOR EVALUATION AND TREATMENT
MH 302 (Rev. 08/04) Back

DEFINITIONS

GRAVELY DISABLED

"Gravely Disabled" means a condition in which a person, as a result of a mental disorder, is unable to provide for his or her basic personal needs for food, clothing and shelter. SECTION 5008(h) WIC

"Gravely Disabled Minor" means a minor who, as a result of a mental disorder, is unable to use the elements of life which are essential to health, safety, and development, including food, clothing, and shelter, even though provided to the minor by others. Mental retardation, epilepsy, or other developmental disabilities, alcoholism, other drug abuse, or repeated antisocial behavior do not, by themselves, constitute a mental disorder. SECTION 5585.25 WIC

PEACE OFFICER

"Peace Officer" means a duly sworn peace officer as that term is defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code who has completed the basic training course established by the Commission on Peace Officer Standards and Training, or any parole officer specified in Section 830.5 of the Penal Code when acting in relation to cases for which he or she has a legally mandated responsibility. SECTION 5008(i) WIC

INSTRUCTIONS FOR SECTION 5152.1, 5152.2 AND 5585 WIC

Section 5152.1 WIC

The professional person in charge of the facility providing 72-hour evaluation and treatment, or his or her designee, shall notify the county mental health director or the director's designee and the peace officer who makes the written application pursuant to Section 5150 or a person who is designated by the law enforcement agency that employs the peace officer, when the person has been released after 72-hour detention, when the person is not detained, or when the person is released before the full period of allowable 72-hour detention if all of the conditions apply:

(a) The peace officer requests such notification at the time he or she makes the application and the peace officer certifies at that time in writing that the person has been referred to the facility under circumstances which, based upon an allegation of facts regarding actions witnessed by the officer or another person, would support the filing of a criminal complaint.
(b) The notice is limited to the person's name, address, date of admission for 72-hour evaluation and treatment, and date of release.

If a police officer, law enforcement agency, or designee of the law enforcement agency, possesses any record of information obtained pursuant to the notification requirements of this section, the officer agency, or designee shall destroy that record two years after receipt of notification.

Section 5152.2 WIC

Each law enforcement agency within a county shall arrange with the county mental health director a method for giving prompt notification to peace officer pursuant to Section 5152.1 WIC.

Section 5585 et seq. WIC

Section 300 WIC is a minor who is under the jurisdiction of the Juvenile Court because of abuse (physical or sexual), neglect or exploitation.

Section 601 WIC is a minor who is adjudged a ward of the Juvenile Court because of being out of parental control.

Section 602 WIC is a minor who is adjudged a ward of the Juvenile Court because of crimes committed.

Section 8102 WIC (EXCERPTS FROM)

(a) Whenever a person who has been detained or apprehended for examination of his or her mental condition or who is a person described in Section 8100 or 8103, is found to own, have in his or her possession or under his or her control, any firearm whatsoever, or any other deadly weapon, the firearm or other deadly weapon shall be confiscated by any law enforcement agency or peace officer, who shall retain custody of the firearm or other deadly weapon.

"Deadly weapon," as used in this section, has the meaning described by Section 8100.

(b) Upon confiscation of any firearm or other deadly weapon from a person who has been detained or apprehended for examination of his or her mental condition, the peace officer or law enforcement agency shall notify the person of the procedure for the return of any firearm or other deadly weapon which has been confiscated.

Where the person is released without judicial commitment, the professional person in charge of the facility, or his or her designee, shall notify the person of the procedure for the return of any firearm or other deadly weapon which may have been confiscated. Health facility personnel shall notify the confiscating law enforcement agency upon release of the detained person, and shall make a notation to the effect that the facility provided the required notice to the person regarding the procedure to obtain return of any confiscated firearm.

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California State University Chico Police Department
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CHAPTER 4 – PATROL OPERATIONS
SECTION 422

CITE & RELEASE POLICY

422.1 PURPOSE AND SCOPE

Penal Code § 853.6 requires police agencies to use citation release procedures in lieu of arrest for misdemeanor offenses with certain exceptions. The state legislature has shown the intent to release all persons on misdemeanor citations, if qualified for such release.

422.2 STATUTORY REQUIREMENTS

Citation releases are authorized by §853.6 PC. Release by citation for misdemeanor offenses can be accomplished in two separate ways:

(a) A "field release" is where the violator is released in the field without being transported to a jail facility.
(b) A "jail release" is when a violator is released after being transported to the jail and booked.

422.3 DEPARTMENT PROCEDURE

The following procedure will be followed to comply with this law:

422.3.1 FIELD CITATIONS

Upon obtaining satisfactory identification and verifying that there are no outstanding warrants for the individual, officers may issue citations to all persons eighteen years or older. Officers may also release subjects who were taken into custody on a private person's arrest for a misdemeanor offense, whenever appropriate.

422.3.2 JAIL RELEASE

In certain cases it may be impractical to release a person arrested for misdemeanor offenses in the field. The person arrested may instead be released after booking at the jail, with supervisor approval. Any person arrested for a misdemeanor offense shall be released on his/her written promise to appear after the booking procedure is completed, unless disqualified for reasons listed in 422.3.3.

422.3.3 DISQUALIFYING CIRCUMSTANCES

Penal Code § 853.6(I) specifies that a person arrested for a misdemeanor shall be released on a citation unless one of the following situations exists:

(a) The person arrested is so intoxicated that he/she could be a danger to himself/herself or to others. (Release may occur as soon as this condition no longer exists).

(b) The person arrested requires medical examination or medical care or is otherwise unable to care for his/her own safety.
(c) The person is arrested for one or more of the offenses listed in Vehicle Code §§ 40302 and 40303.
(d) There is one (or more) outstanding arrest warrants for the person.
(e) The person could not provide satisfactory evidence of personal identification.
(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.
(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.
(j) In any case in which a person is arrested for a misdemeanor violation of a protective court order involving domestic violence, as defined in subdivision (b) of Section 13700 PC.

The basis for this determination shall be specifically stated. 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 back of the completed Butte County Sheriff's Office Pre-Booking and Cite Information form.

422.3.4 OTHER REASONS FOR NON-RELEASE

If the person arrested is not released for one or more of the reasons specified in § 422.3.3, the officer shall state specifically on the booking form the reason for non-release. Such reasons for non-release may include:

- Unusual circumstances lead the officer responsible for the release of prisoners to conclude that the suspect should be held for further investigation.

422.3.5 INSTRUCTIONS TO CITED PERSON

The citing officer shall, at the time he/she asks the defendant to sign the citation, call attention to the time and place for appearance, and take any other steps he/she deems necessary to ensure that the defendant understands his/her written promise to appear.

422.4 CITATION RELEASE ON MISDEMEANOR WARRANTS

Penal Code § 827.1 allows the release by citation of a person designated in a warrant of 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 police officer.
(e) The person arrested is a danger to himself or herself or others due to intoxication or being under the influence of drugs or narcotics.
(f) The person requires medical examination or medical care or is otherwise unable to care for his or her own safety.
(g) The person has other ineligible charges pending against him/her.

(h) There is reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be immediately endangered by the release of the person.
(i) The person refuses to sign the Notice to Appear.
(j) The person cannot provide satisfactory evidence of personal identification.
(k) The warrant of arrest indicates that the person is not eligible to be released on a citation.

422.5 JUVENILE CITATIONS

All misdemeanor or felony juvenile cases will be referred to probation, except for the following offenses:

- Municipal Code Sections
- Penal Code Sections 308(b), 602(m), 640
- Health and Safety Code Section 11357(b)
- Business and Professions Code Section 25662(a)

These sections will be Direct Filed with the Court.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 424

ARREST OR DETENTION OF FOREIGN NATIONALS

424.1 PURPOSE AND SCOPE

Article 30 of the Vienna Convention on Consular Relations, which was adopted by the United States on December 24, 1969, sets forth certain rights of foreign nationals from member countries when arrested, detained or imprisoned by law enforcement officials in this country. This section provides direction to officers when considering a physical arrest or detention of a foreign national. All Foreign Service personnel shall be treated with respect and courtesy, regardless of the level of established immunity. As noted herein, the United States is a party to several bilateral agreements that obligate our authorities to notify the consulate upon the person's detention, regardless of whether the detained person(s) request that his or her consulate be notified. The list of specific countries that the United States is obligated to notify can be found on the U.S. Department of State, Bureau of Consular Affairs web page: http://travel.state.gov/consul_notify.html.

424.1.1 DEFINITIONS

FOREIGN NATIONAL: Anyone who is not a citizen of the United States (U.S.). A person with dual-citizenship, U.S. and foreign, is not a foreign national.

IMMUNITY: Refers to various protections and privileges extended to the employees of foreign governments who are present in the U.S. as official representatives of their home governments. These privileges are embodied in international law and are intended to ensure the efficient and effective performance of their official "missions" (i.e., embassies, consulates, etc.) in foreign countries. Proper respect for the immunity to which an individual is entitled is necessary to ensure that U.S. diplomatic relations are not jeopardized, and to maintain reciprocal treatment of U.S. personnel abroad. Although immunity may preclude U.S. courts from exercising jurisdiction, it is not intended to excuse unlawful activity. It is the policy of the U.S. Department of State's Office of Foreign Missions (OFM) that illegal acts by Foreign Service personnel should always be pursued through proper channels. Additionally, the host country's right to protect its citizens supercedes immunity privileges. Peace officers may intervene to the extent necessary to prevent the endangerment of the public or the commission of a serious crime, regardless of immunity claims.

424.2 ARREST OR DETENTION OF FOREIGN NATIONALS

Officers should take appropriate enforcement action for all violations observed, regardless of claims of diplomatic or consular immunity received from violators. However, a person shall not be subjected to in-custody arrest when diplomatic or consular immunity is claimed by the individual or suspected by the officer, and the officer has verified or reasonably suspects that the claim of immunity is valid.

424.3 LEVELS OF IMMUNITY

The specific degree of immunity afforded to Foreign Service personnel within the U.S. is directly related to their function and position in this country.

424.3.1 DIPLOMATIC AGENTS

Diplomatic agents, (e.g., ambassadors and United Nations representatives) are afforded the highest levels of immunity. They are exempt from arrest or detention and are immune from all criminal (and most civil) prosecution by the Host State. The family members of diplomatic agents enjoy these same immunities. Currently there are no diplomatic agents permanently assigned to California; but they do occasionally visit the state.

424.3.2 CONSULAR OFFICERS

Consular officers are the ranking members of consular posts who perform various formal functions on behalf of their own governments. Typical titles include consul general, consul, and vice consul. These officials are immune from arrest or detention, except pursuant to a felony warrant. However, they are only immune from criminal and civil prosecution arising from “official acts.” This “official acts” immunity must be raised as an affirmative defense in the court jurisdiction, and its validity is determined by the court. Under this defense, the prohibited act itself must have been performed as an “official” function; it is not enough that the consular agent was “on-duty” or in an official capacity at the time of the violation. The family members of consular officers generally enjoy no immunity. However, any family member who has a higher level of immunity is issued an identification card by the Department of State enumerating any privileges or immunities on the back of the card. (Examples are consular officers and family members from Russia or China.)

There are approximately 600 consular officers in California, with most located in Los Angeles, San Francisco and San Diego.

424.3.3 HONORARY CONSULS

Honorary consuls are “part-time” employees of the country they represent and are either permanent residents of the U.S. or U.S. nationals (unlike career consular officers, who are foreign nationals on temporary assignment to the U.S.). Honorary consuls may be arrested and detained; limited immunity for “official acts” may be available as a subsequent defense. Family members have no immunity. There are fewer than 100 honorary consuls in California.

424.4 IDENTIFICATION

All diplomatic and consular personnel who are entitled to immunity are registered with the Department of State and are issued distinctive identification cards by the Department of State Protocol Office. These cards are the best means of identifying Foreign Service personnel. They include a photograph, identifying information, and, on the reverse side, a brief description of the bearer’s immunity status. Unfortunately, these identification cards are not always promptly issued by the Department of State. In addition to the Department of State identification card, Foreign Service personnel should also have a driver license issued by the Department of State Diplomatic Motor Vehicle Office (DMVO) which, in most circumstances, replaces the operator’s license issued by the

state. Additionally they may have California credentials issued by the Governor's Office of Emergency Services (OES), Law Enforcement Division.

424.4.1 VEHICLE REGISTRATION

Vehicles that are owned by foreign missions or Foreign Service personnel and their dependents are registered with the Department of State Office of Foreign Missions and display distinctive red, white, and blue license plates. Vehicles assigned to diplomatic or consular officers will generally have license plates labeled with the words "diplomat" or "consul." Vehicles owned by honorary consuls are not issued Office of Foreign Missions license plates; but may have California license plates with an "honorary consul" label. Driver's identity or immunity status should not be presumed from the type of license plates displayed on the vehicle. The status of an Office of Foreign Missions license plate should be run via the National Law Enforcement Telecommunications system (NLETS), designating "US" as the state, if the officer has reason to question the legitimate possession of the plate.

424.5 ENFORCEMENT PROCEDURES

The following procedures provide guidelines for handling enforcement of foreign nationals:

424.5.1 CITABLE OFFENSES

An enforcement document shall be issued at the scene for all violations warranting such action, regardless of the violator's immunity status. (The issuance of a citation is not considered an arrest or detention under current Department of State guidelines.) Whenever the equivalent of a Notice to Appear is issued to an immunity claimant, the following additional procedures shall be followed by the arresting officer:

(a) Identification documents are to be requested of the claimant.
(b) The title and country represented by the claimant are to be recorded on the back of the officer's copy of the Notice to Appear for later reference (do not include on the face of the Notice to Appear.)
(c) The claimant shall be requested to sign the Notice to Appear. If the claimant refuses, the identity and immunity status of the individual shall be presumed.
(d) Verified diplomatic agents and consular officers, including staff and family members from countries with which the U.S. has special agreements, are not required to sign the Notice to Appear. The word "Refused" shall be entered in the signature box, and the violator shall be released.
(e) Verified consular staff members, excluding those from countries with which the U.S. has special agreements, are generally obligated to sign the Notice to Appear, but a signature shall not be required if their immunity status is uncertain.
(f) All other claimants are subject to the provisions of Vehicle Code § 40302(b) and policy and procedures outlined in this chapter.
(g) The violator shall be provided with the appropriate copy of the Notice to Appear.

424.5.2 IN-CUSTODY ARRESTS

Diplomatic agents and consular officers are immune from arrest or detention (unless they have no identification and the detention is to verify their diplomatic status). Proper identification of immunity claimants is imperative in potential in-custody situations. Claimants who are not entitled to immunity shall be placed in custody in accordance with the provisions outlined in § 424.6 of this policy.

A subject who is placed under arrest and claims diplomatic or consular immunity shall not be physically restrained before verification of the claim (unless restraint is necessary for the protection of the officer or others.)
A supervisor shall be promptly notified and should respond to the scene when possible.

Field verification of the claimant's identity is to be attempted as follows:

Identification cards issued by the Department of State, Protocol Office, are the only valid evidence of diplomatic or consular immunity. The following types of identification cards are issued: Diplomatic (blue bordered), Consular (red bordered), and Official (green bordered), The Department of State identification cards are 3-3/4" by 1-1/2" and contain a photograph of the bearer.

Attempt telephone verification with the Department of State. Newly arrived members of diplomatic or consular missions may not yet have official DOS identity documents. Verify immunity by telephone with DOS any time an individual claims immunity and cannot present satisfactory identification, the officer has reason to doubt the claim of immunity, or there is a possibility of physical arrest. Law enforcement personnel should use the following numbers in order of preference:

Office of Foreign Missions
San Francisco, CA
(415) 744-2910, Ext. 22 or 23
(415) 744-2913 FAX
(0800-1700 PST)

Office of Foreign Missions
Los Angeles, CA
(310) 235-6292, Ext. 121 or 122
(310) 235-6297 FAX
(0800-1700 PST)

Office of Foreign Missions
Diplomatic Motor Vehicle Office
Washington D.C.
(202) 895-3521 (Driver License Verification) or
(202) 895-3532 (Registration Verification)
(202) 895-3533 FAX
(0815-1700 EST)

Department of State
Diplomatic Security Service
Command Center
Washington D.C.
(202) 647-7277
(202) 647-1512
(Available 24 hours)
(202) 647-0122 FAX

Members of diplomatic or consular missions also may have other forms of identification. These include identification cards issued by OES, local law enforcement agencies, the foreign embassy, or consulate; driver's licenses issued by the Department of State; and, the Department of State license indicia on the vehicle. All these items are only an indication that the bearer may have some form of immunity.

Subjects verified through the above procedures as being officials entitled to immunity (diplomatic agents, consular officers and consular staff and family members from countries with which the U.S. has special agreements) may not be arrested. The procedures below shall be followed. These procedures should also be used in the event immunity cannot be verified, but another form of identification indicates that immunity is probable.

If the release of the violator will not create an additional hazard, adequate information to properly identify the violator shall be obtained, and then the official shall be released. A

supervisor's approval for the release shall be obtained whenever possible. The necessary release documents and/or a Certificate of Release form should only be issued under the proper conditions.

If the violator appears to have been driving while under the influence (DUI), field sobriety tests (including Preliminary Alcohol Screening (PAS) device tests) and chemical tests should be offered and obtained whenever possible, but these tests cannot be compelled. The subject shall not be permitted to drive. A supervisor's approval for release shall be obtained whenever possible, and alternative transportation should be arranged.

All facts of the incident shall be documented in accordance with this policy, DUI Arrest-Investigation Report, Arrest-Investigation Report and/or any relevant Report form. Notwithstanding the field release of the subject, prosecution is still appropriate and should be pursued. Moreover, the Department of State will take appropriate sanctions against errant Foreign Service personnel, even where prosecution is not undertaken by the agency.

424.6 TRAFFIC COLLISIONS

Persons involved in traffic collisions who possess a Department of State Office of Foreign Missions Diplomatic Driver License, issued by the DMVO, shall have "D" coded in the license "class" box of the Traffic Collision Report. The actual driver license class (e.g., 1, 2, 3, or A, B, C, M) shall be entered in the "miscellaneous" box on page two of the traffic report. If subsequent prosecution of the claimant is anticipated, the claimant's title, country, and type of identification presented should be recorded for future reference. Issuance of a citation to, or arrest of, an immunity claimant at the accident scene should be handled in accordance with the procedures specified in §424.5 of this chapter.

424.6.1 VEHICLES

Vehicles, which are owned by subjects with full immunity, may not be searched, stored, or impounded without the owner's permission. (Such permission may be assumed if the vehicle has been stolen.) These vehicles may, however, be towed the necessary distance to remove them from obstructing traffic or creating any other hazard.

424.6.2 REPORTS

A photocopy of each traffic collision report involving an identified diplomat and/or immunity claimant shall be forwarded to the police chief's office within 48 hours whether or not the claim is verified. The words "Immunity Claim" shall be marked on the photocopy, together with a notation of the claimant's title, country, and type of identification presented (if applicable). In addition to the report, a follow-up cover memorandum should be submitted if the violation was flagrant, if the claimant was uncooperative, or if there were any other unusual aspects of the enforcement contact which should be reported to DOS for further action. The Watch Commander/Supervisor apprised of the incident/accident shall also send a copy of all documents and reports submitted by the investigating officer, along with any supervisor's notes, materials and/or logs to the Chief's office within 48 hours of the incident. The Chief's office will check to insure that notification of DOS and all necessary follow-up occur.

424.7 FOREIGN NATIONALS WHO DO NOT CLAIM IMMUNITY

These policies and procedures apply to foreign nationals who do not claim diplomatic or consular immunity.

Officers shall arrest foreign nationals only under the following circumstances:

- There is a valid warrant issued for the person's arrest.
- There is probable cause to believe that the foreign national has violated a federal criminal law, a state law, or a local ordinance.
- Officers shall not arrest foreign nationals solely for alleged undocumented entry into the U.S. unless the undocumented entry is committed in the officer's presence.

After a lawful detention or criminal arrest, officers may detain foreign nationals solely for alleged undocumented presence in the U.S. If the U.S. Immigration and Naturalization Service (INS) is contacted and can respond to take custody within a reasonable time, officers shall not arrest foreign nationals for undocumented presence. Federal courts have consistently held that undocumented presence is not a crime but a federal civil violation only enforceable by federal officers.

- Officers shall not stop or detain persons solely for the purpose of determining immigration status.
- International treaty obligations provide for notification of foreign governments when foreign nationals are arrested or otherwise detained in the U.S.
- Whenever an officer arrests and incarcerates a foreign national, or detains a foreign national for investigation for over one hour, the officer shall advise the individual that he/she is entitled to have his/her government notified of the arrest or detention. If the individual wants his/her government notified, the officer shall begin the notification process.

424.7.1 ARREST PROCEDURE

Whenever an officer physically arrests or detains an individual for criminal investigation, and the officer reasonably believes the person to be a foreign national, the officer shall inquire to determine the person's citizenship.

This procedure applies to detentions of more than one hour. An inquiry is not required if the individual is detained less than one hour for criminal investigation.

If the individual indicates that he/she is other than a U.S. citizen, the officer shall advise the individual that he/she has a right to have the nearest appropriate embassy or consulate notified of the arrest/detention.

If the individual requests such notification, the officer shall contact Dispatch as soon as practical and request the appropriate embassy/consulate be notified. Officers shall provide the Dispatcher with the following information concerning the individual:

- Country of citizenship.
- Full name of individual, including paternal and maternal surnames if used.
- Date of birth or age.
- Current residence.
- Time, date, place, location of incarceration/detention, and the 24-hour telephone number of the place of detention if different from the department itself.

If the foreign national claims citizenship of one of the countries listed in Table 1 (appendix), officers shall provide Dispatch with the information above, as soon as practical, whether or not the individual desires the embassy/consulate to be notified. This procedure is critical because of our treaty obligations with the particular countries.

Officers should attempt to provide Dispatch with a request for embassy/consulate notification at the same time they provide incarceration information in order to expedite these notifications.

424.7.2 DOCUMENTATION

Officers shall document on the face page and in the narrative of the appropriate Arrest-Investigation Report the date and time Dispatch was notified of the foreign national's arrest/detention and his/her claimed nationality.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 426

IMMIGRATION VIOLATIONS

426.1 PURPOSE AND SCOPE

The immigration status of individuals alone is not a matter for police action. It is incumbent upon all employees of this Department to make a personal commitment to equal enforcement of the law and equal service to the public regardless of alien status. Confidence in this commitment will increase the Department's effectiveness in protecting and serving the entire community.

426.2 DEPARTMENT POLICY

The U.S. Immigration and Naturalization Service (INS) has primary jurisdiction for enforcement of the provisions of Title 8, U.S. Code dealing with illegal entry, etc. When assisting the INS at their specific request, or when suspected criminal violations are discovered as a result of inquiry or investigation based on probable cause originating from activities other than the isolated violations of Title 8, U.S. Code, this Department may assist in the enforcement of Federal immigration laws.

426.3 PROCEDURES FOR IMMIGRATION COMPLAINTS

Persons wishing to report immigration violations should be referred to the U.S. Immigration and Naturalization Service (INS), 7000 Franklin Blvd., Building 500, Suite 575, Sacramento (916) 391-9087. The Employer Sanction Unit of the INS has primary jurisdiction for enforcement of Title 8, U.S. Code.

426.3.1 BASIS FOR CONTACT

The fact that an individual is suspected of being an undocumented alien alone shall not be the basis for contact, detention, or arrest.

426.3.2 SWEEPS

The CSU, Chico Police Department does not independently conduct sweeps or other concentrated efforts to detain suspected undocumented aliens. When enforcement efforts are increased in a particular area, equal consideration should be given to all suspected violations and not just those affecting a particular race, ethnicity, age, gender, socioeconomic status, or other group. The disposition of each contact (i.e., warning, citation, arrest, etc.), while discretionary in each case, should not be affected by such factors as race, or ethnicity, etc.

426.3.3 INS REQUEST FOR ASSISTANCE

If a specific request is made by the INS or any other federal agency, this Department will provide available support services, such as traffic control or peace keeping efforts, during the federal operation. CSU Chico Police Officers should not participate in such federal operations as part of any detention team unless it is in direct response to a

request for assistance on a temporary basis or for officer safety. Any detention by a member of this Department should be based upon the reasonable belief that an individual is involved in criminal activity.

426.3.4 IDENTIFICATION

Whenever any individual is reasonably suspected of a criminal violation (infraction, misdemeanor, or felony), the investigating officer should take reasonable steps to establish the person's identity through the production of valid identification or other reliable sources. If an individual would have otherwise been released for an infraction or misdemeanor on a citation, the person should be taken to the station and given a reasonable opportunity to verify their true identity (e.g., telephone calls, etc.). If the person's identity is thereafter reasonably established, the original citation release should be completed without consideration of immigration status.

426.3.5 ARREST

If the officer intends to take enforcement action and the individual is unable to reasonably establish his or her true identity, the officer may take the person into custody on the suspected criminal violation (see Vehicle Code § 40302a, and Penal Code § 836, if pertinent to the circumstances). A sergeant shall approve all such arrests.

426.3.6 BOOKING

If the officer is unable to reasonably establish an arrestee's identity, the individual may, upon approval of a supervisor, be booked into jail for the suspected criminal violation and held for bail. If a person is detained pursuant to the authority of Vehicle Code § 40302a, for an infraction, that person may be detained upon approval of a supervisor for a reasonable period not to exceed two hours for the purpose of establishing their true identity. Regardless of the status of that person's identity at the expiration of two hours, he or she shall be released on his/her signature with a promise to appear in court for the Vehicle Code infraction involved.

426.3.7 NOTIFICATION OF IMMIGRATION AND NATURALIZATION SERVICE

If an officer believes that an individual taken into custody for a felony is also an undocumented alien, after he or she is formally booked and there is no intention to transport to the County Jail, the INS may be informed by the arresting officer so that they may consider placing an “immigration hold” on the individual. (The INS Investigation telephone number is (916) 391-9087). In the event an individual, who is an undocumented alien, is taken to the County Jail for booking for a criminal charge, he/she will be automatically interviewed by an employee from the INS.

426.3.8 DETERMINATION OF IMMIGRANT STATUS

Determination of immigration status is primarily the jurisdiction of the U.S. Immigration and Naturalization Service. U.S. Code, Title 8 § 1304 (e), provides: "Every alien, eighteen years of age and over, shall at all times carry with him and have in his or her personal possession any certificate of alien registration or alien registration receipt card issued to him pursuant to subsection (d) of this section. Any alien who fails to comply with the provisions of this subsection shall be guilty of a misdemeanor and shall upon conviction for each offense be fined not to exceed $100.00, or be imprisoned not more than thirty days, or both."

426.4 CONSIDERATIONS PRIOR TO REPORTING TO INS

The CSU, Chico Police Department is concerned for the safety of local citizens, thus, detection of criminal behavior is of primary interest in dealing with any subject. Race, gender, religion, sexual orientation, age, occupation or other arbitrary aspects are of no bearing on the decision to arrest.

APPROVED

JOHN M. REID
CHIEF OF POLICE

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California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 428

INVOLUNTARY DRAWING OF BLOOD

428.1 PURPOSE AND SCOPE

The involuntary drawing of blood in arrests for DUI (Under the Influence §§ 23140, 23152, 23153 California Vehicle Code) and drug violations (§ 11550 of the California Health and Safety Code) shall be subject to current law and shall be accomplished within the following guidelines.

428.1.1 LEGAL CONSIDERATIONS

Section 23612(a)(1)(A) of the California Vehicle Code states that any person who drives a motor vehicle is deemed to have given his or her consent to chemical testing of his or her blood or breath for the purpose of determining the alcoholic content of his or her blood, if lawfully arrested for any offense allegedly committed in violation of Sections 23140, 23152 or 23153 CVC.

If the person is lawfully arrested for driving under the influence, the person has the choice of whether the test shall be of his or her blood or breath, and the officer shall advise the person that he or she has that choice. (§ 23612(a)(2)(A) California Vehicle Code.

Department officers should reasonably accommodate an arrestee's change of mind about which test to take before resorting to forceful means of extraction, if it complies with § 23612 of the California Vehicle Code.

A person who chooses to submit to a breath test may also be requested to submit to a blood test if the officer has reasonable cause to believe that the person was driving under the influence of a drug or the combined influence of an alcoholic beverage and a drug, and if the officer has a clear indication that a blood test will reveal evidence of the person being under the influence. The officer shall state in his or her report the facts upon which that belief and that clear indication are based. (Section 23612 (a)(2)(C) CVC)

Blood samples shall not be taken from persons who are hemophiliacs, or who have a heart condition and are using a prescribed anticoagulant (§ 23612(b) & (c) CVC). A statement by the arrestee should be obtained to qualify the subject for exemption. This determination should be made early in the arrest procedure in order to effectively assess options for chemical tests.

Although the implied consent law was intended to avoid, or at least minimize, physical confrontation with intoxicated persons in connection with obtaining samples of blood or breath, it did not eliminate the possibility of having to forcibly remove a sample in situations where the officer wishes to obtain this type of evidence but the suspect refuses to consent.

Generally, a person lawfully arrested for driving under the influence may have a bodily fluid or breath sample forcibly removed without his consent, incident to a lawful arrest, provided it is done in a reasonable, medically approved manner.

428.2 PROCEDURES

The on-duty supervisor will be notified before blood is drawn. When involuntary drawing of blood is conducted, the on-duty supervisor will ensure all established policies and procedures are followed.

The involuntary drawing of blood should be accomplished in the following manner:

- A medically qualified person must draw the blood sample in a reasonable and medically approved manner as required by § 23158 CVC.
- The suspect will be asked to submit.
- The suspect will be advised that restraints will be used if necessary.
- The suspect's arm may be held down on a smooth, flat surface.
- The suspect's upper body may be steadied against a supporting surface, such as a desk or countertop, to control movement.

428.3 USE OF FORCE

An arrestee's refusal and resistance to the drawing of blood does not in and of itself constitute a resisting or delaying offense.

Department policy prohibits any unreasonable use of force to extract blood. Examples of unreasonable force include but are not limited to:

- Excessive bending, twisting, and hyperextension of arms (i.e. no more physical force may be used than is necessary to accomplish the task)
- Use of any weapon
- Striking blows
- Neck restraint. (i.e., carotid, etc.)

The seriousness of the offense is not to be considered in the decision to use force or the degree of force exerted. The force used to obtain the blood sample must be limited to the level of restraint or force necessary to obtain the blood sample.

Supervisors shall immediately stop attempts to draw blood if it appears that the degree of restraint necessary could cause injury to the suspect or officers. Any time that force is used to obtain a blood sample, that action shall be documented on appropriate report forms.

APPROVED

JOHN M. REID
CHIEF OF POLICE

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California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 430

REPORTING POLICE ACTIVITY OFF CAMPUS

Police Department authority is established under Division 8, Chapter 5, Article 3, Section 89560 of the California Education Code, which states:

"The trustees may appoint one or more persons to constitute a police department for the headquarters and for each campus of the California State University. Persons employed and compensated as members of a California State University police department, when so appointed and duly sworn, are peace officers. However, such peace officers shall not exercise their powers or authority except (a) at the headquarters or upon any campus of the California State University and in an area within one mile of the exterior boundaries of each campus or the headquarters, and in or about other grounds or property owned, operated, controlled, or administered by the California State University, or by trustees or the state on behalf of the California State University, and (b) as provided in Penal Code Section 830.2(c)."

California Penal Code Section 830.2(c) states that the following persons are peace officers whose authority extends to any place in the state:

"A member of the California State University Police Departments appointed pursuant to Education Code Section 89560, provided that the primary duty of the peace officer shall be the enforcement of the law within the area specified in Education Code Section 89560."

430.1 PURPOSE AND SCOPE

This policy provides general guidelines for reporting police activity while on or off duty and occurring outside the California State University, Chico Police Department jurisdiction.

430.1.1 ASSISTANCE TO AGENCIES OUTSIDE OF AGENCY JURISDICTION

When an officer is on-duty and is requested by another agency to participate in police activity outside the California State University, Chico Police Department jurisdiction, he/she shall obtain prior approval from the immediate supervisor or the Watch Commander. If the outside request is of an emergency nature, the officer shall notify dispatch before responding, and thereafter notify a supervisor as soon as practical.

430.1.2 LAW ENFORCEMENT ACTIVITY OUTSIDE OF AGENCY JURISDICTION

Any officer, off duty, who engages in law enforcement activities of any type outside the immediate jurisdiction of the California State University, Chico Police Department, shall

notify his or her supervisor or the on duty Watch Commander at the earliest possible opportunity.

The supervisor shall determine if a police report or inter-office memo is required to document the officer's activity. The report or memo shall be forwarded to the Patrol Operations Lieutenant.

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JOHN M. REID
CHIEF OF POLICE

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California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 432

EMERGENCY UTILITY SERVICE

432.1 PURPOSE AND SCOPE

The Facilities Management and Services 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.

432.2 BROKEN WATER LINES

If broken water lines are located on the campus side of the meter, dispatch should notify FMS personnel as soon as possible. If necessary, EHS and Risk Management should also be notified.

432.3 ELECTRICAL LINES

Facilities Management and Services maintains electrical lines on campus. Downed power lines pose a hazard. An officer will be dispatched to any report of a downed power line to protect against personal injury or property damage. FMS and the electric company (PG&E) should be promptly notified. EHS and Risk Management should also be advised.

432.4 BROKEN GAS LINES

Gas line breaks pose an immediate hazard. An officer will be dispatched to protect against personal injury or property damage. Chico Fire will be notified so they may make the appropriate notifications/callouts, as well as PG&E, FMS, EHS and Risk Management.

432.5 FLOODING, PUMPS, WELLS, ETC.

Facilities Management and Services maintains water equipment at the South side of Butte Hall, at the pump station. In the event of flooding or equipment malfunctions, FMS and EHS personnel should be contacted as soon as possible. If necessary, Risk Management should also be advised.

432.6 COMPUTING AND COMMUNICATION FAILURES

See the Computing and Communications Services Notifications and Call-outs procedure. CSU, Chico Police Department personnel will not provide access to Computing and Communications offices without authorization from Computing and Communications administrative personnel.

432.7 EMERGENCY NUMBERS

Dispatch maintains a current list of emergency Facilities Management and Services, Environmental Health and Safety and Risk Management personnel who are to be called for campus utility emergencies.

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California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 434

CAMPUS NOTIFICATIONS

434.1 PURPOSE AND SCOPE

The purpose of this order is to establish a policy regarding campus notifications and call-out procedures for certain incidents.

434.2 EHS NOTIFICATION AND CALL-OUT PROCEDURE

Environmental Health & Safety is charged with the responsibility of creating and maintaining a safe and healthy environment for the campus community. EHS staff follow strict guidelines set forth by many outside local, state and federal agencies and are mandated to write reports for these outside agencies. They often have a time limit in preparing and turning in these reports.

IF THERE IS EVER ANY DOUBT, AS TO WHETHER EHS STAFF SHOULD BE NOTIFIED, THEY SHOULD BE NOTIFIED.

EHS personnel shall be notified, during and after normal business hours, of any of the following situations or incidents:

- Any Fire/Smoke Damage/Flooding in any campus building; (this includes the residence halls, Foundation property, Associated Students property, University farm and off campus properties. This does not include light ballasts or other minor electrical problems.)
- Any fire outside of, against or close enough to cause any charring/damage to any campus building.
- Any accident, or intentional act, that causes any damage to any campus building or vehicle. (This includes leased vehicles that are driven by State employees.)
- Any spills/injury/medical aid that involve chemicals, flammable liquids, oils, or other potentially harmful agents to the environment and/or public health. (This includes the creek.)
- Any explosion on campus property, **OR**
- Any large explosion adjacent to campus property. (i.e. large enough to shake a building and possibly cause structural damage or large enough to throw debris into the air and possibly come down on or through a roof causing damage.)
- Any EOC activation.
- Any train derailment on or adjacent to campus property, **OR**
- Any train derailment within the Chico City limits when it involves any chemicals, flammable liquids, oils, or other potentially harmful agents to the environment and/or public health.
- Any industrial accident.

- Any reported smell of natural gas or broken gas lines.
- Any generator that is found to be leaking.
- Any report of an individual stuck in an elevator where there is an injury involved.
- Any accidental injury requiring medical aid. (This does not include routine medical aids i.e. seizure, chest pain, nausea, etc.)

Only during normal business hours will a courtesy call be made regarding large bee swarms (if time allows).

434.3 FMS NOTICATION AND CALL-OUT PROCEDURE

During normal business hours, FMS will be notified of any of the following situations/incidents:

- Any incident on campus that requires any outside agency to respond Code 3 (lights and sirens) to the campus (if time allows).
- Any confirmed Fire/Arson/Smoke/Flooding in any campus building or property. (This includes the residence halls, Foundation properties, warehouses and the BMU.)
- Any reported smell of natural gas or broken gas lines.
- Any explosion on campus.
- Any EOC activation.
- Any accident, or intentional act, that causes any damage to any campus building or property (this includes the residence halls, Foundation property, warehouses and the BMU.)
- Any large bee swarms on campus.
- Any simplex trouble alarm.
- Any elevator issues.
- Any generator malfunctions or generators out of gas.
- Any serious incident, on campus, that would require any FMS assistance or equipment.
- A courtesy notification will be made of any situation or incident that causes the evacuation of any campus building or property (when time allows).

434.4 AFTER NORMAL BUSINESS HOURS, FMS CALL-OUTS WILL BE MADE IN ANY OF THE FOLLOWING SITUATIONS/INCIDENTS:

- Any confirmed Fire/Arson/Smoke/Flooding in any campus building or property. (This includes the residence halls, Foundation property, warehouses and the BMU.)
- Any smell of natural gas or broken gas lines.
- Any explosion on campus.
- Any EOC activation.
- Any fire, flooding or simplex trouble alarm. (This includes the residence halls, Foundation property, warehouses and the BMU.)
- Any accident, or intentional act, that causes any damage to any campus building or property (including residence halls, Foundation property, warehouses and the BMU) that is deemed hazardous and should not be left for later repair.
- Any report of an individual stuck in an elevator.
- Any report of an elevator malfunction when there is no other elevator available for use.
- Any power outages or reported downed power lines that affect campus.

- Any roof leaks during heavy rains/storms.
- Any malfunction with the Card Access System.
- Any reported generator malfunctions or generators out of gas.
- Any serious incident on campus that would require any FMS assistance or equipment.

434.5 NON EMERGENCY REQUESTS FOR SERVICE OR NEXT DAY NOTIFICATION

- Any requests for graffiti or minor vandalism clean up after an officer has taken a report (this does not include Foundation property. See below.)
- Any request for a transient camp clean up after an officer has inspected the camp.
- Any non suspicious dead animal pick up request.
- Any accident, or intentional act, that causes any minor damage to any campus property (if after normal business hours).
- Any graffiti located on Foundation property at 25 and 35 Main will be referred to Foundation Administration at extension 6811.

434.6 RISK MANAGEMENT NOTIFICATION AND CALL-OUT PROCEDURE

Contact the Risk Manager during and outside normal business hours for any of the following types of events or any event that an officer believes might result in liability for CSU, Chico. It is better to call than not call.

- Personal Injury or Death - Any incident of any type that results in serious personal injury or death, unless the incident is completely unrelated to CSU, Chico.
- Real and Personal Property Damage - Any incident, accident, intentional act, or natural peril that results or could result in anything but minor damage to any structure (University owned/leased property whether on- or off-campus, including, Farm and Housing facilities; Foundation property; and Associated Students property.) An example of minor damage would be simple charring of the exterior wall of a structure after a trash can fire.
- Any hazardous materials incidents that present a serious threat to the environment or human health.
- Any EOC activation.
- Potential Claims - Any incident that WILL MOST LIKELY result in claims or legal action taken against CSU, Chico or its employees, e.g. wrongful arrest allegations, injury to persons or damage to property during a pursuit, allegations of serious misconduct against a CSU, Chico employee by a student (sexual assault), etc.

APPROVED

JOHN M. REID
CHIEF OF POLICE

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California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 436

RESPONSE TO MEDICAL MARIJUANA INCIDENTS

436.1 PURPOSE AND SCOPE

The purpose of this order is to establish a policy regarding medical marijuana that complies with State and Federal statutes, as well as the California Compassionate Use Act.

436.1.1 POLICY

It shall be the policy of the California State University, Chico Police Department to comply with applicable State and Federal statutes, the Federal Drug-Free Workplace Act, and the Federal Drug-Free Schools and Communities Act regarding the use and possession of medical marijuana on the California State University, Chico campus and during University-sponsored activities.

436.2 DEFINITIONS

Medical Marijuana Law: In 1996, California voters passed the Compassionate Use Act (hereafter referred to as "the Act"), which the Legislature amended in 2003. The Act protects, from criminal prosecution, individuals who use, possess, or cultivate marijuana for medical purposes.

The purpose of the Act was to ensure that qualified patients, suffering from "serious medical conditions", who obtain and use marijuana for medical purposes, upon the recommendation of a physician, are not subject to criminal prosecution. [California Health & Safety Code Section 11362.5(B)]

The patients' primary caregivers may also possess, but not use, marijuana in the specified amounts.

Primary Caregiver: A primary caregiver is defined as the individual, designated by a qualified patient or by a person with a California Department of Health Services Identification Card, who has consistently assumed responsibility for the housing, health, or safety of that patient or person. [California Health & Safety Code Section 11362.7(d)]

Marijuana: Defined to include concentrated cannabis and hashish. [Op. Atty. Gen. No. 03-411 (October 21, 2003)]

436.2.1 INDIVIDUALS PROTECTED BY THE ACT

The following are protected by the Act:

- Patients who **use, possess, or cultivate** marijuana, or their primary caregivers, who **possess or cultivate** marijuana for the patients' personal medical purposes, upon the written or oral recommendation or approval of a physician, and
- Individuals who possess valid Identification Cards, issued by the California Department of Health Services, which authorize the patient to **use, possess, or cultivate** marijuana, and allow the patient's designated primary caregiver to **possess or cultivate** (but not use) marijuana. [California Health & Safety Code Sections 11362.5(C)(2)(d) and 11362.7(g)]
- Additionally, no physician shall be punished or denied any right or privilege for having recommended marijuana to a patient for medical purposes. [California Health & Safety Code Section 11362.5(C)(2)(c)]

436.2.2 INDIVIDUALS NOT PROTECTED BY THE ACT

The following are NOT protected by the Act:

- Persons who cultivate, possess, or use marijuana for any purposes, other than "serious medical conditions", as defined below, [*People V. Jones*, (App. 3 Dist. 2003) 4 Cal. Rptr. 3d 916, 112 Cal. App. 4th 341], or
- Persons who possess more than eight ounces of processed marijuana, or maintain more than six mature plants or twelve immature plants (per qualified patient) unless the patient has a doctor's recommendation that the legally permissible quantity is not sufficient to meet the patient's medical needs. [California Health & Safety Code Sections 11362.77(a) and 11362.77(b)]

Note: A primary caregiver may possess the maximum amount of marijuana for each patient. Therefore, if a primary caregiver has three patients, he or she may possess up to twenty-four ounces of processed marijuana, and either eighteen mature plants or thirty-six immature plants.

436.3 SERIOUS MEDICAL CONDITIONS COVERED BY THE ACT

The following are considered "serious medical conditions" covered by the Act:

- AIDS
- Anorexia
- Arthritis
- Cachexia (malnutrition or "wasting away", usually as a result of another condition, i.e. cancer)
- Cancer
- Chronic pain
- Glaucoma
- Migraine
- Persistent muscle spasms, including spasms associated with Multiple Sclerosis
- Seizures, including, but not limited to, seizures associated with Epilepsy
- Severe nausea (usually as a result of another condition or treatment for a condition, i.e. chemotherapy)
- Any other chronic or persistent medical condition or symptom that either substantially limits the ability of the patient to conduct one or more of the major life activities defined in the Americans with Disabilities Act, and/or a condition or symptom that, if not alleviated, may cause harm to the patient's safety, or physical or mental health. [California Health & Safety Code Section 11362.7(h)]

436.3.1 CIRCUMSTANCES IN WHICH THE USE OF MARIJUANA FOR MEDICAL PURPOSES UNDER THE ACT NEED NOT BE ACCOMMODATED

The following are considered circumstances in which the use of marijuana for medical purposes under the Act need not be accommodated:

- **At the property or premises of any place of employment, or during hours of employment**. [California Health & Safety Code Section 11362.785(a)] Additionally, the *Federal Drug-Free Workplace Act* requires Universities to maintain drug-free work locations.
- **On the premises of any school or University campus, or during school or University-sponsored activities**. Per Part 86 of the *Drug-Free Schools and Communities Act Amendments of 1989*, titled "Drug-Free Schools and Campuses' Regulations", any institution of higher education that receives federal funds, or any other form of financial assistance under any federal program, must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees both on school premises and as part of any school-sponsored activities.
- **In any place where smoking is prohibited by law**. [California Health & Safety Code Section 11362.79(a)]
- **In or within 1,000 feet of the grounds of a school, recreation center, or youth center, unless the medical use occurs within a residence.** [California Health & Safety Code Section 11362.79(b)]
- **On a school bus**. [California Health & Safety Code Section 11362.79(c)]
- **While in a motor vehicle that is being operated**. [California Health & Safety Code Section 11362.79(d)]
- **While operating a boat**. [California Health & Safety Code Section 11362.79(e)]

436.4 DUTY OF OFFICERS RESPONDING TO MARIJUANA CALLS

When officers locate an individual in possession of marijuana, the officers have **no** duty to proactively inquire if the marijuana is being used for medical purposes.

It is the responsibility of the individuals in possession of marijuana to identify themselves as either qualified patients or primary caregivers.

436.5 VALIDATING A MEDICAL MARIJUANA CLAIM

A person claiming to be a qualified patient should be able to validate that claim by presenting one of the following:

- A valid Identification Card, issued by the California Department of Health Services, or
- A written "recommendation", i.e. a prescription, from a licensed physician, indicating the date the prescription was issued, the dosage, the illness (i.e. the qualifying "serious medical condition"), the "end date" of the prescription, and the physician's name and contact information, or
- The name and contact information for the licensed physician who gave the patient the oral recommendation to use medical marijuana. If a person claims to be a qualified patient, but only has the name and contact information for the

physician, the officer or dispatcher, if time allows, should make a reasonable effort to verify the patient's claim by contacting the physician.

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436.6 SPECIAL CIRCUMSTANCES

If the person claiming to be a qualified patient has only the recommending physician's name, the officer should determine where the physician's office or clinic is located, and ask the dispatcher, if time allows, to attempt to locate a phone number for the physician.

The officer should attempt to contact the physician **if** a phone number is located, and **if** it is reasonable to believe, based on the day of the week and time of day, that the physician, or a staff member, will be available to answer the phone.

The officer should be aware, however, that, due to HIPAA (the Health Insurance Portability and Accountability Act), the physician, or his or her staff, may be reluctant to provide the requested information regarding a specific patient's diagnosis and/or treatment. If that situation is encountered, the officer should ask the physician (or staff member on the physician's behalf) if he or she has ever prescribed medical marijuana for a patient.

If all **reasonable** efforts have been exhausted, and the officer still has not been able to verify the person's medical marijuana claim, the officer should conduct a Field Interview (F.I.) of the person, and include in the narrative portion of the F.I. the details of the contact, including the name of the alleged recommending physician and the "serious medical condition" the "patient" was allegedly suffering from.

436.7 LENGTH OF DETENTION

Officers should be sure they do not detain the person for an unreasonable amount of time, while investigating the medical marijuana claim, thus elevating the detention into an arrest.

However, if an officer is investigating an incident in which marijuana use is suspected, the officer is not required to stop the investigation simply because the subject of the investigation presents a medical marijuana card. The officer may attempt to verify the authenticity of the medical marijuana card. The officer may also conduct a reasonable search to ensure the subject is not in possession of more marijuana than the law allows.

436.8 DISPOSITION OF MEDICAL MARIJUANA CALLS

Officers should NOT confiscate marijuana that is allegedly being used for medical purposes, even if the medical marijuana claim has not been verified. The reasoning behind this is as follows: If the marijuana was later determined to be medical marijuana, State (and Federal) law would prohibit officers from returning the confiscated marijuana to the person it was taken from. [California Health & Safety Code Section 11360] Only primary caregivers are allowed to furnish medical marijuana to patients; the law makes no exception for police officers.

Instead, officers should instruct the person in possession of the medical marijuana to remove the marijuana from the California State University, Chico campus immediately. If the person in possession of the medical marijuana refuses to comply with the officer's orders, the officer may issue a 626 PC advisement to the person, and escort the person off the campus.

Officers may arrest, or cite and release, a person in possession of medical marijuana, and seize the marijuana, in the following situations:

- The person is in possession of an amount of marijuana exceeding the quantity specified in the Act. **Only the amount of marijuana in excess of the quantity specified in the Act may be seized.** If the person is going to be cited and released, he or she may keep the amount of marijuana legally permissible under the Act. If the person is going to be transported to the jail, refer to the section below titled, "Arrestees in Possession of Medical Marijuana".

- The person is sharing the medical marijuana with other people who are not considered "qualified patients."

- Based on the totality of the circumstances, the officer reasonably believes the person in possession of the marijuana does not fall within the provisions of the Act. Examples would include, but are not limited to, the following situations: (1) the specified physician denies prescribing or recommending medical marijuana for that patient, and/or (2) based on the officer's training and experience, the way the marijuana is packaged, labeled, or otherwise displayed suggests the marijuana is for sale, and/or (3) the person has prior criminal history involving illegal possession, use, or sale of marijuana.

436.9 ARRESTEES IN POSSESSION OF MEDICAL MARIJUANA

If an officer makes a custodial arrest, and, during a search incidental to that custodial arrest, discovers marijuana, which is later determined to be medical marijuana, the officer must seize the marijuana.

The Butte County Jail considers all marijuana "contraband", and will not accept medical marijuana with an arrestee's property.

The marijuana cannot be held for safekeeping at the California State University, Chico Police Department because of the aforementioned California Health & Safety Code Section prohibiting the furnishing of medical marijuana to a patient by anyone other than a primary caregiver. The marijuana shall, therefore, be impounded as property for destruction.

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JOHN M. REID
CHIEF OF POLICE

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California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 438

AIRCRAFT ACCIDENTS

438.1 PURPOSE AND SCOPE

This policy describes situations involving aircraft accidents, including responsibilities of personnel, making proper notification, and documentation.

438.2 RESPONSIBILITIES

In the event of an aircraft crash, the employee responsibilities are as follows:

438.2.1 POLICE OFFICER DUTIES

The duties of the field officer at the scene of an aircraft accident include:

(a) Determine the nature of the accident and the type of assistance needed from additional personnel.
(b) Request additional personnel to respond as needed.
(c) Provide assistance to the injured parties until the arrival of Fire Department personnel and/or other emergency personnel.
(d) Once emergency medical assistance is relinquished to the Fire Department, seal off the area and contain the scene.
(e) Provide crowd control and other assistance until directed otherwise by a supervisor.
(f) Contact the coroner's office if a death(s) occurs.
(g) Consider activating the CSU, Chico EOC.

The Fire Department maintains control of the accident scene until the injured parties have been cared for and the accident scene has been rendered safe for containment. Police personnel will then maintain control of the scene until the arrival of the investigators charged with determining the cause of the accident. Once the scene is relinquished to the investigating authority, police personnel may assist in containment of the scene until the investigation is completed or assistance is no longer needed.

An Airport Service Worker or the Airport Manager from the Chico Municipal Airport may respond to the scene to assist the on-scene commander with technical expertise, should it be needed during the operation.

438.2.2 FEDERAL AVIATION ADMINISTRATION (FAA)

The FAA has the ultimate authority for the scene of an aircraft crash. The FAA is concerned with several aspects of a crash as described in this section.

Every effort should be made by officers at the scene of an injury or fatality to preserve all crash debris in its original condition and location until examined by personnel charged with determining the cause of the accident. Officers present at the location of such accident should treat the situation as a crime scene until it is determined that such is not the case. Once the injured parties are removed from danger, control of the accident scene is the responsibility of the Police Department until the arrival of FAA personnel who will conduct the investigation into the cause of the accident.

Entering an aircraft or tampering with parts or debris is only permissible for the purpose of removing injured or trapped occupants and protecting the public from further danger. If possible, any intentions to tamper with or move an aircraft involved in an accident should be cleared with the FAA Investigator in advance.

Military personnel will respond to take charge of any military aircraft involved, whether or not injuries or deaths have occurred.

If no injury or death results, and the FAA elects not to respond, the pilot or owner may assume control of the aircraft.

Removal of the wreckage shall be done under the guidance of the FAA or military authorities, or at the discretion of the pilot or the owner, if the FAA is not responding for an on-site investigation.

438.2.3 COMMUNICATIONS

Dispatchers are responsible for making notifications as directed once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and the type of aircraft involved. Generally, the dispatcher will need to notify the following agencies or individuals when an aircraft accident has occurred.

(a) City of Chico Fire Department.
(b) Closest military base if a military aircraft is involved.
(c) Ambulances or other assistance as required.
(d) FAA and the National Transportation Safety Board (NTSB)

438.2.4 RECORDS UNIT

Records personnel are responsible for the following:

(a) Forward and maintain an approved copy of the accident report to the California Department of Aeronautics.
(b) Forward a copy of the report to the Operations Lieutenant and the Chico Municipal Airport.

438.2.5 PUBLIC INFORMATION OFFICER

The Police Department Public Information Officer is responsible for the following:

(a) Obtain information for a press release from the on-scene commander or his or her designee.
(b) When practical, the department Press Information Officer should coordinate with the FAA Press Information Officer to prepare a joint press release for distribution to the media.

Information released to the press regarding any aircraft accident should be handled by the Press Information Officer of the Police Department, or in accordance with existing policy. Release of such information should be coordinated with the department Public Information Officer and FAA Press Information Officer.

438.3 DOCUMENTATION

Depending upon the actual circumstances, the following guidelines shall apply to reports documenting aircraft incidents.

(a) Any aircraft accident (crash) within the CSU, Chico Police Department jurisdiction shall be documented regardless of whether injuries or deaths occur.
(b) Any aircraft accident that occurs outside the jurisdiction of the CSU, Chico Police Department shall be documented if Department personnel provide assistance.
(c) Once approved, a copy of the report shall be forwarded to the Operations Lieutenant, investigating agency and Chico Municipal Airport.

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California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 440

TIRE DEFLATION DEVICES/SPIKE STRIPS

440.1 PURPOSE AND SCOPE

The Spike System is an appropriate means by which a pursuit can be safely terminated. Whenever possible, a supervisor's permission should be obtained prior to deploying the spike strip. If the spike strip is deployed, the following guidelines should be followed:

Any officer or supervisor actively involved in a pursuit may request a spike strip deployment. The Dispatcher will simulcast for "any available spike strip unit." Any officer trained in the deployment of spike strips should switch to the pursuit frequency and coordinate with the field supervisor in charge of the pursuit. Once the deployment location is selected, the dispatcher will advise all pursuing units of this location, accompanied by the "Alert Tone." Pursuing units should prepare for apprehension of suspects after the suspect vehicle has been disabled. A high-risk traffic stop should then be completed.

440.1.1 TIRE DEFLATION DEVICES/SPIKE STRIPS SHALL NOT BE USED TO STOP MOTORCYCLES, MOPEDS, OR SIMILAR VEHICLES

Spike strips shall not be used to stop motorcycles, mopeds, or other similar types of vehicles.

In addition, they should generally not be used on any vehicle transporting hazardous materials (2402.7 CVC), any passenger or school bus transporting passengers, or any vehicle that, by design, may pose an unusual hazard to innocent parties. However, in exceptional cases, spike strips may be justified based upon the specific circumstances involved (i.e., hijackings, kidnapping, etc.). In such cases, spike strips should be considered a last resort when all other reasonable pursuit termination tactics have been exhausted.

440.2 SPIKE STRIP DEPLOYMENT PLANS SHALL INCLUDE THE FOLLOWING:

- Provision for close coordination/communication between the pursuing units and the officer deploying the spike strip device.
- The spike strip shall not be used in locations where geographic configurations increase the risk of injury to the suspect, such as on roadways bounded by steep descending embankments, curves, or at any location where the safety of proceeding or opposing traffic cannot be assured.
- Pursuing units should request the deployment as far in advance as possible.
- The person deploying the spike strip should be in a position at a predetermined location that allows sufficient time for deployment.

- The officer with the spike strip should not attempt to overtake and pass a high speed pursuit in order to position the spike strip.
- Deployment locations should have reasonably good sight distances to enable the person deploying the spike strip to observe the pursuit and other traffic as it approaches.
- Extreme care should be exercised when deploying the spike strip to reduce the possibility of damage to uninvolved vehicles and pedestrians. After deploying the spike strip, personnel should immediately seek protection.

440.3 DOCUMENTATION

When the spike strip is utilized, an information report or supplemental report, if the pursuit is department initiated, shall be completed. The report shall contain a brief summary of the incident and shall be completed and forwarded to the shift supervisor by the end of the shift. At a minimum, the circumstances shall be documented to include special conditions, injuries, and justifications for use. Prior to placing the spike strip back into service, the on-duty supervisor will inspect the spike strip for damage and replace any missing spikes. Any damage will be brought to the attention of the Equipment Supervisor.

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General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 442

OBTAINING HELICOPTER ASSISTANCE

442.1 PURPOSE AND SCOPE

The use of a police helicopter can be invaluable in certain situations. This policy specifies potential situations where the use of a helicopter may be requested, and the responsibilities when making a request.

442.2 REQUEST FOR HELICOPTER ASSISTANCE

If a supervisor or officer in charge of an incident determines that the use of a helicopter would be beneficial, a request to obtain helicopter assistance may be made.

442.2.1 REQUEST FOR ASSISTANCE FROM ANOTHER AGENCY

After consideration and approval of the request for a helicopter, the Watch Commander, or his/her designee, will call the California Highway Patrol or Butte County Sheriff's Department to check on availability. The supervisor on duty will apprise that agency of the specific details of the incident prompting the request.

442.2.2 CIRCUMSTANCES UNDER WHICH AID MAY BE REQUESTED

Police helicopters may be requested under any of the following conditions:

- When the helicopter is activated under existing mutual aid agreements.
- Whenever the safety of law enforcement personnel is in jeopardy and the presence of the helicopters may reduce such hazard.
- When the use of the helicopter will aid in the capture of a suspected fleeing felon whose continued freedom represents an ongoing threat to the community.
- When a helicopter is needed to locate a person who has strayed or is lost and whose continued absence constitutes a serious health or safety hazard.
- Vehicle pursuits.

While it is recognized that the availability of helicopter support will generally provide valuable assistance to ground personnel, the presence of a helicopter will rarely replace the need for officers on the ground.

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General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 444

PHOTOGRAPHING OF FIELD DETAINEES

444.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the taking of photographs of persons detained in the field, but not arrested. Due to a variety of situations confronting field officers, the decision to photograph a field detainee shall be left to the discretion of the involved officers based on the totality of the circumstances available to them at the time of the detention.

444.2 FIELD PHOTOGRAPHS

A field photograph is defined as a photograph taken of a person during a consensual contact, detention, or arrest in the field. Undercover surveillance photographs of an individual are not considered "field photographs." Before photographing any field detainee, the officer shall carefully consider, among other things, the factors listed below.

444.2.1 PHOTOGRAPHS TAKEN WITH CONSENT

A field photograph can always be taken if the individual consents.

444.2.2 PHOTOGRAPHS TAKEN BASED ON A DETAINEE'S SEARCH CONDITION

A field photograph can always be taken if a field detainee is found to be on parole or searchable probation.

444.2.3 PHOTOGRAPHS TAKEN OF INDIVIDUALS WITH NO IDENTIFICATION

If a field detainee is unable to provide satisfactory proof of his/her identification, a field photograph may be taken.

444.2.4 PHOTOGRAPHS TAKEN WITHOUT CONSENT OR A SEARCH CONDITION

Field photographs may be taken without consent or a search condition only if the photograph is taken during a detention based upon reasonable suspicion of criminal activity.

The photograph must serve some legitimate law enforcement purpose related to the detention. Knowledge or suspicion of gang membership or affiliation alone, is not a sufficient justification for a photograph to be taken without consent. There must be some objective facts that reasonably indicate that the subject was involved in, or about to become involved in, criminal conduct. A mere hunch is not sufficient.

If, prior to taking a photograph, the officer's reasonable suspicion of criminal activity has been dispelled, a non-custodial photograph shall not be taken without consent. Furthermore, no detention shall be prolonged for the sole purpose of taking a photograph.

444.2.5 SUPERVISOR RESPONSIBILITY

While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisory approval is required before a photograph can be taken.

444.3 ACCESS TO THE FIELD INTERVIEW PHOTOGRAPH FILE

Access to photographs should be limited to law enforcement use only.

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JOHN M. REID
CHIEF OF POLICE

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California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 446

CRIMINAL STREET GANGS

446.1 PURPOSE AND SCOPE

It is the policy of this Department to establish a procedure for identifying criminal street gangs, participants of criminal street gangs, and patterns of criminal activity as outlined in sections 186.20 through 186.26 of the Penal Code ["Street Terrorism Enforcement and Prevention Act"].

The intent of this policy is to establish a procedure that will be used to develop a file of information and maintain this file so that the information contained therein may be used to enhance criminal prosecution of criminal street gang participants.

446.2 DEFINITIONS

Pattern of criminal gang activity shall mean the commission, attempted commission, conspiracy to commit, or solicitation of, sustained juvenile petition for, or conviction of two or more of the following offenses, provided at least one of these offenses occurred after the effective date of this chapter, and the last of the offenses occurred within three years of prior offense, and the offenses were committed on separate occasions, or by two or more persons as described in Penal Code section 186.22(e):

- Assault with a deadly weapon or by means of force likely to produce great bodily injury, as defined in 245 PC.
- Robbery, 211 PC.
- Unlawful homicide or manslaughter, 187 PC.
- The sale, possession for sale, transportation, manufacture, offer for sale, or offer to manufacture controlled substances, 11054, 11055, 11056, 11057, and 11058 of the Health and Safety Code.
- Shooting at an inhabited dwelling or occupied motor vehicle, 246 PC.
- Discharging or permitting the discharge of a firearm from a motor vehicle, 12034 (a)(b) PC.
- Arson, 450 PC.
- The intimidation of witnesses and/or victims, 136.1 PC.
- Grand theft when the value of the money, labor, or real or personal property taken exceeds nine hundred fifty dollars ($950), 487 (a)(c) PC.
- Grand theft of any firearm, vehicle, trailer, or vessel, 487 (d)(1)(2) PC.
- Burglary, 459 PC.
- Rape, 261 PC.
- Looting, 463 PC.
- Money laundering, 186.10 PC.
- Kidnapping, 207 PC.
- Mayhem, 203 PC.
- Aggravated mayhem, 205 PC.

- Torture, 206 PC.
- Felony extortion, 518 & 520 PC.
- Felony vandalism ($400 or more), 594 (b)(1) PC.
- Carjacking, 215 PC
- The sale, delivery, or transfer of a firearm, 12072 PC.
- Possession of a pistol, revolver, or other firearm capable of being concealed upon the person, 12025 PC.
- Threats to commit crimes resulting in death or great bodily injury, 422 PC.
- Theft and unlawful taking or driving of a vehicle, 10851 VC.

Criminal Street Gang means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more of the criminal acts enumerated in section 446.2 of this policy, having a common name or common identifying sign or symbol, and whose members individually or collectively engage in or have engaged in a pattern of criminal gang activity.

Gang Related Crime shall mean any crime which is committed for the benefit of, at the direction of, or in association with a criminal street gang with the intent to promote, further or assist any criminal street gang.

446.3 IDENTIFICATION OF CRIMINAL STREET GANG PARTICIPANTS

CSU, Chico Police Officers shall be authorized to collect information on individuals who are suspected of participating in a criminal street gang and groups that are suspected of being criminal street gangs.

An individual shall be designated as a participant in a criminal street gang (associate or active), and included in a Gang File, when one or more of the following elements have been documented by an officer and verified by the Department's Gang Unit Officer:

- Admits gang membership
- Tattooed with gang logo
- Gang-related crime
- Possessed gang photos
- Contacted by police during gang activity
- Observed associating with known gang members
- Gang clothing, symbols, etc.
- Pictured in a photograph with known gang members
- Name is on a gang document
- Identification as a gang member by a reliable source
- Corresponds with known gang members
- Writes about gangs

446.4 CRIMINAL STREET GANG FIELD INTERVIEW

The process for completing field interview cards is as follows:

- Officers who contact individuals who are, or may be, participants in criminal street gang activity should complete a field interview card and document the reasonable suspicion underlying the contact and the exact circumstances leading to the suspicion that the individual is a criminal street gang participant (i.e. subject states he or she is a member of XYZ gang; XYZ tattoo on right hand; wearing a ball cap with gang name printed in blue ink, etc.). The criteria used to document this suspicion can be found on the back of the Department's Field Interview card. See criteria listed in 446.3 of this policy.

Other documentation on the field interview card shall include the following:

- Names, nicknames, addresses, and other identifying information
- Vehicle(s) known to be used
- Probation/Parole status

The process for submitting completed field interview cards is as follows:

- Officers completing a field interview card will submit the completed card to the Investigations Unit.
- Investigations will review the documentation on the field interview card, and will input the information from the field interview card into the gang database.
- The original field interview card will be filed, by Investigations, into the street gang file.

446.5 REVIEW AND PURGING OF STREET GANG FILE

Investigations will review the Department's street gang file annually. Each individual file having no entry indicating law enforcement contact for the preceding year's period shall be purged from the file and disposed of in accordance with the Department's purging criteria.

Exception: When there is legitimate law enforcement reasoning to retain the information in the file (subject incarcerated during the prior year).

Files that are retained beyond the one-year period shall be reviewed every six months to determine if they should be purged.

446.6 DISSEMINATIONS OF THE FILE INFORMATION

Information from the Department's criminal street gang files may be furnished to Department personnel and other public law enforcement agencies only on a need-to-know basis. This means information that may be used in the prevention of gang-related criminal activity or in the investigation of gang-related crimes shall be released to members of this Department and other law enforcement agencies.

446.7 NOTIFICATION TO PARENT OR GUARDIAN

When an inquiry is made by a parent or guardian as to whether their juvenile's name is in the criminal street gang file, such information shall be provided by the Investigation Unit, unless the release of such information can be clearly shown to jeopardize an ongoing criminal investigation.

446.8 REPORTING CRITERIA AND ROUTING

Suspicious incidents, information reports and criminal incidents that appear to be criminal street gang-related shall be documented on a report form.

The reporting Officer will describe why the incident may be related to a criminal street gang and document statements, actions, dress, etc., that would tend to support the belief that involvement of a criminal street gang has occurred. The Officer will specifically indicate that a copy of the report be routed to Investigations.

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JOHN M. REID
CHIEF OF POLICE

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California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 448

PATROL WATCH SUPERVISORS

448.1 PURPOSE AND SCOPE

Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with departmental policies, procedures, practices, functions and objectives.

448.2 DESIGNATION AS ACTING WATCH COMMANDER

When a Sergeant is unavailable for duty as Patrol Watch Supervisor, in most instances the senior qualified officer will be designated as Acting Patrol Watch Supervisor. This policy does not preclude designating officers with less seniority as Acting Patrol Watch Supervisor when operational needs or training take precedence.

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General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 450

ANIMAL CONTROL POLICY

450.1 PURPOSE AND SCOPE

This department policy establishes guidelines for the care and disposition of stray, abandoned or injured animals, and requests for Animal Control Services. This policy applies to all members of the Department.

450.2 POLICY

The CSU, Chico Police Department will contact the Chico Police Communications Division and request the Chico Animal Control Unit to assist with all animal control calls for service.

450.3 PROCEDURE

Dispatch a California State University, Chico Police Officer to assess the call for service. If assistance is needed, contact Chico Police Department Communications Division and request that an Animal Control Officer be dispatched to assist the officer on the call. The Animal Control Officer will assume responsibility for the animal upon his/her arrival.

If the animal is abandoned or a stray, the Police Officer can catch the animal with the animal "Catch Pole" and temporarily secure the animal until a Chico Animal Control Officer is available to pick up the animal.

During Animal Control off-duty hours, the calls for service are received and recorded by the Dispatcher. Animal Control Officers are available every day between the hours of 0800-1800. Action taken by Dispatchers is determined by urgent/non-urgent status of the call.

450.3.1 NON-URGENT REQUESTS

Non-urgent requests for service shall be relayed to the Chico Police Department Communications Division so that the Animal Control Unit can be advised. If Chico Animal Control is not available, then a patrol officer will be dispatched to assess the incident. The officer may use the animal "Catch Pole" to detain the animal. The animal will be transported to the California State University, Chico Police Department until picked up by the Chico Police Department Animal Control Unit. Examples of non-urgent calls would be dead animals, barking dogs, or animals for pickup.

450.3.2 URGENT REQUESTS

Urgent requests for service shall be assigned to the Patrol Unit. The patrol officer will attempt to catch the animal using the animal "Catch Pole." Chico Police Department Animal Control will respond to the location and assist the officer in catching and/or transporting the animal to the Butte Humane Society Shelter. An example of an urgent call would be an injured animal, or one which is dangerous to handle.

When an animal must be taken for safekeeping, Chico Police Department Communications shall be contacted and an Animal Control Officer will be requested to respond to assist. The Animal Control Officer will assume responsibility for the animal upon his/her arrival. The officer will assist the Animal Control Officer.

When practical, animals may be transported in the backseat of police vehicles. Animal Control Officers are available every day between the hours of 0800-1800. If needed after hours, Chico Police Department Community Service Officers can bring the Animal Control Truck to assist with dangerous animals. The animal will be placed in a compartment in the truck.

When a police officer cannot fulfill the request for service because the animal is injured, dangerous to handle, or other unusual circumstances exist, an Animal Control Officer should be requested.

450.4 INJURED ANIMALS

Animals with identification tags – An attempt should be made to contact the owner and have the owner respond to the location.

Animals with rabies vaccination tags – Contact the veterinarian by telephone for owner information and have the owner respond to the location.

Animals with no identifications tags – Transport to an available veterinarian. Only emergency treatment is authorized. (Refer to 597.1 PC.)

Animals with mortal injuries – If it appears that an animal's death is imminent and the animal is suffering, request authorization from on-duty supervisor to dispatch the animal at the scene (if appropriate), or take the animal to a veterinarian for euthanasia.

450.5 REQUIRED REPORTS

All animal control incidents which are criminal in nature shall be documented in a police report. Whenever an animal is delivered by a member or employee of this department to a veterinarian for emergency treatment, an information report must be completed.

Information regarding all other animal control services which are provided when Animal Control Officers are not available, should be documented in the CAD call.

450.6 ANIMAL SHELTER FACILITY

The Butte Humane Society provides sheltering services for the City of Chico. The animal shelter is located at 2579 Fair Street. The telephone number is (530) 343-7917.Current animal shelter hours of operations are available by contacting Chico Police Department Communications / Records.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 01/31/2018
Revised: 11/18/2010
Effective: 3/28/2007

California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 452

USE OF RECORDING DEVICES

452.1 PURPOSE AND SCOPE
The CSU, Chico Police Department has provided each of its sworn members access to digital audio and video recorders for use while on duty. These recorders are designed to assist officers in the performance of their duties by providing an unbiased audio and/or video record of a contact.

452.2 UNIFORMED OFFICER RESPONSIBILITIES
Prior to going into service, each uniformed officer will be responsible for making sure he/she is equipped with a department-issued audio digital recorder in good working order. Uniformed officers can wear their recorder in a uniform shirt, pants, or jacket pocket, or in a holder inconspicuously mounted on their utility belt.

It is recommended each officer should, at the beginning of each shift, dictate his/her name, along with the current date and time, onto the digital audio recorder.

Uniformed officers have also been provided with the opportunity to carry digital video recorders.

Each officer will be responsible for maintaining his/her own digital audio and/or video recorder. Officers will download and copy necessary recordings onto a CD/DVD/cassette tape, and place the CD/DVD/cassette tape into evidence/safekeeping.

452.3 NON-UNIFORMED OFFICER RESPONSIBILITIES
Any officer assigned to non-uniformed positions (e.g. detectives, administration, etc.) may carry a department-issued digital audio or video recorder at any time the officer feels that such a device may be beneficial to the situation.

452.4 ACTIVATION OF A DIGITAL AUDIO OR VIDEO RECORDER
Penal Code § 632 prohibits any individual from surreptitiously recording any conversation in which any party to the conversation has a reasonable belief that the conversation is private or confidential. However, Penal Code § 633 expressly exempts law enforcement from this prohibition during the course of a criminal investigation.

- No member of this Department may surreptitiously audio record or video record any conversation or other interaction with any other member of this Department without the expressed knowledge and consent of all parties. (Nothing in this section is intended to interfere with an officer's right to openly record any interrogation pursuant to Government Code § 3303g.)

- Any member of this Department may surreptitiously record any conversation during the course of a criminal investigation in which the officer reasonably believes that such a recording will be beneficial to the investigation.
- For the purpose of this policy, any officer contacting an individual suspected of violating any law, or during the course of any official law enforcement related activity, shall be presumed to be engaged in a criminal investigation. (This presumption shall not apply to contacts with other employees conducted solely for administrative purposes.)
- Members of the Department are encouraged to activate their recorders any time the officer reasonably believes that a recording of an on-duty contact with a member of the public may be of future benefit.
- At no time should an officer jeopardize his/her safety in order to activate a digital recorder.
- Department personnel are prohibited from utilizing department digital recorders and CD's/DVD's/cassette tapes for personal use.
- Department personnel are further prohibited from posting, transferring, or e-mailing any recorded audio or video, obtained while on duty or from department-issued recorders, to any outside entity or any social networking site, without the expressed permission of Department Administration.

452.5 RETENTION OF TAPES

At any time an officer records any portion of a contact which the officer reasonably believes constitutes evidence in a criminal case, the officer will record the related case number onto the digital recorder and book the entire copied CD/DVD/cassette tape into evidence.

- The officer will further note in any related report that the CD/DVD/cassette tape has been placed into evidence.
- CD's/DVD's/cassette tapes placed into evidence will be retained through the final disposition of the related criminal case.

452.5.1 NON-CRIMINAL MATTER

Any time an officer reasonably believes a recorded contact may be of benefit in a non-criminal matter (e.g. a hostile contact, etc.), the officer may place the entire recording (CD/DVD/cassette tape) into safekeeping.

- Under such circumstances, the officer will notify a supervisor of the existence of the CD/DVD/cassette tape as soon as practical.
- CD's, DVD's or cassette tapes which have been placed into safekeeping will be retained for a period of no less than 180 days, or until the related matter has been closed (e.g. internal investigation, civil litigation, etc.).
- Once any recording has been downloaded onto a CD or DVD, or a cassette tape has been filled, the officer will place the entire CD, DVD, or cassette tape into safekeeping, where it shall be retained for a period of no less than 180 days, unless utilized in a specific case.

452.6 REVIEW OF CD's, DVD's AND CASSETTE TAPES

CD's, DVD's and cassette tapes may be reviewed in any of the following situations:

- By a supervisor investigating a specific act of officer conduct.
- Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.
- By the person who originally made the recording.
- Pursuant to lawful process, or by Court personnel otherwise authorized to review evidence in a related case.

- By media personnel with permission of the Chief of Police or authorized designee.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 3/28/2007

California State University Chico Police Department
General Orders

CHAPTER 4 – PATROL OPERATIONS
SECTION 454

USE OF DEPARTMENT CELLULAR PHONES

454.1 PURPOSE
This policy will outline the use of department cellular phones by department personnel.

454.2 POLICY
Department cellular phones have been issued to Administration, Operations, and Investigations personnel.

- Department cellular phones are to be used for official law enforcement communications. Conversations and/or messages that are of a sexual, racist, or offensive nature, or critical of any member of the department, are strictly forbidden. Cellular frequencies can be monitored by the public.

- Messages left on department cellular phones may be reviewed by the employee's supervisor at any time without prior notification. Messages found not to be in compliance with this policy could result in disciplinary action.

- All calls-for-service dispatched to patrol units via cellular phones should also be communicated by radio unless otherwise authorized by the on-duty patrol supervisor.

454.2.1 USE WHILE DRIVING
Use of cellular phones should be limited to times when the patrol vehicle is stopped. Short transmissions are permitted if they can be done safely. Sending or reading cellular voice mail messages or text messages while a patrol vehicle is in motion is a potentially dangerous practice.

454.2.2 UNIT STATUS CHANGES
All changes in status (arrival at scene, meal period, etc.) will be advised verbally over the police radio.

Officers responding to in-progress calls shall advise changes in status verbally over the police radio. This will assist other officers responding to the same incident.

454.2.3 NON-FUNCTIONING CELLULAR PHONES
Department personnel will advise the equipment sergeant when a feature on a cellular phone is not functioning properly.

454.2.4 PUSH-TO-TALK FEATURE

The push-to-talk feature of the cellular phone is an option to be considered when trying to reach department personnel with Nextel phones issued to them.

Communications by the push-to-talk feature should be clear and concise and should closely mirror communications used in radio communications.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 11/25/2019
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Effective: 3/28/2007

California State University Chico Police Department
General Orders

CHAPTER 4 – Patrol Operations
SECTION 455

FOREIGN DIPLOMATIC AND CONSULAR REPRESENTATIVES

455.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

455.2 POLICY

The department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

455.3 CLAIMS OF IMMUNITY

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

(a) Notify a supervisor.

(b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.

(c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.

(d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089, or at another current telephone number and inform the center of the circumstances.

(e) Verify the Immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

455.4 ENFORCEMENT

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

(a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.

(b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safely or the prevention of serious criminal acts.

(c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due lo privileges and immunities.

1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.

(d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:

1. Diplomatic-level staff of missions to international organizations and recognized family members
2. Diplomatic agents and recognized family members
3. Members of administrative and technical staff of a diplomatic mission and recognized family members
4. Career consular officers, unless the person is the subject of a felony warrant

(e) The following persons may generally be detained and arrested:

1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
2. Support staff of missions to international organizations
3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
4. Honorary consular officers

5. Whenever an officer arrests and incarcerates, or detains for investigation for over two hours, a person with diplomatic and consular privileges and immunities, the officer shall promptly advise the person that he/she is entitled to have his/her government notified of the arrest or detention (Penal Code § 834c). If the individual wants his/her government notified, the officer shall begin the notification process.

455.5 DOCUMENTATION

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

455.6 DIPLOMATIC IMMUNITY TABLE

Reference table on diplomatic immunity:

Category	**Arrested or Detained**	**Enter Residence Subject to Ordinary Procedures**	**Issued Traffic** Citation	**Subpoenaed as Witness**	**Prosecuted**	**Recognized Family Members**
Diplomatic Agent	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity& Inviolability)
Member of Admin and Tech Staff	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Service Staff	Yes (note (a))	Yes	Yes	Yes	No for official acts. Yes otherwise (note **(a))**	No Immunity or inviolability {note (a))
Career Consul Officer	Yes if for a felony and pursuant to a warrant (note (a))	Yes (note (d))	Yes	No for official acts Testimony may not be compelled in any case	No for official acts. Yes otherwise (note (a))	No immunity or inviolability
Honorable Consul Officer	Yes	Yes	Yes	No for official acts Yes otherwise.	No for official acts Yes otherwise	No immunity or inviolability
Consulate Employees	Yes (note (a))	Yes	Yes	No for official acts Yes otherwise.	No for official acts. Yes otherwise (note (a)}	No immunity or inviolability (note (a))

Int'l Org Staff (note {b))	Yes (note (c))	Yes (note (c))	Yes	Yes (note (c))	No for official acts. Yes otherwise (note (c))	No immunity or inviolability
Diplomatic-Level Staff **of Missions** to Int'l Org	No (note (b))	No	Yes	No	No	Same as sponsor (full Immunity & inviolability)
Support Staff of Missions to Int'l **Orgs**	Yes	Yes	Yes	Yes	No for official acts Yes otherwise	No immunity or inviolability

Notes for diplomatic immunity table:

(a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.

(b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.

(c) A small number of senior officers are entitled to be treated identically to diplomatic agents.

(d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/18
Effective: 4/19/07

California State University Chico Police Department
General Orders

CHAPTER 5 – TRAFFIC OPERATIONS
SECTION 500

TRAFFIC FUNCTION & 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 collision data, enforcement activity records, traffic volume, and traffic conditions. This agency provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in collision 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 CSU, Chico Police Department. Information provided by the California Statewide Integrated Traffic Reporting System (SWITRS) is a valuable resource for traffic collision statistics and, therefore, for 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 collision-causing violations during high collision hours and at identified locations of occurrence. All officers will take directed enforcement action on request, and random enforcement action, when appropriate, as a matter of routine.

All officers shall maintain high visibility while working general enforcement, especially at high collision locations. Other factors to be considered for deployment include the following: citizen requests, 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. The following methods are effective in reducing collisions:

500.3.1 WARNINGS

Warnings or other non-punitive enforcement actions should be considered in each situation, and substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations.

500.3.2 CITATIONS

Citations may be issued when an officer feels they are 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:

- Explanation of the violation or charge.
- Court appearance procedure, including whether the violation involves an optional or mandatory appearance by the motorist.
- 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 arrests can be made on a number of criminal traffic offenses outlined in the Vehicle Code or Penal Code. These physical arrest cases usually involve, but are not limited to, the following types of crimes:

- Vehicular manslaughter.
- Felony and misdemeanor driving under the influence of alcohol/drugs.
- Felony or misdemeanor hit-and-run.
- Any other misdemeanor, at the discretion of the officer, i.e. reckless driving with extenuating circumstances.

500.4 SUSPENDED OR REVOKED DRIVERS' LICENSES

Whenever an officer initiates a traffic stop, the officer shall make every reasonable effort to determine if the driver falls under the provisions of section 22651(p), 14602.6, or 14607.6 of the Vehicle Code. Officers will conduct a driver's license status check whenever a doubt exists as to the status of an individual's driver's license.

Drivers involved in collisions, who are found to be unlicensed, suspended, or revoked, will have their vehicle impounded, per §14602.6 CVC or 14607.6 CVC, whenever the investigating officer can establish the elements necessary for the impoundment.

The Records Unit shall ensure that the arrested person, whose vehicle has been towed subsequent to arrest, is mailed a Notice of Storage Hearing within 48 hours, excluding weekends and holidays.

Officers shall conduct an inventory search of the vehicle, prepare the CHP Form 180 document, attach this form to the report, and indicate whether the arrested person was the registered and/or legal owner of the towed vehicle.

Officers impounding vehicles are to ensure the occupants remove personal property prior to the impoundment whenever possible. The impounding officer shall note property removed from the vehicle by the occupants on the CHP Form 180.

All CHP Form 180's pertaining to impounded vehicles are to be turned in to the Records Unit at the end of shift.

Records Unit personnel will process the CHP Form 180, and return the form to the patrol supervisor. The CHP Form 180 is to be attached to the original report.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 4/19/2007

California State University Chico Police Department
General Orders

CHAPTER 5 – TRAFFIC OPERATIONS
SECTION 502

TRAFFIC COLLISION REPORTING

502.1 PURPOSE AND SCOPE

The CSU, Chico Police Department prepares traffic collision reports in compliance with the California Statewide Integrated Traffic Records System (SWITRS) Collision Investigation Manual (CIM) and, as a public service, makes traffic collision reports available to the community (with some exceptions).

502.2 TRAFFIC COLLISION REPORTS

All Traffic Collision Reports taken by officers of the CSU, Chico Police Department shall be forwarded to a patrol sergeant for approval and data entry into the CSU, Chico Police Department Records Management System.

502.3 REPORTING SITUATIONS

502.3.1 TRAFFIC COLLISIONS INVOLVING CSU, CHICO FACULTY OR STAFF DRIVING STATE OR PERSONAL VEHICLES ON OFFICIAL BUSINESS

Traffic collision investigation reports (CHP 555) shall be taken when a state-owned vehicle is involved in a traffic collision, and any injury results.

The *CSU Use of University and Private Vehicles Policy Guidelines (Vehicle Policy Guidelines)* require the campus to immediately notify the State Office of Risk and Insurance Management (ORIM) of vehicle accidents which result in injury to any person other than University employees, or which involve serious damage to the property of others. During regular campus business hours, employees should call Vehicle Reservations at 530-898-6117 or Risk Management at 530-898-6588 for assistance in meeting this reporting requirement. At other times, employees should call the ORIM message line directly at 916-376-5295.

The *Vehicle Policy Guidelines* further require submission of a completed STD Form 270 or ORIM within 48 hours of the accident. During regular business hours, employees should call campus Vehicle Reservations at 530-898-6117 or Risk Management at 530-898-6588 for assistance in meeting this reporting requirement.

Photographs of the collision scene and vehicle damage should be taken as part of the investigation and documented in the report.

When a CSU, Chico employee contacts this department to report a vehicle accident which occurred inside or outside the jurisdiction of this agency, the following guidelines are applicable:

- The investigating officer shall provide the University employee driver a copy of the STD 270 form and instructions on how to complete the form.
- The investigating officer shall also provide the University employee driver a copy of the STD 274 form with the direction to have his/her immediate supervisor complete the form and route appropriately.
- The officer will then complete a “traffic incident” report, documenting the circumstances of the collision, in narrative format, attaching photographs, documenting damage, determining fault, if possible, and forwarding a copy to Risk Management.

502.3.2 TRAFFIC COLLISIONS WITH POLICE DEPARTMENT EMPLOYEES

The California Highway Patrol should be requested to conduct the traffic investigation (CHP 555) when an officer of this Police Department is involved in a traffic collision, when on duty, resulting in injury or fatality to a 2nd party.

502.3.3 NON-INJURY TRAFFIC COLLISIONS

The CSU, Chico Police Department investigates collisions involving injury, hit & run and intoxicating liquor and/or drugs.

The driver of a motor vehicle, who is involved in a collision which results in damage to the property of any one person in excess of $750, will be directed by the officer on scene to report the collision to the California Department of Motor Vehicles within 10 days (CVC 16000(a)).

502.4 TRAFFIC COLLISIONS ON PRIVATE PROPERTY

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

502.5 TRAFFIC COLLISIONS ON ROADWAYS OR HIGHWAYS

Traffic collision reports will be taken when they occur on a roadway within the CSU, Chico jurisdiction, and when there is a death or injury to any of the persons involved in the collision. With non-injury collisions, officers (when requested) will facilitate an exchange of information on a 555-03 report form, noting the CAD number on the form.

502.6 PROCEDURE FOR DOCUMENTING OFFICERS' VEHICLE ACCIDENTS

502.6.1 ON-DUTY INCIDENTS

Officer hits property intentionally or unintentionally (non-injury)

- Officer completes STD Form 270
- Supervisor completes STD Form 274

Officer involved in accident involving 2nd party and/or injuries

- Officer completes STD Form 270
- Supervisor completes STD Form 274
- CHP completes 555 form

Officer uses legal intervention

- Officer completes STD Form 270
- Supervisor completes STD Form 274
- CHP completes 555 form

APPROVED

JOHN M. REID
CHIEF OF POLICE

STATE OF CALIFORNIA

TRAFFIC COLLISION REPORT

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SPECIAL CONDITIONS	NUMBER INJURED	HIT & RUN FELONY ☐	CITY	JUDICIAL DISTRICT	LOCAL REPORT NUMBER
	NUMBER KILLED	HIT & RUN MISDEMEANOR ☐	COUNTY	REPORTING DISTRICT / BEAT	

LOCATION

COLLISION OCCURRED ON	MO. DAY YEAR	TIME (2400)	NCIC #	OFFICER I.D.
MILEPOST INFORMATION FEET/MILES OF	DAY OF WEEK S M T W T F S	TOW AWAY ☐ YES ☐ NO	PHOTOGRAPHS BY: ☐ NONE	
☐ AT INTERSECTION WITH ☐ OR: FEET/MILES OF		STATE HWY REL ☐ YES ☐ NO		

PARTY 1

DRIVER'S LICENSE NUMBER	STATE	CLASS	AIR BAG	SAFETY EQUIP.	VEH. YEAR	MAKE/MODEL/COLOR / LICENSE NUMBER / STATE
NAME (FIRST, MIDDLE, LAST)					OWNER'S NAME ☐ SAME AS DRIVER	
STREET ADDRESS					OWNER'S ADDRESS ☐ SAME AS DRIVER	
CITY/STATE/ZIP					DISPOSITION OF VEHICLE ON ORDERS OF: ☐ OFFICER ☐ DRIVER ☐ OTHER	
SEX / HAIR / EYES / HEIGHT / WEIGHT / BIRTHDATE Mo. Day Year / RACE					PRIOR MECHANICAL DEFECTS: ☐ NONE APPARENT ☐ REFER TO NARRATIVE	
HOME PHONE / BUSINESS PHONE					VEHICLE IDENTIFICATION NUMBER:	
INSURANCE CARRIER / POLICY NUMBER					VEHICLE TYPE / DESCRIBE VEHICLE DAMAGE ☐ UNK. ☐ NONE ☐ MINOR ☐ MOD. ☐ MAJOR ☐ ROLL-OVER / SHADE IN DAMAGED AREA	
DIR OF TRAVEL / ON STREET OR HIGHWAY / SPEED LIMIT					CA DOT CAL-T TCP/PSC MC/MX	

PARTY 2

DRIVER'S LICENSE NUMBER	STATE	CLASS	AIR BAG	SAFETY EQUIP.	VEH. YEAR	MAKE/MODEL/COLOR / LICENSE NUMBER / STATE
NAME (FIRST, MIDDLE, LAST)					OWNER'S NAME ☐ SAME AS DRIVER	
STREET ADDRESS					OWNER'S ADDRESS ☐ SAME AS DRIVER	
CITY/STATE/ZIP					DISPOSITION OF VEHICLE ON ORDERS OF: ☐ OFFICER ☐ DRIVER ☐ OTHER	
SEX / HAIR / EYES / HEIGHT / WEIGHT / BIRTHDATE Mo. Day Year / RACE					PRIOR MECHANICAL DEFECTS: ☐ NONE APPARENT ☐ REFER TO NARRATIVE	
HOME PHONE / BUSINESS PHONE					VEHICLE IDENTIFICATION NUMBER:	
INSURANCE CARRIER / POLICY NUMBER					VEHICLE TYPE / DESCRIBE VEHICLE DAMAGE ☐ UNK. ☐ NONE ☐ MINOR ☐ MOD. ☐ MAJOR ☐ ROLL-OVER / SHADE IN DAMAGED AREA	
DIR OF TRAVEL / ON STREET OR HIGHWAY / SPEED LIMIT					CA DOT CAL-T TCP/PSC MC/MX	

PARTY 3

DRIVER'S LICENSE NUMBER	STATE	CLASS	AIR BAG	SAFETY EQUIP.	VEH. YEAR	MAKE/MODEL/COLOR / LICENSE NUMBER / STATE
NAME (FIRST, MIDDLE, LAST)					OWNER'S NAME ☐ SAME AS DRIVER	
STREET ADDRESS					OWNER'S ADDRESS ☐ SAME AS DRIVER	
CITY/STATE/ZIP					DISPOSITION OF VEHICLE ON ORDERS OF: ☐ OFFICER ☐ DRIVER ☐ OTHER	
SEX / HAIR / EYES / HEIGHT / WEIGHT / BIRTHDATE Mo. Day Year / RACE					PRIOR MECHANICAL DEFECTS: ☐ NONE APPARENT ☐ REFER TO NARRATIVE	
HOME PHONE / BUSINESS PHONE					VEHICLE IDENTIFICATION NUMBER:	
INSURANCE CARRIER / POLICY NUMBER					VEHICLE TYPE / DESCRIBE VEHICLE DAMAGE ☐ UNK. ☐ NONE ☐ MINOR ☐ MOD. ☐ MAJOR ☐ ROLL-OVER / SHADE IN DAMAGED AREA	
DIR OF TRAVEL / ON STREET OR HIGHWAY / SPEED LIMIT					CA DOT CAL-T TCP/PSC MC/MX	

PREPARER'S NAME	DISPATCH NOTIFIED ☐ YES ☐ NO ☐ N/A	REVIEWER'S NAME	DATE REVIEWED

c555 703 fro

STATE OF CALIFORNIA

TRAFFIC COLLISION CODING

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DATE OF COLLISION (MO DAY YEAR)	TIME (2400)	NCIC #	OFFICER I.D.	NUMBER

PROPERTY DAMAGE

OWNER'S NAME	OWNER'S ADDRESS	NOTIFIED
		☐ YES ☐ NO

DESCRIPTION OF DAMAGE

SEATING POSITION

1 2 3
4 5 6
7

1 - DRIVER
2 TO 6 - PASSENGERS
7 - STATION WAGON REAR
8 - REAR OCC. TRK. OR VAN
9 - POSITION UNKNOWN
0 - OTHER

SAFETY EQUIPMENT

OCCUPANTS
A - NONE IN VEHICLE
B - UNKNOWN
C - LAP BELT USED
D - LAP BELT NOT USED
E - SHOULDER HARNESS USED
F - SHOULDER HARNESS NOT USED
G - LAP/SHOULDER HARNESS USED
H - LAP/SHOULDER HARNESS NOT USED
J - PASSIVE RESTRAINT USED
K - PASSIVE RESTRAINT NOT USED
L - AIR BAG DEPLOYED
M - AIR BAG NOT DEPLOYED
N - OTHER
P - NOT REQUIRED

CHILD RESTRAINT
Q - IN VEHICLE USED
R - IN VEHICLE NOT USED
S - IN VEHICLE USE UNKNOWN
T - IN VEHICLE IMPROPER USE
U - NONE IN VEHICLE

M / C BICYCLE- HELMET
DRIVER PASSENGER
V - NO X - NO
W - YES Y - YES

EJECTED FROM VEHICLE
0 - NOT EJECTED
1 - FULLY EJECTED
2 - PARTIALLY EJECTED
3 - UNKNOWN

INATTENTION CODES

A - CELLPHONE HANDHELD
B - CELLPHONE HANDSFREE
C - ELECTRONIC EQUIPMENT
D - RADIO / CD
E - SMOKING
F - EATING
G - CHILDREN
H - ANIMALS
I - PERSONAL HYGIENE
J - READING
K - OTHER

ITEMS MARKED BELOW FOLLOWED BY AN ASTERISK (*) SHOULD BE EXPLAINED IN THE NARRATIVE.

PRIMARY COLLISION FACTOR LIST NUMBER (#) OF PARTY AT FAULT

- A VC SECTION VIOLATED CITED ☐ YES ☐ NO
- B OTHER IMPROPER DRIVING*
- C OTHER THAN DRIVER*
- D UNKNOWN*

WEATHER (MARK 1 TO 2 ITEMS)

- A CLEAR
- B CLOUDY
- C RAINING
- D SNOWING
- E FOG / VISIBILITY FT
- F OTHER*
- G WIND

LIGHTING

- A DAYLIGHT
- B DUSK - DAWN
- C DARK - STREET LIGHTS
- D DARK - NO STREET LIGHTS
- E DARK - STREET LIGHTS NOT FUNCTIONING*

ROADWAY SURFACE

- A DRY
- B WET
- C SNOWY - ICY
- D SLIPPERY (MUDDY, OILY, ETC.)

ROADWAY CONDITION(S) (MARK 1 TO 2 ITEMS)

- A HOLES, DEEP RUT*
- B LOOSE MATERIAL ON ROADWAY*
- C OBSTRUCTION ON ROADWAY*
- D CONSTRUCTION - REPAIR ZONE
- E REDUCED ROADWAY WIDTH
- F FLOODED*
- G OTHER*
- H NO UNUSUAL CONDITIONS

TRAFFIC CONTROL DEVICES

- A CONTROLS FUNCTIONING
- B CONTROLS NOT FUNCTIONING*
- C CONTROLS OBSCURED
- D NO CONTROLS PRESENT / FACTOR*

TYPE OF COLLISION

- A HEAD - ON
- B SIDE SWIPE
- C REAR END
- D BROADSIDE
- E HIT OBJECT
- F OVERTURNED
- G VEHICLE / PEDESTRIAN
- H OTHER*

MOTOR VEHICLE INVOLVED WITH

- A NON - COLLISION
- B PEDESTRIAN
- C OTHER MOTOR VEHICLE
- D MOTOR VEHICLE ON OTHER ROADWAY
- E PARKED MOTOR VEHICLE
- F TRAIN
- G BICYCLE
- H ANIMAL
- I FIXED OBJECT
- J OTHER OBJECT

PEDESTRIAN'S ACTIONS

- A NO PEDESTRIANS INVOLVED
- B CROSSING IN CROSSWALK - AT INTERSECTION
- C CROSSING IN CROSSWALK - NOT AT INTERSECTION
- D CROSSING - NOT IN CROSSWALK
- E IN ROAD - INCLUDES SHOULDER
- F NOT IN ROAD
- G APPROACHING / LEAVING SCHOOL BUS

SPECIAL INFORMATION

	1	2	3
A HAZARDOUS MATERIAL			
B CELL PHONE HANDHELD IN USE			
C CELL PHONE HANDSFREE IN USE			
D CELL PHONE NOT IN USE			
E SCHOOL BUS RELATED			
F 75 FT MOTORTRUCK COMBO			
G 32 FT TRAILER COMBO			
H			
I			
J			
K			
L			
M			
N			
O			

OTHER ASSOCIATED FACTOR(S) (MARK 1 TO 2 ITEMS)

	1	2	3
A VC SECTION VIOLATION CITED ☐ YES ☐ NO			
B VC SECTION VIOLATION CITED ☐ YES ☐ NO			
C VC SECTION VIOLATION CITED ☐ YES ☐ NO			
D			
E VISION OBSCUREMENT			
F INATTENTION*			
G STOP & GO TRAFFIC			
H ENTERING / LEAVING RAMP			
I PREVIOUS COLLISION			
J UNFAMILIAR WITH ROAD			
K DEFECTIVE VEH. EQUIP. CITED ☐ YES ☐ NO			
L UNINVOLVED VEHICLE			
M OTHER*			
N NONE APPARENT			
O RUNAWAY VEHICLE			

MOVEMENT PRECEDING COLLISION

	1	2	3
A STOPPED			
B PROCEEDING STRAIGHT			
C RAN OFF ROAD			
D MAKING RIGHT TURN			
E MAKING LEFT TURN			
F MAKING U TURN			
G BACKING			
H SLOWING / STOPPING			
I PASSING OTHER VEHICLE			
J CHANGING LANES			
K PARKING MANEUVER			
L ENTERING TRAFFIC			
M OTHER UNSAFE TURNING			
N XING INTO OPPOSING LANE			
O PARKED			
P MERGING			
Q TRAVELING WRONG WAY			
R OTHER *			

SOBRIETY - DRUG PHYSICAL (MARK 1 TO 2 ITEMS)

	1	2	3
A HAD NOT BEEN DRINKING			
B HBD - UNDER INFLUENCE			
C HBD - NOT UNDER INFLUENCE*			
D HBD - IMPAIRMENT UNKNOWN*			
E UNDER DRUG INFLUENCE*			
F IMPAIRMENT - PHYSICAL*			
G IMPAIRMENT NOT KNOWN			
H NOT APPLICABLE			
I SLEEPY / FATIGUED*			

SKETCH

INDICATE NORTH

MISCELLANEOUS

OSP 03 79147

STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

TRAFFIC COLLISION REPORT - Property Damage Only

CHP 555-03 (Rev. 9-99) OPI 061

Original to Officer; copy(ies) to involved party(ies)

SPECIAL CONDITIONS	HIT & RUN	CITY	JUDICIAL DISTRICT	NUMBER
	COUNTY	REPORTING DISTRICT	BEAT	REPORTING OFFICER

COLLISION OCCURRED ON	MO	DAY	YEAR	TIME (2400)	NCIC	OFFICER I.D.
☐ AT INTERSECTION WITH ☐ Or Feet/Miles Of	DAY OF WEEK				TOW AWAY ☐ Yes ☐ No	STATE HIGHWAY RELATED ☐ Yes ☐ No

PARTY 1	DRIVER'S LICENSE NUMBER	STATE	CLASS	SAFETY EQUIPMENT	SHADE DAMAGED AREA
DRIVER ☐	NAME (FIRST, MIDDLE, LAST)				
PED ☐	STREET ADDRESS				
PK VEH ☐	SEX / BIRTHDATE	INSURANCE CARRIER		POLICY NUMBER	
BICYCLE ☐	DIR. TRAVEL	ON STREET OR HIGHWAY		SPEED LIMIT	
OTHER ☐	VEH. YEAR / MAKE / MODEL / COLOR	LICENSE NUMBER	STATE	VEH. TYPE	

PARTY 1

PARTY 2	DRIVER'S LICENSE NUMBER	STATE	CLASS	SAFETY EQUIPMENT	SHADE DAMAGED AREA
DRIVER ☐	NAME (FIRST, MIDDLE, LAST)				
PED ☐	STREET ADDRESS				
PK VEH ☐	SEX / BIRTHDATE	INSURANCE CARRIER		POLICY NUMBER	
BICYCLE ☐	DIR. TRAVEL	ON STREET OR HIGHWAY		SPEED LIMIT	
OTHER ☐	VEH. YEAR / MAKE / MODEL / COLOR	LICENSE NUMBER	STATE	VEH. TYPE	

PARTY 2

(ALLIED AGENCY USE ONLY)
Report taken ☐ Yes ☐ No
Exchange of information ☐ Yes ☐ No

INDICATE NORTH

WIT ☐	R/O ☐	AGE	SEX	NAME	ADDRESS	PHONE NUMBER / PARTY NO
☐	☐	AGE	SEX	NAME	ADDRESS	PHONE NUMBER / PARTY NO
PROP		NAME			ADDRESS	DAMAGED PROPERTY

PRIMARY COLLISION FACTOR
LIST NUMBER (#) OF PARTY AT FAULT

- # A VC SECTION VIOLATED
- # B OTHER IMPROPER DRIVING *
- C OTHER THAN DRIVER *
- D UNKNOWN*
- E FELL ASLEEP *

WEATHER *(MARK 1 TO 2 ITEMS)*

- A CLEAR
- B CLOUDY
- C RAINING
- D SNOWING
- E FOG/VISIBILITY
- F OTHER
- G WIND

LIGHTING

- A DAYLIGHT
- B DUSK - DAWN
- C DARK - STREET LIGHTS
- D DARK - NO STREET LIGHTS
- E DARK - STREET LIGHTS NOT FUNCTIONING

ROADWAY SURFACE

- A DRY
- B WET
- C SNOWY - ICY
- D SLIPPERY *(MUDDY, OILY, ETC.)*

ROADWAY CONDITION(S) *(MARK 1 TO 2 ITEMS)*

- A HOLES, DEEP RUTS*
- B LOOSE MATERIAL ON ROADWAY*
- C OBSTRUCTION ON ROADWAY*
- D CONSTRUCTION - REPAIR ZONE
- E REDUCED ROADWAY WIDTH
- F FLOODED*
- G OTHER*
- H NO UNUSUAL CONDITIONS

TRAFFIC CONTROL DEVICES

- A CONTROLS FUNCTIONING
- B CONTROLS NOT FUNCTIONING
- C CONTROLS OBSCURED
- D NO CONTROLS PRESENT/FACTOR*

TYPE OF COLLISION

- A HEAD-ON
- B SIDESWIPE
- C REAR END
- D BROADSIDE
- E HIT OBJECT
- F OVERTURNED
- G VEHICLE / PEDESTRIAN
- H OTHER

MOTOR VEHICLE INVOLVED WITH

- A NON-COLLISION
- B PEDESTRIAN
- C OTHER MOTOR VEHICLE
- D MOTOR VEHICLE ON OTHER HIGHWAY
- E PARKED MOTOR VEHICLE
- F TRAIN
- G BICYCLE
- H ANIMAL
- I FIXED OBJECT
- J OTHER OBJECT

PEDESTRIAN'S ACTIONS

- A NO PEDESTRIAN INVOLVED
- B CROSSING IN CROSSWALK AT INTERSECTION
- C CROSSING IN CROSSWALK - NOT AT INTERSECTION
- D CROSSING - NOT IN CROSSWALK
- E IN ROAD - INCLUDES SHOULDER
- F NOT IN ROAD
- G APPROACHING / LEAVING SCHOOL

1	2	TYPE OF VEHICLE
		A PASSENGER CAR / STATION WAGON
		B PASSENGER CAR W/TRAILER
		C MOTORCYCLE / SCOOTER
		D PICKUP OR PANEL TRUCK
		E PICKUP / PANEL TRUCK W/TRAILER
		F TRUCK OR TRUCK TRACTOR
		G TRUCK / TRUCK TRACTOR W/TRAILER
		H SCHOOL BUS
		I OTHER BUS
		J EMERGENCY VEHICLE
		K HIGHWAY CONST. EQUIPMENT
		L BICYCLE
		M OTHER VEHICLE
		N PEDESTRIAN
		O MOPED

1	2	OTHER ASSOCIATED FACTOR(S) *(MARK 1 TO 2 ITEMS)*
		A VC SECTION VIOLATION
		B VC SECTION VIOLATION
		E VISION OBSCUREMENT
		F INATTENTION*
		G STOP & GO TRAFFIC
		H ENTERING / LEAVING RAMP
		I PREVIOUS COLLISION
		J UNFAMILIAR WITH ROAD
		K DEFECTIVE VEH. EQUIP.
		L UNINVOLVED VEHICLE
		M OTHER*
		N NONE APPARENT
		O RUNAWAY VEHICLE

1	2	MOVEMENT PRECEDING COLLISION
		A STOPPED
		B PROCEEDING STRAIGHT
		C RAN OFF ROAD
		D MAKING RIGHT TURN
		E MAKING LEFT TURN
		F MAKING U TURN
		G BACKING
		H SLOWING / STOPPING
		I PASSING OTHER VEHICLE
		J CHANGING LANES
		K PARKING MANEUVER
		L ENTERING TRAFFIC
		M OTHER UNSAFE TURNING
		N XING INTO OPPOSING LANE
		O PARKED
		P MERGING
		Q TRAVELING WRONG WAY
		R OTHER *

1	2	SOBRIETY - DRUG / PHYSICAL *(MARK 1 TO 2 ITEMS)*
		A HAD NOT BEEN DRINKING
		B HBD - UNDER INFLUENCE
		C HBD - NO UNDER INFLUENCE
		D HBD - IMPAIRMENT UNKNOWN*
		E UNDER DRUG INFLUENCE*
		F IMPAIRMENT - PHYSICAL
		G IMPAIRMENT NOT KNOWN
		H NOT APPLICABLE
		I SLEEPY / FATIGUED

SPECIAL INFORMATION

- A HAZARDOUS MATERIAL

Destroy previous editions.

c555-03.frp

DATE OF COLLISION MO. DAY YR.	TIME (2400)	NCIC NUMBER	OFFICER I.D.	NUMBER	PAGE

1.

2.

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PREPARER'S NAME	I.D. NUMBER	MO. DAY YEAR	REVIEWER'S NAME	MO. DAY YEAR

OSP 99 33472

STATE OF CALIFORNIA - DGS ORIM

VEHICLE ACCIDENT REPORT

STD. 270 (REV. 2/2002c)

ACCIDENT PREVIOUSLY REPORTED TO ORIM? *(If Yes, give date)* YES NO

THIS REPORT MUST BE MAILED WITHIN 48 HOURS AFTER ACCIDENT (ACCIDENTS INVOLVING INJURY SHOULD FIRST BE CALLED OR FAXED TO ORIM AT (916) 376-5302 - CALNET 480-5302 - FAX (916) 376-5277.)

**** CONFIDENTIAL INFORMATION ***

DO NOT RELEASE TO OTHER PARTIES WITHOUT CONSENT OF THE OFFICE OF RISK AND INSURANCE MANAGEMENT

DISTRIBUTION:
ORIGINAL - **OFFICE OF RISK AND INSURANCE MANAGEMENT 707 THIRD STREET, FIRST FLOOR WEST SACRAMENTO, CA 95605**
COPY - **STATE GARAGE** *(DGS pool vehicle only)*
COPY - **DEPT. FILES** *(Dept. owned vehicles only)*
COPY - **STATE DRIVER** *(Dept. owned vehicles only)*

Page of

STATE DRIVER

NAME | AGE | EMPLOYING DEPARTMENT | AGENCY BILLING CODE

DRIVER'S LICENSE NO. | ACCIDENT DATE | TIME | OFFICE ADDRESS | AGENCY DOCUMENT NO. *(Optional)*

WAS VEHICLE BEING USED ON OFFICIAL STATE BUSINESS? *(If NO, attach explanation)* YES NO

DATE DRIVER LAST COMPLETED STATE DEFENSIVE DRIVER TRAINING *Month/Year* NOT TAKEN | JOB TITLE | BUSINESS TELEPHONE

STATE VEHICLE

VEHICLE LICENSE NUMBER | VEHICLE YEAR, MAKE, MODEL | VEHICLE OWNER | DEPT. VEHICLE NO. (Optional)

DESCRIBE DAMAGES TO STATE VEHICLE | ESTIMATED REPAIR COST

DEPARTMENT OWNED DGS POOL RENTAL EMPLOYEE OWNED

IF DEPARTMENT OWNED OR RENTAL, ENTER OWNER'S NAME

ACCIDENT DETAILS *(See Reverse for Diagram and Description)*

ACCIDENT LOCATION *(Address/Area)* | ROAD CONDITIONS

WEATHER CONDITIONS

(City/State) | TRAFFIC CONDITIONS

(County) | HOW FAST WERE YOU DRIVING? | EST. SPEED OF OTHER CAR

POLICE REPORT MADE YES NO

NAME AND ADDRESS OF INVESTIGATING AGENCY

AGENCY CHP OTHER

OTHER VEHICLE

DRIVER'S NAME | AGE / DOB | VEHICLE LICENSE NUMBER | VEHICLE YEAR, MAKE, MODEL | NO. OF PASSENGERS

DRIVER'S LICENSE NO. | HOME TELEPHONE | WORK TELEPHONE | REGISTERED OWNER

DRIVER'S ADDRESS *(Street, City, State, Zip Code)* | OWNER'S ADDRESS | HOME TELEPHONE | WORK TELEPHONE

BRIEFLY DESCRIBE DAMAGES TO OTHER VEHICLE OR PROPERTY | NAME AND ADDRESS OF OTHER PARTY'S INSURANCE

INJURED

NAME | AGE | ADDRESS | HOSPITAL

NAME | AGE | ADDRESS | HOSPITAL

WITNESS

NAME | TELEPHONE | ADDRESS

NAME | TELEPHONE | ADDRESS

VEHICLE PASSENGERS

STATE

NAME | ADDRESS

NAME | ADDRESS

OTHER

NAME | ADDRESS

NAME | ADDRESS

(CONTINUE ON REVERSE)

STATE OF CALIFORNIA - DGS ORIM

VEHICLE ACCIDENT REPORT

STD. 270 (REV. 2/2002c) (REVERSE)

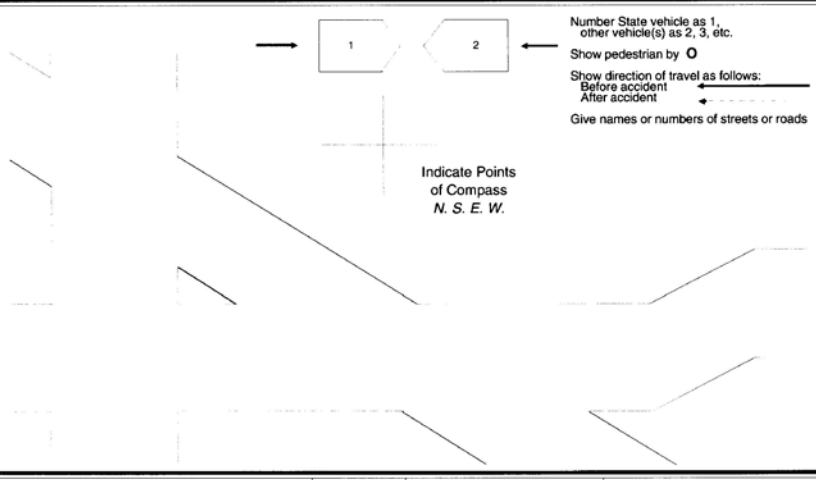
*** CONFIDENTIAL INFORMATION ***

DO NOT RELEASE TO OTHER PARTIES WITHOUT CONSENT OF THE OFFICE OF RISK AND INSURANCE MANAGEMENT

ACCIDENT DETAILS - DESCRIPTION

FULLY STATE HOW ACCIDENT OCCURRED *(Give details, attach additional sheets if necessary)*

ACCIDENT DETAILS - DIAGRAM



ADDITIONAL VEHICLE/PASSENGER(S)

VEHICLE

DRIVER'S NAME		AGE/DOB	VEHICLE LICENSE NUMBER	VEHICLE YEAR, MAKE, MODEL
DRIVER'S LICENSE NO.	HOME TELEPHONE	WORK TELEPHONE	REGISTERED OWNER	
ADDRESS *(Street, City, State, Zip Code)*			ADDRESS *(Street, City, State, Zip Code)*	HOME TELEPHONE
BRIEFLY DESCRIBE DAMAGES TO OTHER VEHICLE OR PROPERTY				WORK TELEPHONE
			NAME AND ADDRESS OF OTHER PARTY'S INSURANCE CARRIER	

INJURED

NAME	AGE	ADDRESS	HOSPITAL
NAME	AGE	ADDRESS	HOSPITAL

PASSENGER

NAME	ADDRESS
NAME	ADDRESS

The answers in this report contain a true and full account of the accident, and the vehicle was being operated on official business of the state at the time of the accident. (The reviewing officer is to explain any exception.) ***Attach extra pages as necessary.***

Employee Signature and Date	*Reviewing Officer Signature (Supervisor or Safety Coordinator)*	*Type Name and Title of Reviewing Officer*
		Telephone Number of Reviewing Officer

STATE OF CALIFORNIA – GENERAL SERVICES – RISK AND INSURANCE MANAGEMENT

STATE DRIVER ACCIDENT REVIEW

STD. 274 (REV. 1/2003)

PLEASE PRINT OR TYPE

SUPERVISOR'S REVIEW - FOR DEPARTMENTAL ACCIDENT PREVENTION

PURPOSE: To have supervisor investigate each driver accident, report facts and circumstances, confirm that the State vehicle was used on State business, and initiate or recommend action to achieve accident prevention.

HOW: Use sources of information listed on the back of this form. Report on all accidents, regardless of who was hurt, what property was damaged, or who was responsible. (SAM 2430)

WHO: **SUPERVISOR** who authorized the employee to drive on State business must prepare this report, code the type of accident, and forward it to the reviewing officer/safety coordinator within five days from the date of the accident. Attach STD. 274 to the departmental copies of STD. 270 (if applicable). If STD. 270 is not required, send a copy of STD. 274 to the Office of Risk and Insurance Management, Health and Safety Unit.

REVIEWING OFFICER: You are responsible for the quality (accuracy and completeness) of the supervisor's report and to initiate follow-up action.

1. DRIVER'S NAME	2. ORGANIZATION UNIT AND DEPARTMENT	3. DATE OF ACCIDENT

4. HOW DID ACCIDENT OCCUR ?

5. WHAT DRIVING RULES, VEHICLE LAWS OR VIOLATIONS CONTRIBUTED TO THE CAUSE OF THE ACCIDENT?

6. SUPERVISOR'S ACTION TAKEN, OR RECOMMENDATION FOR SUPERIORS TO PUT INTO EFFECT. (SEE BACK FOR SUGGESTIONS)

7. SIGNATURE AND TITLE OF SUPERVISOR	DATE

8. REVIEWING OFFICER:

I CONCUR ☐ OR I DO NOT CONCUR ☐ WITH SUPERVISOR

MY EVALUATION AND ACTION TAKEN:

9. HOW WAS THE DRIVER INFORMED OF YOUR EVALUATION AND FOLLOW-UP ACTION: VERBAL DISCUSSION ☐ WRITTEN MEMO ☐ VERBAL AND WRITTEN ☐	DATE
10. SIGNATURE AND TITLE OF REVIEWER	DATE

CONFIDENTIAL

STATE OF CALIFORNIA – GENERAL SERVICES – RISK AND INSURANCE MANAGEMENT

STATE DRIVER ACCIDENT REVIEW

STD. 274 (REV. 1/2003) (REVERSE)

SOURCES OF INFORMATION INVESTIGATED BY SUPERVISOR IN ADDITION TO STD. 270 PREPARED BY DRIVER

DID YOU ?	YES	NO
¤ QUESTION STATE DRIVER	☐	☐
¤ GO TO SCENE OF ACCIDENT	☐	☐
¤ CLOSELY EXAMINE SEAT BELTS AND SAFETY EQUIPMENT	☐	☐
¤ EXAMINE MECHANICAL DEFECTS	☐	☐
¤ READ POLICE REPORT AND CITATIONS	☐	☐
¤ REVIEW DL-254, ABSTRACT OF LICENSE RECORDS DEPARTMENT OF MOTOR VEHICLES	☐	☐
¤ REVIEW DRIVER'S FILE -- DEPARTMENT RECORDS	☐	☐
¤ ASK ABOUT ANY DISTRACTIONS OR ATTENTION DIVERTERS, PRIOR TO ACCIDENT (i.e., cellphone, eating, reaching, talking)	☐	☐
¤ CONSIDER, WAS OUR DRIVER INFLUENCED BY FATIGUE, ILLNESS, MEDICINE OR ALCOHOL? IF YES, EXPLAIN _____	☐	☐

SOME ACTION SUGGESTIONS AND RECOMMENDATIONS (EXPLAIN ON OTHER SIDE)

- ☐ DRIVER HABITS NEED TO BE OBSERVED IN TRAFFIC
- ☐ OUR DRIVER WAS A CONTRIBUTING FACTOR (memo to driver)
- ☐ FURTHER TRAINING BE PROVIDED (when, by whom and type)
- ☐ DEPARTMENTAL POLICY OR LOCAL RULES BE MODIFIED
- ☐ DRIVER BE DISCIPLINED (special action suggested)
- ☐ ASK ACCIDENT REVIEW BOARD TO ADVISE SUPERVISOR
- ☐ NO FURTHER PERSONNEL ACTION BE TAKEN
- ☐ RECOMMEND REMOVAL FROM DRIVING STATUS
- ☐ DISCUSS CUMULATIVE DRIVER RECORD
- ☐ RECOMMEND NEW OR CHANGE OF TRAFFIC FLOW
- ☐ CHANGE OR IMPROVE EQUIPMENT
- ☐ ASK FOR EXPERT CONSULTATION

GIVE DATE OF DEFENSIVE DRIVER TRAINING	DATE
¤ ORIENTATION - DEPARTMENT POLICIES AND RULES	
¤ CLASSROOM DEFENSIVE DRIVER TRAINING	
¤ BEHIND-THE-WHEEL TRAINING	
¤ SPECIAL MOBILE EQUIPMENT TRAINING	

SUPERVISOR -- CLASSIFY FOR DEPARTMENTAL REPORTING

TYPE OF VEHICLE ACCIDENT:

COLLISION WITH OTHER VEHICLE

- ☐ 1. Evasive maneuver
- ☐ 2. Lost control
- ☐ 3. Hit other vehicle in rear
- ☐ 4. Hit from rear
- ☐ 5. Proceeding straight
- ☐ 6. Crossed into opposing lanes
- ☐ 7. Changing lanes
- ☐ 8. Making right turn
- ☐ 9. Making left turn
- ☐ 10. Backing
- ☐ 11. Mechanical failure
- ☐ 12. Collision with bicycle

SOLO ACCIDENT

- ☐ 13. Evasive maneuver
- ☐ 14. Lost control
- ☐ 15. Collided with stationary object
- ☐ 16. Backing
- ☐ 17. Runaway vehicle
- ☐ 18. Lost load
- ☐ 19. Mechanical failure
- ☐ 20. Struck or was struck by animal

STRIKING PEDESTRIAN

- ☐ 21. In a crosswalk
- ☐ 22. Not in a crosswalk
- ☐ 23. While backing

MISCELLANEOUS ACCIDENT

- ☐ 24. Explain _____

WAS ACCIDENT PREVENTABLE BY STATE DRIVER ? Yes ☐ No ☐

REVISED: 1/31/2018
EFFECTIVE: 6/13/2007

California State University Chico Police Department
General Orders

CHAPTER 5 – TRAFFIC OPERATIONS
SECTION 504

VEHICLE TOWING POLICY

504.1 PURPOSE AND SCOPE
The purpose of this policy is to standardize procedures regarding towing, storage, impound, and release of vehicles in compliance with the California Vehicle Code. It also describes provisions for the conduct of hearings subsequent to a vehicle being towed.

504.2 POLICY
Officers shall remove or tow vehicles only under circumstances permitted by law. The contents of vehicles subject to removal by officers shall be inventoried, both to safeguard property and provide a record of the vehicle's condition prior to being towed.

504.3 PROCEDURE
504.3.1 AUTHORITY TO REMOVE VEHICLES
Officers shall only remove vehicles from a highway or other place with specific authority provided by law.

The Vehicle Code lists the majority of circumstances which permit the removal of vehicles in Chapter 10, Sections 22651 through 22669.

Other Vehicle Code Sections allow the impoundment of a vehicle under specified conditions, specifically Section 14602.6.

Article 1, Section 13 of the California Constitution may be used as authority to seize a vehicle for evidentiary purposes, however, it shall not be used to bypass the provisions of the Vehicle Code.

504.3.2 DEPARTMENTAL ORDERED TOWS – FIELD UNIT PROCEDURES
1. A Vehicle Report (CHP 180 Form) shall be completed in all cases of vehicle removal, tow, or storage ordered by an officer. This includes each vehicle in combination (i.e. truck tractor and trailer or vehicle pulling a trailer carrying a boat). Vehicles carried as cargo are considered as property; however, license number, vehicle identification number (VIN), and description shall be documented in the "Remarks" section of the CHP 180. The CHP 180 shall be written legibly to ensure distinct clarity through all copies of the form. When recording the VIN and the engine number, care should be taken to distinguish between letters of the alphabet and numerals. A CHP 180 should be completed as thoroughly and accurately as reasonably possible. A CHP 180 may be amended to indicate a more appropriate storage/impound authority by the following procedure:

    - The storage/impound authority shall be corrected by lining out the inappropriate section and replacing with the correct section.

- A brief memorandum describing the reason for the amendment shall be prepared and a copy attached to the CHP 180.
- If notification to the registered owner (R/O) or legal owner (L/O) is required, the Department shall notify the R/O or L/O that the storage/impound authority was amended.

2. The contents of all vehicles removed or ordered towed shall be inventoried and recorded on the CHP 180 form.

3. The officer shall ensure that appropriate citations are issued and attached in a secure manner to the vehicle prior to towing.

4. To minimize tow request cancellations, the officer shall make a reasonable effort to locate operators of unattended vehicles, and have them move their vehicles, prior to ordering tows, unless a hold is to be placed on the vehicle.

5. The officer shall request a tow from Dispatch by radio, providing the following information:
   - Nature of tow:
     - 168 hour impound, disabled vehicle, or
     - Vehicle Code Section tow authority, if applicable
   - Vehicle location
   - Vehicle description: color, year, make, model and license number

6. The officer shall stand by until the tow truck arrives. After the CHP 180 is complete, the tow operator must sign as the “agent storing vehicle”.

   - A copy of Vehicle Report (CHP 180) is to be provided to the tow truck driver.
   - A copy of Vehicle Report (CHP 180 is to be provided to the owner, if present.

7. Section 22852 VC – Notice to Owner: Post Storage Hearing. This section mandates legal procedures for notification when a vehicle has been stored or impounded.

8. Section 22853 VC – This section requires public agencies to immediately notify the Department of Justice, Stolen Vehicle System (DOJ-SVS) if vehicle owners cannot be identified or notified. This requirement is fulfilled by entry of the vehicle into DOJ-SVS.

504.3.3 OWNER/OPERATOR REQUESTED TOWS – FIELD UNIT PROCEDURES

Officers may order tows for owners/operators of disabled vehicles as a courtesy, even if no violation exists.

Prior to requesting a tow for an owner/operator, the officer shall ascertain whether the person prefers a particular towing company.

- If the person specifies a particular towing company, the officer shall transmit the information to Dispatch by radio.
- If the person has no tow preference, a rotation tow shall be requested. Ordinarily, the officer shall not stand by until the tow truck arrives. However, if traffic conditions are hazardous, or the owner/operator’s safety is in question, the officer shall stand by.

504.3.4 EVIDENCE HOLDS

Vehicles shall be held for evidentiary purposes in felony cases only.

- Exception: An officer may impound a vehicle believed to be involved in a property damage hit-and-run collision (Vehicle Code Section 22655).
- However, said vehicle shall be released no later than forty-eight (48) hours after such impound. (Weekends and holidays shall not be included when computing the 48 hour time period.)

Approval from a supervisor shall be obtained prior to a vehicle being held for evidence. The name of the supervisor consulted shall be recorded in the report narrative.

Vehicles shall not be held simply because the occupants have committed a criminal offense. The officer who orders the hold must be reasonably certain that the vehicle to be held has evidentiary value.

The officer ordering the hold shall inform Dispatch, at the time the tow is ordered, that the vehicle is to be held for evidence.

- The tow firm shall be advised that it is not a “rotation tow”, but a police-ordered “evidence hold” situation.
- The officer shall document, in the crime report, the reason for believing the vehicle has evidentiary value.
- Vehicles held for evidentiary purposes shall be sealed with evidence tape and stored in the CSU, Chico Police Department parking lot, unless other arrangements are made by a Supervisor or Detective (i.e. vehicles involved in homicides, rapes, or other violent cases should be stored, inside, at CPD or DOJ). Vehicles held for evidentiary purpose should not be stored at a tow firm’s yard.

Evidence holds shall expire forty-eight (48) hours after the vehicle is towed, unless the officer indicates otherwise in the crime report narrative.

Article 1, Section 13 of the California Constitution may be used as an impound authority in criminal matters (felony).

The officer ordering an evidence hold on a vehicle shall also accomplish the following:

- Any vehicles impounded as evidence shall have evidence tags completed and placed on top of the instrument panel so that they are easily visible from outside the vehicle. VIN numbers shall not be covered by the evidence tags. The officer responsible for the impound shall be responsible for placement of the evidence tag.
- Officers impounding a vehicle as evidence shall complete a Property/ Evidence Control Card and forward the card to the Evidence Supervisor.
    - The Property Control Card / Evidence Sheet shall be signed by the officer ordering the impound.
    - The Property Control Card / Evidence Sheet shall be initialed by the officer/employee releasing the vehicle.
- Officers impounding and storing any vehicle as evidence shall make a copy of the Storage/Impound form, and forward the copy to Investigations.
- The Vehicle Towing Hearings Officer is responsible for reviewing the vehicle impound clipboard on a daily basis and making the proper disposition of each vehicle as soon as possible.

504.3.5 TOW DESTINATIONS

Private vehicles towed at the direction of an officer shall generally be towed to the tow operator's respective facility.

University-owned vehicles shall be towed to the Facilities Management Service yard located at 940 W. 1st Street.

Vehicles held for evidentiary purposes shall be towed to the CSU, Chico Police Department parking lot, unless other arrangements are made by a Supervisor or Detective (i.e. vehicles involved in homicides, rapes, or other violent cases should be stored, inside, at the Chico Police Department or DOJ).

Whenever a vehicle is held as evidence by the department, the supervisor or Officer in Charge (OIC) of the officer ordering the hold shall notify the Operations Lieutenant no later than 0800 hours the next business day. The supervisor or OIC shall indicate the anticipated date on which the vehicle will be transferred to a tow company, other location, or to the custody of the District Attorney.

All towing and storage fees must be paid in full by the vehicle owner prior to the vehicle being released to him/her, unless determined otherwise by a post-seizure hearing. The officer releasing the vehicle shall be responsible for confirming that the payment has been made.

504.3.6 ABANDONED / UNATTENDED VEHICLES – FIELD PROCEDURES

503.3.6.1 MARKING ABANDONED / UNATTENDED VEHICLES ON A HIGHWAY FOR OVER 168 HOURS, CHICO MUNICIPAL CODE 10.20.200:

Whenever an officer observes or receives an assignment regarding a possible abandoned vehicle, he/she shall complete a stolen vehicle system (SVS) check and registration check on the vehicle.

If the vehicle is listed as stolen, it shall be stored at a towing facility or released to the owner at the scene, as appropriate.

If the vehicle is not listed as stolen, the officer shall, whenever practical, attempt to contact the owner at home, during reasonable hours, if the owner lives nearby. The officer should request the vehicle be moved immediately.

Whenever the vehicle is not moved or removed, the officer shall:

- Place chalk marks on the vehicle's tire which is nearest the center of the street. Chalk marks will be placed on the tread and a vertical line on the sidewall, bisecting the tire.
- Write the officer's badge number, the date, and time on the sidewall of the tire.
- Complete a "Notice of Unattended Vehicle" form, attaching the vehicle owner's portion of the form to the vehicle in a conspicuous location and retaining the department portion of the form.
- Attach the department portion of the form to the SVS and registration printouts. Place this copy (with the printouts and CAD call) in the report review file in the sergeant's office. Prepare the pink copy for mailing to the registered owner.

504.3.6.2 ASSIGNMENT TO IMPOUND:

After seven (7) days from the date the vehicle's owner was mailed the "Notice of Intent to Tow the Vehicle" postcard, the Supervisor shall assign an officer to locate and check the vehicle.

The assigned officer shall compare the tire marks and mileage to the department portion of the “Notice of Unattended Vehicle” form.

If the vehicle has not been moved, the officer shall request a tow truck and impound the vehicle under authority of Vehicle Code Section 22651(k).

- A parking citation shall be issued for Chico Municipal Code 10.20.200. The violator’s copy shall be placed on the vehicle.
- The following forms shall be submitted to the shift supervisor for review:
    (a) CHP 180 form.
    (b) The completed department portion of the “Unattended Vehicle” form.
    (c) The original copy of the parking citation.
    (d) Registration and SVS printouts.
    (e) Copy of “Notice of Intent to Tow Vehicle”.

504.3.6.3 ABANDONED VEHICLES ON PRIVATE PROPERTY – VEHICLE CODE SECTION 22669 (A)

Whenever an officer receives an assignment regarding a possible abandoned vehicle on private property, prior to towing, he/she shall:

- Confirm that the reporting person is the legal owner of the property; AND
- Have reasonable grounds to believe that the vehicle is, in fact, abandoned.

Section 22669 shall not be used to bypass the provisions of Section 22658, which sets conditions for removal from private property by owners or persons in possession of the property.

504.3.7 IMPOUNDING OF VEHICLES PURSUANT TO VEHICLE CODE SECTION 22651.3 (A)

Upon an officer locating a vehicle to be impounded pursuant to Vehicle Code Section 22651.3 (a), he/she shall advise Dispatch by radio. Prior to a tow being dispatched, check with Parking Management Bureau to confirm that:

- Five (5) or more parking violations have been issued over a period of five (5) or more days to which the owner or responsible person has not responded.
- At least one (1) “Notice of Warning” has been left on the vehicle (all department parking citations include the 22651.3 (a) warning).
- The vehicle has not been deleted from the Auto Cite (Handheld parking citation unit) computer.

The vehicle may also be impounded per section 22651.3(a) VC when the vehicle is illegally parked so as to prevent the movement of a legally parked vehicle

The tow truck driver shall be advised by the impounding officer that a hold has been placed on the vehicle.

Release of Vehicle – Prior to the department rescinding an order to hold a vehicle pursuant to Vehicle Code Section 22651.3 (b), the vehicle owner or person having control of the vehicle must provide the department with satisfactory evidence that:

- The owner or person in control of the vehicle furnishes evidence of his or her identity and an address within this state at which he or she can be located.
- The parking citations have been responded to appropriately.
- The vehicle has current registration.
- A person with a valid driver’s license is present.

504.3.8 VEHICLE APPRAISAL

For lien purposes, Vehicle Code Section 22670 requires the Department to estimate the value on all vehicles it causes to be removed, towed or stored.

In making the appraisal, the officer should be guided by:

- The general age and condition of the vehicle.
- The absence of integral parts of the vehicle.
- His/her own estimate of value.

The vehicles shall be appraised within the following categories:

- A vehicle appraised at $300 or less: A vehicle that is missing one or more major drive train components or is in such a deteriorated condition that it appears to be worth less than $300.
- A vehicle appraised at over $300, but not more than $4,000: A vehicle which, due to its age or apparent depreciation, may be worth between $301 and $4,000. Officers should take into consideration the value of salvageable parts.
- A vehicle appraised at over $4,000: A vehicle which has apparent value over $4,000.

Vehicles towed under 22669 (d) VC with a value of $300 or less:

- After fifteen (15) days from notification date, lienholder may request CSU, Chico Police Department to provide authorization to dispose of the vehicle. CSU, Chico Police Department will use DMV form 462 (22851.3 (h) VC). The vehicle may not be re-registered (22851.3 (l) VC).
- If names and addresses of the registered and legal owners are not available, the Department may authorize the lienholder to dispose of the vehicle at any time after removal (22851.3 (k) VC).
- If the owner does not claim the vehicle, the lienholder may not dispose of the vehicle except to a licensed dismantler or scrap iron processor (22851.3 (j) VC).

Vehicles towed for reasons other than 22669 (d) VC with a value of $300 or less:

- If there is no means of determining ownership, the lienholder may request an authorization for disposal – DMV form 462.
- After the lienholder has satisfied the requirements of 22851.8 VC and 22851.10 VC by sending a “Notice of Intent to Dispose of a Vehicle Valued at $300 or Less”, the lienholder may request authorization to dispose of the vehicle to a scrap iron processor or dismantler (22851.6 VC).

504.3.9 VEHICLE INVENTORIES

An inventory should only be conducted after the vehicle has come into lawful custody. Lawful custody occurs when a vehicle is stored or impounded.

The officer shall inventory the contents of all vehicles stored or impounded, and those contents shall be documented in the “Remarks” section of the CHP 180. The vehicle inventory is intended to identify and list all property contained in the vehicle. The purpose of an inventory is to protect the property from loss or theft.

The inventory shall list all property contained in legally accessible areas of the vehicle’s passenger compartment, glove compartment, console, trunk, and any other compartment or box which may contain property; e.g., utility compartment, tool compartment, or under the seat of motorcycles. All property located should be opened, and inventoried, in the “Remarks” section of the CHP 180.

If the glove compartment, console, trunk, or box is locked, and there is no key or mechanical/electrical mechanism to open that area, the officer shall not force the lock to inventory its contents. However, the officer shall note that the particular area was locked, with no means to open it, in the "Remarks" section of the CHP 180.

The inventory should be conducted in compliance with case law to ensure admissibility of evidence.

Contraband or evidence which is discovered during the inventory shall be seized and placed in property/evidence.

- A description of the item seized, as well as its original location, should be noted in the "Remarks" section of the CHP 180.
- Items of evidence discovered during a vehicle inventory are admissible in a court of law. The admissibility has been affirmed by the U.S. Supreme Court (Colorado v. Bertine [1987] 107 S.Ct. 738) and the California Court of Appeals, Fifth District, (People v. Steely [1989], 258 Cal. Rptr. 699, [Cal.App. 5 Dist. 1989])

504.4 GENERAL RELEASE OF STORED/IMPOUNDED VEHICLES

Vehicles stored or impounded shall be released only under legal authority and within the following guidelines:

- The release of impounded vehicles is contingent upon requirements established by the impound authority.
- The owner may have the opportunity to contest the legality of the towing or storage. (Refer to post-storage hearings.)
- When a vehicle is released from impound or storage, copies of all pertinent documents shall be attached to the original CHP 180 and retained in the case file. These documents include, but are not limited to, the following: current registration, ownership papers, Department of Motor Vehicle driver license printouts, copy of the actual driver's license, court documents, current proof of insurance, etc.
- For purposes of releasing to an agent of an R/O or L/O:
  - When the R/O, L/O, or agent authority is in question, a notarized, written certification should be requested from the R/O or L/O stating that the person is the agent.
  - When the R/O, L/O, or agent identity is in question, a legally acceptable photo identification should be requested.
  - When the R/O does not claim the impounded vehicle, the L/O or agent may sign the CHP 180 to certify he/she is taking possession of the vehicle

.

504.4.1 RELEASE TO A REPOSSESSOR

A repossessor includes any person who engages in the business of locating and/or recovering personal property. (Refer to Business and Professions [B&P] Code Section 7500.2.)

When a vehicle is stored/impounded by the CSU, Chico Police Department, the employee who releases the vehicle shall assure the repossessor presents a valid repossessor employee registration card, a temporary registration card, or an identification card showing he/she is a licensed repossessor.

- To determine whether a person or agency holds a valid repossessor's license, compare the registration number on the ID card with the current numerical list of licensed repossession agencies contained in the California Association of Licensed Repossessor's (CALR) Laws, Rules and Regulations guide book.

- Copies of the list of licensed repossession agencies can be obtained from the Department of Consumer Affairs, Information Systems Division, 400 “R” Street, Suite 1000, Sacramento, CA 95814 or at (916) 323-7018. Copies of the CALR guide book can be obtained from 5038 Triana Street, San Diego, CA 92117-3123 or at (858) 565-9037.

The following entities may engage in the activities of a repossession agency:

- Banks.
- Licensed lending institutions.
- Attorneys performing legal duties.
- Legal owners of collateral which are subject to a security agreement.
- Federal, State, or Municipal officers or employees performing official duties.
- Persons employed exclusively and regularly by one employer, in connection with the affairs of that employer, only when there exists an employer/employee relationship.

To release a vehicle to a repossessor, a sales contract for the vehicle must be presented containing the repossession terms that indicate the R/O has defaulted.

A tow service, auto drive-away service, or transport company not specifically licensed as a “repossession agency” may not repossess collateral (a vehicle or other personal property). Violators are subject to fines of $5,000 and/or one year in county jail. (Refer to B&P Section 7502.1.)

A repossessed vehicle is exempt from registration for the sole purpose of transporting the vehicle from the point of repossession to the storage facility of the repossessor, and from the storage facility to the legal owner or to a licensed motor vehicle auction, provided that the repossessor transports the appropriate documents authorizing the repossession with the vehicle. The repossessor must make those documents available to law enforcement upon request. (Refer to Section 4022 VC.)

504.4.2 SECTIONS 14602.6 VC – VEHICLE IMPOUNDMENT: RELEASE TO REPOSSESSOR

In order to release a vehicle impounded under Section 14602.6 VC to a valid repossessor, the repossessor must present at least one document of his/her choice from section “a” and one document from section “b” defined below:

Section A:

- Lawful foreclosure documents: an affidavit of repossession for the vehicle **or** an assignment. An assignment is defined in the B&P, as “a written authorization by the legal owner, lienholder, lessor or lessee to skip trace, locate or repossess, or to collect money payment in lieu of repossession, of any collateral, including, but not limited to, collateral registered under the Vehicle Code that is subject to a security agreement that contains a repossession clause.” An assignment may take the form of a letter from the legal owner which does not need to be notarized.

Section B:

- A copy of the security agreement (contract) or title showing proof of the legal ownership.

Original documents, photocopies, facsimile or electronic transmittals are all acceptable. Copies of all pertinent documents shall be attached to the CHP 180 and retained in the case file.

The impounding agency shall not be liable to the registered owner for the improper release of the vehicle to the legal owner's agent, provided the release complies with the provisions of 14602.6 VC.

504.4.3 SECTION 14602.6 VC – VEHICLE IMPOUNDMENT: RELEASE TO LEGAL OWNER ACTING AS HIS/HER OWN AGENT

The legal owner shall show valid identification with a photograph. The legal owner shall show a title or contract which corresponds with the name on the photograph identification, and an affidavit of repossession. Photocopies of all documents shall be attached to the CHP 180 and retained in the case file.

The Communications/Records Unit, within two working days of impoundment, shall send a notice by Certified Mail, Return Receipt Requested, to the legal owner of the vehicle.

The impounding agency shall not be liable to the registered owner for the improper release of the vehicle to the legal owner's agent, provided the release complies with the provisions of 14602.6 VC.

504.5 POST-STORAGE HEARING PROCEDURES

This section provides direction for post-storage hearings. (Reference Vehicle Code [VC] Section 22852.)

504.5.1 POST-STORAGE PROCEDURES

Whenever an officer directs the storage or impoundment of any vehicle, the Department is required to provide the registered owner (R/O) and legal owner (L/O) of record, or agent, with the opportunity for a post-storage hearing in person or over the telephone to determine the validity of the storage. The "Notice of Stored Vehicle" (CHP 180 carbon half sheets) provides the R/O and L/O information regarding the post-storage hearing process. In order to be granted a post-storage hearing, the owner or their agent is required to request a hearing within ten (10) days of the date on the notice. This does not apply to abandoned vehicles towed per 22658 VC that have a value of $300 or less. When the person is not contesting the validity of the storage or impoundment of the vehicle, and is requesting the early release of the vehicle, use the early release letter.

- The Department shall honor a request for a post-storage hearing if it is received at the office or postmarked within the 10-day limit.
- The Chief shall designate a lieutenant or sergeant as the hearing officer. A hearing officer may not be the same officer who stored or impounded the vehicle.
- The hearing shall be conducted within 48 hours of the request, excluding weekends and holidays.
- Failure to request a hearing or attend the scheduled hearing shall satisfy the requirements for a post-storage hearing.

The post-storage hearing is an informal process to determine whether a vehicle has been stored or impounded lawfully. Therefore, the hearing need not follow technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted. The hearing officer shall use the CHP 422C, Post-Storage Hearing Checklist. The hearing shall be documented on a CHP 422B (Vehicle Storage Hearing Report).

- Hearings should be held in a comfortable setting, free from interruption.
- The officer initiating the storage/impoundment need not be present.
- A suggested guide for conducting a hearing is contained in the annex.
- The hearing officer is required to determine if the information supports the storing officer's authority to store/impound the vehicle. The hearing officer is limited to finding the storage/impoundment as lawful or unlawful.

The individual requesting the post-storage hearing shall be advised of the hearing officer's decision and provided with a copy of the hearing officer's report after it is reviewed by the Chief of Police or his/her designee within a reasonable amount of time.

When the storage or impoundment is found lawful, the owner has the following options:

- Pay the towing and storage fees and retrieve the vehicle.
- Allow the vehicle to be sold to satisfy the lien per Section 22851 VC.

When the storage or impoundment is found to be unlawful, (i.e. incorrect DMV record), the Department is responsible for towing and storage fees.

- If the vehicle is in storage, the hearing officer shall arrange for the immediate release of the vehicle to the R/O, L/O, or agent. The towing and storage fees will then be paid directly to the tow company by the Department.
- If the R/O, L/O, or agent has paid the towing and storage fees, and the vehicle has already been released, the Department will reimburse the appropriate party according to the procedure set forth in Section 506.
- It is necessary for the hearing officer to indicate the amount of reimbursement and identify to whom payment should be made in the "Summary of Finding" section on the CHP 422B.

504.6 VEHICLE IMPOUNDMENT RELEASE FEES

A vehicle release fee shall apply when vehicles have been impounded for the following violations:

- 12500 VC – Unlicensed driver
- 14601 VC – Driving on a suspended license
- 4000 (a) (1) VC – Registration expired
- 23152 VC – Driving Under the Influence

A fee designated in the CSU, Chico Police Department Fee Schedule shall be paid to the Police Department at the time the Police Department provides release paperwork to the owner of the impounded vehicle. This fee shall cover the cost to the CSU, Chico Police Department for processing the release of an impounded vehicle.

504.7 RELEASE OF IMPOUNDED VEHICLES

Before any impounded vehicle is released, the person releasing the vehicle shall:

- Pull the original case file to determine if there are any holds or special circumstances regarding the impounded vehicle.
- Require the registered owner to show:
  (1) Proof of current registration or a one (1) day moving permit; AND
  (2) Receipt of paid parking tickets (if applicable); AND
  (3) Receipt of paid tow bill; AND
  (4) Proof of valid driver's license or be accompanied by a licensed driver. If the person requesting the release of the vehicle is not the registered owner, that person must have written permission from the registered owner before the vehicle can be released.
- Collect the Vehicle Impound Release Fee if the vehicle was impounded for 12500 VC, 14601 VC, 4000 (a) (1) VC or 23152 VC. For these types of impounds, the fee must be paid in cash or by a cashier's check or a money order.
- Provide the registered owner with a receipt for the Vehicle Impound Release Fee.
- Make copies of all receipts, driver's license printouts, registrations and authorizations for the report.
- Sign your initials and the date the vehicle was released in the tow log.

504.7.1 CHP 180 FORMS

The person taking possession of the vehicle must sign the CHP180 form. The employee releasing the vehicle will print his/her name and ID Number, and, sign and date the CHP180 form. The person taking possession of the vehicle will be given a copy of the signed CHP180 form, stamped with the “Controlled Document” stamp. Final approval for release of vehicles stored as evidence must be made by the on-duty sergeant.

APPROVED

JOHN M. REID
CHIEF OF POLICE

STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

VEHICLE REPORT

CHP 180 (Rev. 2-99) OPI 061

NOTE: CHP 180 IS FURNISHED TO ALL PEACE OFFICERS BY THE CALIFORNIA HIGHWAY PATROL

REPORTING DEPARTMENT	LOCATION CODE	DATE / TIME OF REPORT	NOTICE OF STORED VEHICLE DELIVERED PERSONALLY ☐	FILE NO.
LOCATION TOWED / STOLEN FROM		ODOMETER READING	VIN CLEAR IN SVS? ☐ YES ☐ NO LIC. CLEAR IN SVS? ☐ YES ☐ NO	DATE / TIME DISPATCH NOTIFIED / LOG NO.

YEAR	MAKE	MODEL	BODY TYPE	COLOR	LICENSE NO. ☐ ONE ☐ TWO	MONTH / YEAR	STATE

VEHICLE IDENTIFICATION NO.	ENGINE NO.	VALUATION BY ☐ OFFICER ☐ OWNER ☐ 0-300 ☐ 301-4000 ☐ 4001 + ☐ $

REGISTERED OWNER	LEGAL OWNER ☐ SAME AS R/O

☐ **STORED** ☐ **IMPOUNDED** ☐ **RELEASED** ☐ **RECOVERED - VEHICLE / COMPONENT**

TOWING / STORAGE CONCERN *(NAME, ADDRESS, PHONE)*	STORAGE AUTHORITY / REASON

TOWED TO / STORED AT	AIRBAG? ☐ YES ☐ NO ☐ 1 ☐ 2	DRIVEABLE? ☐ YES ☐ NO ☐ JUNK ☐ UNK	VIN SWITCHED? ☐ YES ☐ NO

CONDITION	YES	NO	ITEMS	YES	NO	ITEMS	YES	NO	ITEMS	YES	NO	TIRES / WHEELS	CONDITION
WRECKED			SEAT (FRONT)			REGISTRATION			CAMPER			LEFT FRONT	
BURNED HULK per 431(c) VC			SEAT (REAR)			ALT. / GENERATOR			VESSEL AS LOAD			RIGHT FRONT	
VANDALIZED			RADIO			BATTERY			FIREARMS			LEFT REAR	
ENG. / TRANS. STRIP			TAPE DECK			DIFFERENTIAL			OTHER			RIGHT REAR	
MISC. PARTS STRIP			TAPES			TRANSMISSION						SPARE	
BODY METAL STRIP			OTHER RADIO			AUTOMATIC						HUB CAPS	
SURGICAL STRIP per 431(b) VC			IGNITION KEY			MANUAL						SPECIAL WHEELS	

RELEASE VEHICLE TO: ☐ R/O OR AGENT ☐ AGENCY HOLD ☐ 22850.3 VC	GARAGE PRINCIPAL / AGENT STORING VEHICLE *(SIGNATURE)*	DATE / TIME

NAME OF PERSON / AGENCY AUTHORIZING RELEASE	I.D. NO.	DATE	CERTIFICATION: I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM LEGALLY AUTHORIZED AND ENTITLED TO TAKE POSSESSION OF THE ABOVE DESCRIBED VEHICLE.
SIGNATURE OF PERSON AUTHORIZING RELEASE			SIGNATURE OF PERSON TAKING POSSESSION

☐ **STOLEN VEHICLE / COMPONENT** ☐ **EMBEZZLED VEHICLE** ☐ **PLATE(S) REPORT**

DATE / TIME OF OCCURRENCE	DATE / TIME REPORTED	NAME OF REPORTING PARTY (R/P)	DRIVER LICENSE NO. / STATE
LAST DRIVER OF VEHICLE	DATE / TIME	ADDRESS OF R/P	TELEPHONE OF R/P ( )
I CERTIFY OR DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.		SIGNATURE OF PERSON MAKING REPORT	

REMARKS
[LIST PROPERTY, TOOLS, VEHICLE DAMAGE, ARRESTS]

DRIVER'S NAME	ARRESTED / SECTION? ☐ YES ☐ NO	REPORTED BY	CARGO / TYPE? ☐ YES ☐ NO	VALUE $ ☐ BILL OF LADING ATTACHED

SIGNATURE OF OFFICER TAKING REPORT	I.D. NO.	SUPERVISOR	REQUIRED NOTICES SENT TO REGISTERED AND LEGAL OWNERS PER 22852 VC? ☐ YES ☐ NO	DATE NOTIFIED

OSP 99 18768

c180_299.frp

STOLEN / EMBEZZLED NARRATIVE

1. AREA ☐ RURAL ☐ URBAN	2. TAKEN FROM ☐ STREET ☐ PARKING LOT ☐ GARAGE ☐ DRIVEWAY ☐ OTHER _____				3. REGISTRATION IN VEHICLE? ☐ YES ☐ NO
4. WAS NEIGHBORHOOD CHECKED FOR VEHICLE, WITNESSES, CLUES, OTHER CRIMES? ☐ YES ☐ NO	5. PAYMENTS CURRENT? ☐ YES ☐ NO	6. DOORS LOCKED? ☐ YES ☐ NO	7. KEYS IN VEHICLE? ☐ YES ☐ NO		8. ALL KEYS ACCOUNTED FOR? ☐ YES ☐ NO
9. WHEN WAS VEHICLE LAST SERVICED?	10. WHERE?			11. IS THIS THE USUAL MECHANIC? ☐ YES ☐ NO	
12. RECENTLY LEFT IN PARKING GARAGE OR PARKING VALET SERVICE? ☐ YES ☐ NO	13. IF YES, WHERE?			14. VEHICLE EQUIPPED WITH ORIGINAL ENGINE? ☐ YES ☐ NO ☐ UNK	
15. ORIGINAL TRANSMISSION? ☐ YES ☐ NO	16. ORIGINAL PAINT? ☐ YES ☐ NO	17. IF ANSWER TO 14, 15, OR 16 IS NO, PROVIDE ADDITIONAL INFORMATION, SERIAL NO., ORIGINAL COLOR, ETC.			
18. HAS VEHICLE BEEN PREVIOUSLY INVOLVED IN AN ACCIDENT? ☐ YES ☐ NO	19. IF YES, HAS DAMAGE BEEN FIXED? ☐ YES ☐ NO		20. PARTS DAMAGED		
21. FACTORY EQUIPPED RADIO? ☐ YES ☐ NO	22. IF NO, MAKE AND SERIAL NO.		23. DOES VEHICLE HAVE LOCKING GAS CAP? ☐ YES ☐ NO		
24. IS VEHICLE FULLY INSURED? ☐ YES ☐ NO	25. NAME / ADDRESS OF INSURANCE COMPANY				

26. NAME / ADDRESS OF NEAREST RELATIVE NOT LIVING WITH R/P

27. IDENTIFYING MARKS, BUMPER STICKERS, ADD ON EQUIPMENT, ETC.

28. SUSPECT NAME		DRIVER LICENSE NO. / STATE	ADDRESS	
HEIGHT	WEIGHT	EYES	HAIR	MISC.

RECOVERY NARRATIVE

29. NAME, DATE AND CASE NUMBER OF REPORTING AGENCY

30. AREA RECOVERED ☐ RURAL ☐ URBAN	31. DESCRIPTION OF RECOVERY AREA		32. RECOVERY ☐ COMPLETE ☐ PARTIAL
33. ANY EVIDENCE LOCATED? ☐ YES ☐ NO	34. WITNESSES, CLUES AND OTHER CRIMES		35. HAVE MISSING, IDENTIFIABLE PARTS BEEN ENTERED IN SVS? ☐ YES ☐ NO

COMPONENT RECOVERY

36. DESCRIPTION	37. SERIAL NO.

NARRATIVE

STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

VEHICLE STORAGE HEARING REPORT

CHP 422B (Rev. 3-96) OPI 061

DATE	TIME	LOCATION CODE

VEHICLE

YEAR	MAKE	MODEL	ID NUMBER	LICENSE NUMBER	STATE

REGISTERED OWNER

NAME	TELEPHONE NUMBER
ADDRESS	**PRESENT AT HEARING** ☐ Yes ☐ No

WITNESSES

NAME	TELEPHONE NUMBER
ADDRESS	
NAME	**TELEPHONE NUMBER**
ADDRESS	

STORAGE AUTHORITY

☐ 22651 ☐ 22669 ☐ Other:

SUMMARY OF STATEMENTS

SUMMARY OF FINDING

VEHICLE MUST BE RELEASED ☐ Yes ☐ No	STORAGE FACILITY NOTIFIED ☐ Yes ☐ No	
HEARING OFFICER		I.D. NUMBER
COMMANDER REVIEW		DATE

Use previous editions until depleted

c422bc99.frp

STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

POST-STORAGE HEARING CHECKLIST
For Vehicle Code Sections 14602.6 and 22651(P)
CHP 422C (Rev. 4-03) OPI 061

If an item does not pertain to the hearing, write "N/A" in the space provided.

_____ Ensure appropriate impound authority section exists. Section 14602.6 VC does not provide for the impoundment of a vehicle when the:

- driver license is expired
- driver is driving out of class
- driver license is suspended for no proof of insurance
- individual's driving privilege has been suspended for Welfare and Institutions Code 11350.6 (non-payment of child support)

NOTE: For the above situations, Section 22651(p) VC should be used.

_____ Ensure the suspension section is correct. The original suspension must be one of the following Sections: 12500(a), 14601, 14601.1, 14601.2, 14601.3, 14601.4, or 14601.5 VC.

_____ Ensure a citation is issued for one of the above offenses when there is sufficient evidence to establish a violation.

_____ Ensure the appropriate driver license suspension authority exists when a vehicle is impounded for 30 days, Section 14602.6 VC. The suspension authority must fall between Sections 13200 through 13376 VC to be lawfully held for the 30-day impoundment period. If the suspension authority falls outside Sections 13200 through 13376 VC, the vehicle must be released immediately pursuant to Section 14602.6(d)(1) and (d)(2) VC.

_____ Ensure a valid service order exists for either Section 14602.6 or 22651(p) VC. "Good service" refers to when a person's driving privilege is suspended and the driver has knowledge of such action. The service order must be one of the following:

- A - Certified Mail
- B - Served or Signed document on file
- D - Personal service document on file
- H - Acknowledge, no signature
- J - Written notice served by officer
- M - Verbal notice document on file
- P - Personal service

_____ Ensure notification is mailed to the Registered Owner and Legal Owner within two days as required by Section 22852(b) VC.

_____ When a vehicle is impounded for Section 14602.6 VC and the vehicle is released prior to the end of the 30-day impoundment period, ensure:

_____ an early release letter is completed (HPM 81.2, Annex J)
_____ a copy is given to the registered owner, legal owner, or agent requesting release
_____ a copy is affixed to the post-storage hearing package
_____ the original early release letter is attached to the CHP 180, Vehicle Report

DO NOT USE THE STIPULATED VEHICLE RELEASE AGREEMENT (SVRA) FORM. The SVRA is for vehicle forfeiture only, Section 14607.6 VC.

CHP 422C (Rev. 4-3) OPI 061 (Page 1 of 2) c422c403.frp

_____ Advise the individual requesting the post-storage hearing of the decision. Inform the individual that the Area is not the final level of review, and the finding could change when reviewed by the field Division or Field Services Section (FSS).

_____ When the impoundment is lawful, provide FSS via Division three complete packages of the following documents:
- _____ the original plus two copies of the CHP 422B
- _____ three copies of the CHP 180
- _____ three copies of all other applicable supporting documents (Driver License printout, registration printout, etc.)
- _____ three copies of the post-storage hearing checklist (CHP 422C)

_____ When the impoundment is unlawful, provide FSS via Division five complete packages of the following documents:
- _____ the original plus four copies of the CHP 422B
- _____ five copies of the CHP 180
- _____ five copies of the invoice indicating description of vehicle, date of towing and storage, who to pay, and how much
- _____ five copies of all other applicable supporting documents (Driver License printout, registration printout, etc.)
- _____ five copies of the post-storage hearing checklist (CHP 422C)

_____ CHP 422B, post-storage hearing package sent to appropriate field Division for review and approval within five working days of the hearing.

APPEAL PROCESS - Hearings determined to be lawful by the Area may be appealed:
1. through the court system (court order),
2. by submitting one of the following claim forms:

_____ Use a CHP 287, Claims of $1,000 or Less, for claims less than $1,000. This form can be located in FormFlow. Refer to HPM 81.2, Vehicle Procedures Manual, Chapter 4 and Annex V. Also refer to HPM 11.1, Administrative Procedures Manual, Chapter 9 for processing this form.

_____ Use a Board of Control Government Claim form, SBOC-GC-00002, for claims more than $1,000. Refer to HPM 81.2, Vehicle Procedures Manual, Chapter 4 and Annex W. This form can be accessed on-line from the State Board of Control, Government Claims Form.

A Public Service Agency

PUBLIC AGENCY AUTHORIZATION TO DISPOSE OF A VEHICLE TO A SCRAP IRON PROCESSOR OR DISMANTLER VALUED AT $500 OR LESS

☐ C.V.C. 22851.2 ☐ C.V.C. 22851.3

PRINT ALL INFORMATION EXCEPT SIGNATURES

A. TO BE COMPLETED BY PUBLIC AGENCY (Items 1-12)

1. LIC. PLATE NUMBER DISPLAYED ON VEHICLE	2. ISSUED BY STATE OF	
3. YEAR MODEL	MAKE	BODY TYPE
4. VEHICLE IDENTIFICATION NO. (VIN)	☐ The vehicle is in such condition that the VIN is not available	
5. ENGINE IDENTIFICATION NO. (EIN) (MOTORCYCLES ONLY)	☐ The vehicle is in such condition that the EIN is not available	

NOTE: THIS VEHICLE MAY ONLY BE DISPOSED OF TO A LICENSED DISMANTLER OR SCRAP IRON PROCESSOR.

AUTHORIZED TO DISPOSE OF VEHICLE

6. AGENCIES ESTIMATED VALUE OF VEHICLE

7. PUBLIC AGENCY NAME		DATE TOWED
8. ADDRESS		CITY
9. OFFICER'S NAME/AUTHORIZED PUBLIC AGENCY EMPLOYEE TITLE a ☐ Law Enforcement b. ☐ Authorized Public Agency	RANK/TITLE	BADGE/SERIAL NO. (Officer Only)

10.

☐ At least 72 hours before removal, a distinctive notice was attached to this vehicle stating it would be removed by a public agency.
☐ Abandoned vehicle removed per CVC 22669(d).
☐ Immediately after removal, the public agency notified the Stolen Vehicle System of the Department of Justice in Sacramento of the removal.
☐ Notification was mailed to all interested parties. _____ DATE

I certify under penalty of perjury under the laws of the State of California that the information I have provided is true and correct.

11. SIGNATURE OF OFFICER/PUBLIC AGENCY EMPLOYEE AUTHORIZING DISPOSAL OF VEHICLE	DATE AUTHORIZED
12. NAME OF AUTHORIZED TOWING COMPANY	

B. TO BE COMPLETED BY TOWING AGENT (Items 13-16)

13 **SIGNATURE OF TOWING AGENT ON LINE 16 RELEASES INTEREST IN VEHICLE TO DISMANTLER OR SCRAP IRON PROCESSOR BELOW.**

☐ Notification was mailed to all interested parties. _____ DATE

14. DISMANTLER OR SCRAP IRON PROCESSOR FIRM NAME	DISMANTLER NO.
15. ADDRESS	CITY

I certify under penalty of perjury under the laws of the State of California that the information I have provided is true and correct.

16. SIGNATURE OF TOWING AGENT	DATE

C. DISTRIBUTION OF COPIES BY THE FOLLOWING

Public Agency: Retain YELLOW copy for your records. Give WHITE and PINK copies to firm or person to whom vehicle given.
Towing Agency: Give WHITE and PINK copies to the dismantler or the scrap iron processor.
Dismantler: Attach WHITE copy to completed Report of Vehicles to be Dismantled (Reg 42) and mail to: Department of Motor Vehicles, P. O. Box 944292, Sacramento, CA 94244-2920
Retain PINK copy for your dismantler records.
Scrap Iron Processor: Retain PINK and WHITE copies for your records.

REG 462 (REV. 4/2005) OSP 05 91977

REVISED: 1/31/2018
Revised: 1/7/2010
Effective: 4/30/2007

California State University Chico Police Department
General Orders

CHAPTER 5 – TRAFFIC OPERATIONS
SECTION 506

VEHICLE IMPOUND HEARINGS

506.1 PURPOSE AND SCOPE

This policy establishes a procedure for the requirement to provide vehicle storage or impound hearings pursuant to Vehicle Code § 22852.

506.2 STORED OR IMPOUND HEARING

When a vehicle is stored or impounded by any member of the CSU, Chico Police Department, a hearing will be conducted upon the request of the registered or legal owner of the vehicle or the legal owner's (bank's or institution's) agent.

506.2.1 HEARING PROCEDURE

The vehicle storage hearing is an informal process to evaluate the validity of a stored or impounded vehicle.

Any relevant evidence may be submitted and reviewed by the hearing officer to determine if the vehicle in question was lawfully stored or impounded, in accordance with California State Law and California State University, Chico Police Department policies and procedures.

The employee of the Police Department that stored or impounded the vehicle does not need to be present for this hearing.

All requests for a hearing on a stored or impounded vehicle must be submitted in person, in writing, or by telephone to the vehicle storage/impound Hearing Officer, or his/her designee, within 10 days of the date of storage. The post-storage hearing shall be conducted within 48 hours of the request, excluding weekends and holidays. The person requesting the hearing may record the hearing at his/her own expense.

The vehicle storage/impound Hearing Officer shall consider all information provided and determine the validity of the storage or impound of the vehicle in question and then render a decision. If a decision is made that the vehicle was stored or impounded within the law and Department Policy, the Hearing Officer shall advise the inquiring party that he/she may pursue civil litigation, if so desired.

A decision that the vehicle was not stored or impounded in a lawful manner or within department policy will require that the vehicle in storage be released immediately. Towing and storage fees will be paid at the department's expense.

If a decision is made that the vehicle was not stored or impounded in a lawful manner or within department policy, and the vehicle has been released with fees having been paid, the receipt for such fees will be forwarded with a letter to the Chief of Police. The Hearing Officer will recommend to the Chief of Police that any fees paid by the registered or legal owner of the vehicle in question or his/her agent be reimbursed by the CSU, Chico Police Department.

APPROVED

JOHN M. REID
CHIEF OF POLICE

CSU, Chico Police Department
Post-Storage Hearing Guide

DATE:		**CASE #:**	
TIME:			
RE:			

The purpose of this hearing is to determine the validity of the storage of a motor vehicle stored on _____ owned by:
(date)

Registered Owner: _____

Legal Owner: _____

This is an informal hearing conducted by the CSU, Chico Police Department in accordance with the provisions of section 22852 of the California Vehicle Code. The Chief of Police appoints an Officer to hear evidence and recommend a finding on the validity of a vehicle's storage. The Chief of Police or a designated representative is the final administrative authority on the matter.

The following persons were present at the hearing:

Hearing Officer: _____

Subject (R/O-L/O): _____

Witnesses: _____

Hearing Officer's statement: *You have the right to review and ask questions about the evidence used in this hearing. You may have witnesses testify and present evidence during the hearing, either oral or written, which is relevant to the issue. You may testify on your own behalf. Since this is an informal hearing, you may be asked questions relevant to these proceedings.*

The scope of this hearing is limited to the following issues, including a determination of:

1. Vehicle ownership of: _____
(Year, Make, Model, Lic, VIN)
2. The location of the vehicle when stored, or prior to storage: _____
_____
3. Whether the Officer ordering the storage had probable cause and the legal authority to do so.
_____
_____
4. Aside from the legal issues, if there are any mitigating circumstances which would justify the early release of the vehicle from a 30 day impound. _____
_____
_____

The following documents in Department files were exhibited as evidence in this matter:

_____ Impound report (CHP180)
_____ Registration teletype
_____ Notice of stored vehicle
_____ Driver (name)'s DMV printout
_____ Copy of citation issued to (name)
_____ Other: _____

Officer's Testimony:

Subject's Testimony:

HEARING OFFICER'S RECOMMENDATIONS:

Storage:

❑ The storage was valid. The vehicle's owner is liable for all towing and storage fees. If not paid, the vehicle may be sold by the tow firm to satisfy a lien (22851 VC).

or

❑ The storage was not valid. Immediate release of the vehicle is authorized. CSU, Chico is liable to pay towing and storage fees which have accrued from the date of storage to date. Failure to retrieve the vehicle on the owner's part may make him/her liable for any additional storage fees.

Impound:

❑ The 30-day impound is upheld.

❑ Based upon the mitigating circumstances presented in the hearing, the 30-day impound is revoked, effective immediately. The owner is responsible for all accrued towing and storage fees.

FINDING:

❑ I concur with the recommendations of the Hearing Officer regarding the storage of the vehicle.

❑ The recommendations of the Hearing Officer are not accepted. Chief's recommendations:

_____
_____
_____

_____
Eric Reichel
Chief of Police

REVISED: 1/31/2018
Effective: 4/30/2007

California State University Chico Police Department
General Orders

CHAPTER 5 – TRAFFIC OPERATIONS
SECTION 508

DRUNK DRIVING AND EVIDENCE COLLECTION

508.1 PURPOSE AND SCOPE

This policy explains the procedures to be followed while collecting evidence to establish the blood alcohol level of drivers arrested for driving while intoxicated, unconscious drivers, and unconscious pedestrians involved in traffic collisions because of their intoxicated state. Chemical testing for evidence of "under the influence" is regulated by law, and is prescribed in Sections 13353, 23157, 23157.5 and 23158 of the Vehicle Code. The legal concept is that operating a motor vehicle is a privilege and that the operator will consent to a chemical test of his/her blood or breath for alcohol content if arrested for driving under the influence. If a driver refuses to take one of the tests, the privilege to drive will be suspended by the Department of Motor Vehicles for a period of at least one year, depending upon prior convictions, administrative suspensions and revocations.

The chemical test is incident to the arrest, and the officer's suspicion of intoxication must be based on objective symptoms. The results of the chemical test are only confirmatory.

508.2 CHEMICAL TESTING

Breath and urine tests will be administered within the CSU, Chico Police Department or at the Chico Police Department Jail. Blood samples shall be taken at the hospital. A suspect who is unable to submit to a chemical test, because of any of the following, shall not be considered as refusing to comply with the provisions of Vehicle Code §13353:

- Because of the inability of the CSU, Chico Police Department to furnish a selected test;
- If there are verifiable medical reasons for non-compliance;
- If an attending physician refuses to allow it.

Under California law, in cases only involving the suspicion of alcohol, the driver now has a choice of only two tests: breath or blood—although a urine test is still permissible under certain circumstances (suspicion of drugs).

508.2.1 TESTING OF CONSCIOUS SUSPECT AT A HOSPITAL

Based on probable cause, the officer should place the hospitalized, but conscious, suspect under arrest, in the presence of hospital personnel, and advise the attending physician of the intention to administer a chemical test to the suspect. Unless the attending physician objects for medical reasons, the blood sample will be collected in the prescribed manner.

508.2.2 TESTING OF UNCONSCIOUS DRIVER AT A HOSPITAL

When there is probable cause to believe that an unconscious driver is under the influence, there is no method of informing the individual of the arrest; therefore, there is no verbal consent on the part of the suspect to allow one of the two possible chemical tests at the hospital to determine his/her blood alcohol level. This presents an exigent situation, which excuses the requirement of consent. The officer shall advise the attending physician of the intention to collect a sample of the suspect's blood as evidence. If the physician does not object based on medical reasons, the blood will be collected in the prescribed manner.

508.2.3 UNCONSCIOUS PEDESTRIAN AT A HOSPITAL

When there is probable cause to believe that an unconscious pedestrian has been involved in a traffic collision because of his/her intoxicated condition, a blood sample may be extracted as evidence. The officer shall advise the attending physician of his/her intention to extract a blood sample, and unless the physician objects for medical reasons, the sample will be collected in the prescribed manner.

508.2.4 EMERGENCY DOCTRINE

Under the emergency doctrine, the level of influence of an intoxicant can be important evidence. Since this evidence is not of a permanent nature, it will be lost if not seized immediately. Both §508.2.2 and §508.2.3 of this chapter come within the guidelines of the emergency doctrine.

508.2.5 COLLECTING BLOOD EVIDENCE

Officers are required to transport suspects to the hospital to obtain the blood sample. Certified medical personnel will withdraw a blood sample, witnessed by the arresting officer. The arresting officer shall confirm with the medical personnel drawing the blood sample, in the presence of the subject, that the solution used to swab the arm is not alcohol-based.

508.2.6 FORCED WITHDRAWAL OF BLOOD

Blood may be taken by force in any felony or in a misdemeanor driving under the influence investigation when the suspect, after having been advised of his or her rights per Vehicle Code §13353, refuses to take a chemical test. If the suspect makes a timely and reasonable request to undergo a different and viable form of testing, such request shall be considered. Blood may only be taken by force when the following circumstances have been met:

- The suspect must be in custody, and the officer must have reason to believe the suspect is intoxicated.
- The blood is taken in a medically approved manner.
- Only reasonable force may be used to restrain the arrestee.

A supervisor shall be present when blood is forcibly extracted from a suspect who is uncooperative or has refused a chemical test. The amount of force used to accomplish the collection of this evidence will be controlled by that supervisor, keeping in mind the following:

- In felony cases, force which reasonably appears necessary to overcome the resistance to the blood being withdrawn will be permitted.

- In misdemeanor cases, the suspect shall be handcuffed in a manner to protect the hospital staff and officers while the blood is being withdrawn. If the suspect becomes violent to the extent that he or she cannot be controlled, then additional force will not be used and a refusal noted in the report.

The investigating officer shall retain custody of the blood sample withdrawn in his/her presence, and transport the sample to be booked into evidence at the police department. CSU, Chico Police Department personnel will send the sample to an approved laboratory for analysis.

When a suspect cannot submit to a blood test because he/she is a hemophiliac or is using an anticoagulant under the direction of a physician for a heart condition, he or she shall not be required to take a blood test.

508.2.7 COLLECTING BREATH AS EVIDENCE

If the arrested person chooses a breath test, and if that test can be accomplished without undue delay, the arrested person shall first be transported to the CSU, Chico Police Department or the Chico Police Department Jail for booking, prior to the collection of breath samples. The test will be administered by an Intoxilyzer-trained officer, and the results will be printed on the Intoxilyzer Instrument Printer Card. The officer must witness the test and fill out the required test records log. The original Intoxilyzer Instrument Printer Card shall be attached to the original report.

508.2.8 COLLECTING URINE AS EVIDENCE

In cases were drug use, or a combination of drugs and alcohol, is suspected, the driver can choose either blood, breath, or urine, although, if the suspect chooses breath, the officer can require an additional test of either blood or urine. If the arrested person chooses a urine test, he or she shall be promptly transported to the CSU, Chico Police Department. The police department will furnish a urine kit for collecting samples of the arrested person's urine. Urine samples will be taken only at the request of the subject.

If the test given is a chemical test of urine, the person tested shall be given such privacy in the taking of the urine specimen as will ensure the accuracy of the specimen and, at the same time, maintain the dignity of the individual involved. Urine tests will be supervised and observed by the arresting officer, except when the arresting officer and subject are of the opposite sex. Officers must watch for suspects diluting the sample with water from the toilet bowl. The following guidelines should be followed:

- The officer shall follow the directions listed on the container instruction sheet. If the arrested person's urine is necessarily collected elsewhere, the procedure will remain the same.
- The cardboard tube shall then be marked accordingly with the suspect's name, offense, department, case number, and the name of the witnessing officer.
- The subject must first urinate completely, as soon as practical after the time of the offense. If the officer keeps the first void for drug testing, the subject may not refuse the second sample by saying that he or she already provided a sample. The officer should explain the requirement of the two-part test prior to the start of the test to avoid any confusion.
- After a minimum of twenty minutes, the subject will urinate. The plastic bottle must be at least one-eighth full (about one-half ounce). Preservative chemicals provided in the bottle should not be spilled. If the subject objects to the presence

of the white powder (preservative chemicals) in the plastic bottle, use a specimen cup. **The preservative is a poison and should not be inhaled or touched.**
- The urine kit shall then be placed in the evidence refrigerator to await transportation to the department-approved laboratory.

508.2.9 COLLECTING CHEMICAL TEST FROM MINORS/JUVENILES

Minors/juveniles will be treated as adults when chemical testing of blood, breath, or urine is conducted in connection with driving under the influence.

508.3 SUBJECT'S REQUEST FOR INDEPENDENT TESTING

Pursuant to section 23158 (b) of the California Vehicle Code, subjects submitting to a chemical test, may, at their own expense, have a person of their own choosing administer a second test. Officers are not required to advise the subject of this right. Failure to comply with such a request, however, may result in the suppression of the evidence obtained from the chemical test administered under the officer's supervision.

If the subject requests an independent test, the officer must reasonably comply with the request. The following procedures will be followed:

- Subject requests specific personal physician. If the subject's personal physician can be contacted by telephone and can arrive at the police department within an hour, the officer should detain the subject there and allow the physician to administer the blood drawing. If the physician cannot be reached by phone or does not arrive at the police department within an hour, the subject no longer has this right for a specific person to administer the test, and must submit to testing under the second procedure listed below. The time the physician is contacted and the time this test is administered should be recorded on the report submitted by the officers.
- Subject requests independent testing (not by a specific personal physician). This can be accomplished by transporting the subject to a nearby hospital and allowing him/her to select any of the medical personnel on duty to draw the blood sample. The hospital laboratory determines the alcohol content and provides the result to the subject, who is required to pay for these services. His refusal to comply with these procedures is deemed a waiver of that right.

508.3.1 REFUSAL FORM

If a subject refuses a chemical test, the arresting officer must complete the Refusal Form (DS-367, revised 9/2005 or DS-367M, revised 11/2004), which will be the basis for the Department of Motor Vehicles suspending the subject's driver's license. **This form must be completed in detail.** If a subject is suspected of being under the combined influence of alcohol and drugs, and refuses to submit to a blood or urine test, side two of the DS-367 or DS-367M must be completed, including the Chemical Test Refusal Admonition and the Drug Admonition Supplement.

508.3.2 PRESUMPTIVE LIMITS BLOOD ALCOHOL CONTENT

Section 23610 of the Vehicle Code establishes Presumptions in Law relating to the percentage of alcohol in the blood of a driver as determined by chemical analysis of his/her blood, breath, or urine. The results at the time of the test establish the following presumptions:

- If the results are less than 0.05 percent, he/she is presumed not to be under the influence.

- If the results are between 0.05 percent and 0.07 percent, no presumption is established.
- If the results are 0.08 percent or higher, it shall be presumed that the person was under the influence of an alcoholic beverage at the time of the alleged offense.

Since these are presumptions, contradictory evidence may be produced. Those with less than 0.05 percent should not be charged with driving under the influence of alcohol. In those instances where there is a low blood alcohol content, but significant symptoms of intoxication, the arresting officer should proceed on the theory that the suspect has been using some other intoxicating agent in addition to alcohol.

Those persons who have a reading between 0.05 percent and 0.07 percent should not normally be charged with driving under the influence unless other competent evidence indicates serious deficiencies in driving caused by alcohol. The decision in all cases rests with the on-duty supervisor.

508.3.3 PERSONS UNDER 21 DRIVING WITH ALCOHOL IN THEIR SYSTEM

Section 23140 (a) of the Vehicle Code makes it "unlawful" (an infraction) for persons under the age of 21 years, whose blood alcohol level is between 0.05 percent and 0.07 percent, to drive a vehicle. A blood alcohol level at or above 0.08 percent is a violation of 23152 (b) of the Vehicle Code.

If the person under the age of 21 years old appears to be under the influence of alcohol, but refuses to take a chemical test, proceed as with any other "refusal" case. The statute specifically permits charging 23140 (a) CVC even without a chemical test.

Officers may arrest any driver under the age of 21 who has a blood alcohol content of 0.05 percent or higher on the Preliminary Alcohol Screening test (PAS). Suspects must submit to a blood or breath test in compliance with the implied consent law. If the blood alcohol content of the person is between a 0.05 percent and 0.07 percent, and the elements of driving under the influence are not present, officers shall issue a Notice to Appear charging 23140 (a) CVC, an infraction, prior to release. This procedure would also be followed if the suspect took a blood test, if there was no impairment, and if the officer believed the results would show a 0.05 percent to 0.07 percent blood alcohol content.

Officers must document the reason for the stop in the charges box of the Notice to Appear when no other violations are listed. Additionally, officers shall record the chemical test results in the charges section of the Notice to Appear (example: PAS 0.05%). If the results of the chemical test are 0.05 percent or more, and there is impairment, officers may book the driver in jail for 23152 (a) CVC.

508.3.4 ZERO TOLERANCE LAW – MINOR WITH A BAC LEVEL OVER 0.01%

Section 23136 of the California Vehicle Code (CVC) makes it "unlawful" for a person under 21 years of age to drive a motor vehicle with a blood alcohol level of 0.01 percent or greater. Section 23136 CVC is neither an infraction nor a misdemeanor. It is an Administrative Ordinance enforced by the Department of Motor Vehicles. All persons under the age of 21 years, operating a motor vehicle, must submit to the administration of the field breath test or have their driving privileges suspended for a period of one year. Those minors not old enough to possess a license will have their driving privilege

delayed for one year upon reaching the age of 16. In processing violations of 23136 CVC, officers shall follow the administrative per se procedures.

The suspected violator cannot be transported from the evaluation scene for testing, so the level of alcohol must be established by use of a Portable Alcohol Screening device (PAS). Blood or urine samples may not be taken to support a charge of 23136 CVC. The PAS device must be “reasonably” available to the evaluating officer. The suspected violator may not be delayed longer than the time it would take to complete a normal traffic contact. The PAS-equipped officer will advise an estimated time of arrival, and the evaluating officer will determine if the motorist is to be detained.

508.3.5 ADMINISTRATIVE PER SE

Admin per se provides for the immediate suspension of California Driver's Licenses in certain “Driving Under the Influence” (DUI) cases and in "Zero Tolerance" incidents. Vehicle Code §§23157(e) and (g), and 23158.5 require that peace officers immediately suspend driving privileges in certain situations involving arrests for violations of Vehicle Code §§23152 and 23153. This policy also describes the policy dealing with "Zero Tolerance" laws.

508.4 SUSPENSION OF CALIFORNIA DRIVER'S LICENSES

The driver's license of a person suspected of driving under the influence of alcohol shall immediately be suspended under any of the following circumstances:

- The arrestee refuses to submit to a chemical test.
- The arrestee fails to complete the selected test.
- The arrestee declines a breath test and demands a blood or urine test, and the arresting officer has reasonable cause to believe that the arrestee's Blood Alcohol Content (BAC) will exceed the .08% level for persons 21 years of age and older or .05% for persons under the age of 21 years.
- The arrestee completes the breath test, which shows a BAC of .08% or higher for persons 21 years of age or older or .05% for persons under the age of 21.

508.5 ZERO TOLERANCE LAW

Vehicle Code §§23136 & 23140 were enacted to reduce alcohol-related incidents by persons under the age of 21. A person under 21 years of age may have his or her license suspended under the following circumstances:

- When suspected of consuming alcohol and refusing a PAS test.
- When the suspect has a blood-alcohol level of .01 percent or greater.

Zero Tolerance requires a PAS device as the primary test. If the PAS device is not available, one of the other chemical tests must be completed. Under Zero Tolerance, only the PAS device result is required. If the driver's PAS result warrants arrest and further chemical testing, the DMV does not require completion of the "Chemical Test" section of the DS367m form. Once the PAS certification is complete, the Zero Tolerance requirement has been met.

508.6 PEACE OFFICER'S RESPONSIBILITY

In any of the above situations, the peace officer, acting on behalf of the Department of Motor Vehicles, may do the following:

- Confiscate any California Driver's License(s) in the possession of the driver.

- If the subject has an APS temporary license document, do not confiscate. Complete and serve the "Administrative Per Se Order of Suspension" [DMV form DS367, DS367m or DS367s (Officer's Statement and Order of Suspension)] 4th page on the driver, regardless of license status.
- The officer will inform the driver that the "Administrative Per Se Order of Suspension" form DS367, DS367m or DS367s, along with his/her violator's "Notice to Appear" (except "Zero Tolerance"), or other release from custody document, will serve as the driver's temporary license.
- If the driver's privilege to drive is suspended or revoked, the order will not serve as a valid temporary driver's license.
- If the subject presents an APS suspension order/temporary license, do not confiscate the existing order, and do issue another order pursuant to the current DUI arrest.

508.7 DEPARTMENT OF MOTOR VEHICLES NOTIFICATION

The following specified items must be forwarded to the Department of Motor Vehicles within five regular business days:

- Officer's Statement Form DS367 or DS367m (Minor) or DS367s (Spanish).
- Order of Suspension (Form DS367, DS367m or DS367s), pages 2 and 3.
- Copy of the printout of the breath test (if taken).
- Traffic collision report, if applicable.
- The offender's driver's license, if confiscated.

508.8 PROCESSING OF FORMS

In order to ensure that the DMV and Police Department forms are routed properly, the following responsibilities are identified:

- The supervisor responsible for approving reports shall collect the documents described in §516.4, review for completeness (dates, times, signatures, etc.) and forward the originals of the documents to the Dispatch/Records Unit.

APPROVED

JOHN M. REID
CHIEF OF POLICE

STATE OF CALIFORNIA
DMV
DEPARTMENT OF MOTOR VEHICLES

A Public Service Agency

SUPPLEMENT TO OFFICER'S STATEMENT BLOOD/URINE TEST RESULTS

LAW ENFORCEMENT AGENCY CASE NUMBER	
DRIVER LICENSE NUMBER	STATE
CLASS OF LICENSE	

CHEMICAL TEST REQUEST
LAW ENFORCEMENT USE ONLY

DRIVER'S NAME *(LAST, FIRST, M.I.)*

DATE OF BIRTH			DRIVER LICENSE NUMBER		
DATE OF ARREST/DETAINMENT	TIME OF FIRST VOID AM/PM	TIME TEST SAMPLE TAKEN AM/PM	☐ Section 23140 VC	☐ Section 23152 VC	☐ Section 23153 VC

TEST REQUESTED: ☐ URINE TEST ☐ BLOOD TEST

OFFICER'S SIGNATURE

OFFICER'S NAME *(PLEASE PRINT)*	TITLE	BADGE/ID NUMBER
AGENCY	AREA	TELEPHONE NUMBER

CHEMICAL TEST REQUEST
LABORATORY USE ONLY

LABORATORY NAME	LAB. LICENSE NUMBER	LAB. RECEIPT NUMBER
DATE ANALYZED	ANALYZED BY *(PLEASE PRINT)*	

RESULTS: ☐ URINE TEST_____% BAC ☐ BLOOD TEST _____% BAC

I certify, under penalty of perjury, under the laws of the State of California, that the above blood or urine analysis was performed during the regular course of my duties, and is a true and correct copy thereof.

I further certify that I am a licensed ☐ forensic alcohol supervisor ☐ forensic alcohol analyst

qualified to perform these analyses pursuant to Title 17 of the California Code of Regulations, and that the equipment used in arriving at the results was in proper working order at the time this analysis was performed.

NAME *(PLEASE PRINT)*		ON (DATE)
SIGNATURE X	TITLE	AGENCY

White—DMV Copy *Canary*—Agency Copy *Pink*—File Copy

DS 367A (REV. 4/2003)

DMV
A Public Service Agency

AGE 21 AND OLDER OFFICER'S STATEMENT

SECTIONS 13353 & 13353.2 CALIFORNIA VEHICLE CODE (CVC)

APS

FORWARD THIS FORM WITHIN 5 BUSINESS DAYS TO YOUR LOCAL DRIVER SAFETY DISTRICT OFFICE, LISTED ON THE BACK OF PAGE 2

COMPLETE IN BLACK INK

LAW ENFORCEMENT AGENCY CASE NO.	ARREST DATE	FOR DMV USE ONLY

DRIVER'S NAME *(LAST, FIRST, M.I.)*	DRIVER LICENSE NO.	CLASS	STATE	THUMB PRINT (Right thumb or specify)
MAILING ADDRESS	STATE	ZIP CODE		

DOB: Sex: Hair: Eyes: Ht.: Wt.:

Driver License: ☐ Suspended/Revoked ☐ Surrendered to Officer (Attach) ☐ Not in Possession ☐ Unlicensed

☐ **0.08% or more BAC Chemical Tests Results** ☐ **Chemical Test Refusal** (Complete reverse) ☐ **Forced Blood Test** (Complete reverse)

Vehicle Lic. No. or VIN _____

☐ **COMMERCIAL VEHICLE:** Vehicle operation requires a **commercial** driver license (Section 15210 CVC).

☐ **HAZARDOUS MATERIALS:** (transporting materials requiring placards/markings per Section 27903 CVC).

On _____ at _____ **AM/PM** in *(City and County)* _____ CA, the above named driver was:

☐ Driving: ☐ observed by this officer or ☐ the observer shown in the shaded area below, ☐ admitted to driving.

☐ Arrested per Section 40300.5 CVC. (**Describe details in probable cause section on second page.**)

☐ Involved in a collision. **Attach collision report.** In the probable cause section on the second page, describe how time of collision was established.

I had reasonable cause to believe the driver was driving a motor vehicle with alcohol and/or drugs present in the blood or while under the influence. The driver was arrested by this officer or by the person shown in the shaded area below on _____(Month/Day/Year) at _____ **AM/PM** for violation of Section 23152 or 23153 CVC, or Section 191.5(a) or 192(c) of the Penal Code.

PROBABLE CAUSE. Describe in detail the facts and circumstances that led to the stop or contact. If driving was observed by someone other than the arresting officer, what did the observer say? State details on second page of this form hereby incorporated by reference.

Complete shaded area only if driving/collision observed by someone other than arresting officer or arrest done by another officer.

☐ Driving observed ☐ Driver arrested ☐ Collision witnessed By ☐ Another Officer ☐ Citizen	☐ Driving observed ☐ Driver arrested ☐ Collision witnessed By ☐ Another Officer ☐ Citizen
NAME (PLEASE PRINT)	NAME (PLEASE PRINT)
ADDRESS	ADDRESS
TELEPHONE NO. ( ) OFFICER'S BADGE/ID NO. OFFICER'S AGENCY	TELEPHONE NO. ( ) OFFICER'S BADGE/ID NO. OFFICER'S AGENCY

OBJECTIVE SYMPTOMS OF INTOXICATION: ☐ Bloodshot/watery eyes ☐ Odor of alcoholic beverage ☐ Unsteady gait ☐ Slurred speech

☐ Other: _____ Observed by: _____ at _____ AM/PM

CHEMICAL TEST 0.08% OR MORE BLOOD ALCOHOL CONCENTRATION (BAC)

Breath Test Results (Attach copy of the results, if available)

TEST 1 ___% BAC on _____ (DATE) _____ (TIME) AM/PM **TEST 2** ___% BAC on _____ (DATE) _____ (TIME) AM/PM **TEST 3** (WHEN APPLICABLE) ___% BAC on _____ (DATE) _____ (TIME) AM/PM

BREATH TEST MACHINE OPERATOR'S CERTIFICATION: I certify under penalty of perjury under the laws of the State of California, that the above breath test sample results were obtained in the regular course of my duties. I further certify that I am qualified to operate this equipment and that the test was administered pursuant to the requirements of Title 17 of the California Code of Regulations.

Date Signature **X** Badge/ID No. Agcy./Div.

Blood Test Results ☐ Blood Test on _____ (DATE) _____ (TIME) AM/PM

Urine Test Results ☐ Both Breath and Blood tests unavailable. ☐ Drug use suspected.

☐ Urine Test First Void on _____ (DATE) _____ (TIME) AM/PM Test on _____ (DATE) _____ (TIME) AM/PM

I certify under penalty of perjury, under the laws of the State of California, that the information contained on all pages of this Officer's Statement is true and correct.

EXECUTED ON: Date _____ AT: City _____ County _____ State _____

OFFICER'S PRINTED NAME	BADGE/ID NO.	TELEPHONE NO. ( )
AGENCY	AREA	COURT CODE (IF UNKNOWN, COURT NAME)

ISSUE DATE OF ORDER	SIGNATURE OF ARRESTING OFFICER X

I ☐ **did** ☐ **did not personally serve a copy of the Order of Suspension/Revocation to the driver.**

IF ORDER SERVED BY ANOTHER OFFICER: I personally served a copy of the order to the driver on the date shown below:

ISSUE DATE	OFFICER'S PRINTED NAME	BADGE/ID NO.	SIGNATURE OF OFFICER X

DS 367 (REV. 9/2005) White—***DMV*** Yellow—***Law Enforcement*** Pink—***Driver***

continued on reverse

A Public Service Agency

COMPLETE IN BLACK INK

UNDER AGE 21 OFFICER'S STATEMENT

SECTIONS 13353, 13353.1, 13353.2, and 13388 CALIFORNIA VEHICLE CODE (CVC)

APS

FORWARD THIS FORM WITHIN 5 BUSINESS DAYS TO YOUR LOCAL DRIVER SAFETY OFFICE LISTED ON THE BACK OF PAGE 2

LAW ENFORCEMENT AGENCY CASE NO. | DETENTION OR ARREST DATE | **FOR DMV USE ONLY**

DRIVER'S NAME *(LAST, FIRST, M.I.)* | DRIVER LICENSE NO. | CLASS | STATE | **THUMB PRINT** (Right thumb or specify)

MAILING ADDRESS | STATE | ZIP CODE

DOB: Sex: Hair: Eyes: Ht.: Wt.:

Driver License: ☐ Suspended/Revoked ☐ Surrendered to Officer (Attach) ☐ Not in Possession ☐ Unlicensed

☐ **0.01% or more BAC PAS or other Chemical Test Results** ☐ **PAS or other Chemical Test Refusal (Complete reverse)** ☐ **Forced Blood Test (Complete reverse)**

Vehicle Lic. No. or VIN _____ ☐ **COMMERCIAL VEHICLE:** Vehicle operation requires a **commercial** driver license (Section 15210 CVC).

On _____ at _____ **AM/PM** in *(City and County)* _____ CA, the above named driver was:

☐ Driving: ☐ observed by this officer or ☐ the observer shown in the shaded area below, ☐ admitted to driving.

☐ Arrested per Section 40300.5 CVC. **(Describe details in probable cause section on second page.)**

☐ Involved in a collision. **Attach collision report.** In the probable cause section on the second page, describe how time of collision was established.

I had reasonable cause to believe the driver was driving a motor vehicle with alcohol and/or drugs present in the blood or while under the influence. The driver was detained and/or arrested by this officer or as shown in the shaded area below on _____ (Month/Day/Year) at _____ **AM/PM** for violation of Sections 23136, 23140, 23152 or 23153 CVC, or Sections 191.5(a) or 192(c) of the Penal Code.

PROBABLE CAUSE. Describe in detail the facts and circumstances that led to the stop or contact. If driving was observed by someone other than the arresting officer, what did the observer say? State details on the second page of this form hereby incorporated by reference.

COMPLETE SHADED AREA ONLY IF DRIVING/COLLISION WAS OBSERVED BY SOMEONE OTHER THAN ARRESTING OFFICER OR ARREST WAS DONE BY ANOTHER OFFICER.

☐ Driving observed ☐ Driver arrested ☐ Collision witnessed By ☐ Another Officer ☐ Citizen

NAME (PLEASE PRINT) | ADDRESS | TELEPHONE NO. ( ) | OFFICER'S BADGE/ID NO. | OFFICER'S AGENCY

☐ Driving observed ☐ Driver arrested ☐ Collision witnessed By ☐ Another Officer ☐ Citizen

NAME (PLEASE PRINT) | ADDRESS | TELEPHONE NO. ( ) | OFFICER'S BADGE/ID NO. | OFFICER'S AGENCY

OBJECTIVE SYMPTOMS OF INTOXICATION ☐ Bloodshot/watery eyes ☐ Odor of alcoholic beverage ☐ Unsteady gait ☐ Slurred speech

☐ Other: _____ Observed by: _____ at _____ AM/PM

PRELIMINARY ALCOHOL SCREENING TEST 0.01% OR MORE BLOOD ALCOHOL CONCENTRATION (BAC)

Driver submitted to and completed a Preliminary Alcohol Screening (PAS) test with the results of:

TEST 1 ____% BAC on _____ (DATE) at _____ (TIME) AM/PM **TEST 2** (Optional) ____% BAC on _____ (DATE) at _____ (TIME) AM/PM

OFFICER'S CERTIFICATION: I certify under penalty of perjury under the laws of the State of California that (1) I obtained the above PAS test results in the regular course of my duties, (2) I used PAS Model (Name/Number) _____, Serial# _____, Manufactured by _____, (3) I administered this PAS test properly in accordance with the manufacturer's guidelines and instructions, (4) I have received training on the proper operation of this device and administration of the PAS test and am competent and qualified to operate the device, and (5) the device was functioning properly at the time of the test.

Date Signature **X** BADGE/ID NO. Agcy./Div.

CHEMICAL TEST 0.01% BAC OR MORE

Breath Test Results (Attach copy of the results, if available)

TEST 1 ___% BAC on _____ (DATE) (TIME) AM/PM **TEST 2** ___% BAC on _____ (DATE) (TIME) AM/PM **TEST 3** (WHEN APPLICABLE) ___% BAC on _____ (DATE) (TIME) AM/PM

BREATH TEST MACHINE OPERATOR'S CERTIFICATION: I certify under penalty of perjury under the laws of the State of California, that the above breath test sample results were obtained in the regular course of my duties. I further certify that I am qualified to operate this equipment and that the test was administered pursuant to the requirements of Title 17 of the California Code of Regulations.

Date Signature **X** BADGE/ID NO. Agcy./Div.

Blood Test Results: ☐ Blood Test on _____ (DATE) (TIME) AM/PM

Urine Test Results: ☐ Both Breath and Blood tests unavailable. ☐ Drug use suspected.

☐ Urine Test First Void on _____ (DATE) (TIME) AM/PM Test on _____ (DATE) (TIME) AM/PM

I certify under penalty of perjury, under the laws of the State of California, that the information contained on all pages of this Officer's Statement is true and correct.

EXECUTED ON: Date _____ AT: City _____ County _____ State _____

OFFICER'S PRINTED NAME | BADGE/ID NO. | TELEPHONE NO. ( )

AGENCY | AREA | COURT CODE (IF UNKNOWN, COURT NAME)

ISSUE DATE OF ORDER | SIGNATURE OF ARRESTING OFFICER **X**

I ☐ did ☐ did not personally serve a copy of the Order of Suspension/Revocation to the driver.

IF ORDER SERVED BY ANOTHER OFFICER: I personally served a copy of the order to the driver on the date shown below:

ISSUE DATE | OFFICER'S PRINTED NAME | BADGE/ID NO. | SIGNATURE OF OFFICER **X**

DS 367M (REV. 11/2004) White—***DMV*** Yellow—***Law Enforcement*** Pink—***Driver***

continued on reverse

REVISED: 1/31/2018
Effective: 5/3/2007

California State University Chico Police Department
General Orders

CHAPTER 5 – TRAFFIC OPERATIONS
SECTION 510

TRAFFIC AND PARKING CITATION CONTROL & DISMISSAL

510.1 PURPOSE AND SCOPE

This policy outlines the responsibility for traffic and parking citations, and the procedure for dismissal, correction, and voiding of citations.

510.2 RESPONSIBILITIES

It will be the responsibility of a Police Sergeant, or his/her designee, to develop and design all traffic citations (Notice to Appear), in compliance with state law and Judicial Council.

It will be the responsibility of the Parking Supervisor, or his/her designee, to develop and design all parking citations, in compliance with state law, Butte County Court regulations, and the California State University, Chico Code of Regulations.

510.3 DISMISSAL OF CITATIONS – NOTICE TO APPEAR (NTA)

Employees of this agency do not have the authority to dismiss a Notice to Appear once it has been issued. Pursuant to California Vehicle Code §40500(d), only the Court has the authority to dismiss a Notice to Appear once it has been issued.

Any person, including the arresting officer and any member of the officer's department or agency, or any peace officer, who alters, conceals, modifies, nullifies, or destroys, or causes to be altered, concealed, modified, nullified, or destroyed, the face side of the remaining original or any copy of a citation that was retained by the officer, for any reason, before it is filed with the magistrate or with a person authorized by the magistrate or judge to receive a deposit of bail, is guilty of a misdemeanor.

Under no circumstances shall a personal relationship with any officer, public official, or law enforcement agency be grounds for dismissal.

If, after issuing a Notice to Appear, the issuing officer feels that in the “interest of justice” a citation should be dismissed, a written request shall be made to the court on department letterhead, to include the reason for dismissal. The request shall first be approved by the officer’s supervisor, prior to submission to the court.

510.4 DISMISSAL OF CITATIONS – PARKING CITATION

No employee of this agency, other than the First Level–Initial Review Officer, has the authority to dismiss a parking citation, once it has been issued and placed on a parked vehicle. Appeals of parking citations shall be as mandated in California Vehicle Code § 40215.

*CVC 40202(c) states: Once the issuing officer has prepared the notice of parking violation and has attached it to the **vehicle** as provided in subdivisions (a) and (b), the officer shall file the notice with the processing agency. Any person, including the issuing officer and any member of the officer's department or agency, or any peace officer, who alters, conceals, modifies, nullifies, or destroys, or causes to be altered, concealed, modified, nullified, or destroyed the face of the remaining original or any copy of a citation that was retained by the officer, for any reason, before it is filed with the processing agency or with a person authorized to receive the deposit of the parking penalty, is guilty of a misdemeanor.*

CVC 40402(f) states: Under no circumstances shall a personal relationship with any officer, public official, or law enforcement agency be grounds for cancellation.

510.5 VOIDING CITATIONS – NOTICE TO APPEAR

A Notice to Appear may be voided if it was not completed, completed incorrectly, and/or was completed but not issued. All copies of the Notice to Appear shall be submitted to the officer's immediate supervisor for approval of the void. Upon approval, all copies will be submitted to the Records Supervisor, or his/her designee, for filing. Notice to Appear citations are numbered documents, and all numbers must be accounted for. At no time shall the copies be destroyed or discarded.

510.6 CORRECTIONS – NOTICE TO APPEAR (NTA)

In the event that a correction is needed on a Notice to Appear, the officer shall complete a Notice of Correction and Proof of Service form. The original shall be forwarded to the court, the yellow copy shall be filed with the departmental copy of the Notice to Appear, and the pink copy shall be mailed to the recipient of the Notice to Appear. This is in compliance with California Vehicle Code §40505.

510.7 VOIDING CITATIONS – PARKING CITATIONS

A parking citation may be voided if the citation was not completed, completed incorrectly (officer error), or completed but not issued. All copies of the voided citation shall be retained, if the citations are handwritten. Parking citations written from the citation book are numbered documents, and all numbers must be accounted for. A Parking Citation Void form shall be completed for each voided citation. All copies shall be attached to the form. A photocopy of the form shall be made and retained in the Parking Office in the Citation Void Binder. The original shall be mailed to the citation processing agency.

510.8 CORRECTION – PARKING CITATIONS

In the event that a correction is needed on a parking citation, the officer shall complete a Parking Citation Amendment form (located in the parking office) and make two copies. The original shall be mailed to the registered owner, one copy will be retained in the parking office, and the final copy will be sent to the processing agency. This is in compliance with California Vehicle Code §40202(e).

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 5/3/2007

California State University Chico Police Department
General Orders

CHAPTER 5 – TRAFFIC OPERATIONS
SECTION 512

DISABLED VEHICLES

512.1 PURPOSE AND SCOPE

Vehicle Code §20018 specifies that all law enforcement agencies having responsibility for traffic enforcement may develop and adopt a written policy to provide assistance to operators of disabled vehicles within their primary jurisdiction.

512.2 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. If the disabled vehicle is in another agency's jurisdiction, the dispatcher should contact the responsible agency.

512.3 EXTENT OF ASSISTANCE

In most cases, an operator of a disabled vehicle will require assistance. After arrangements for assistance are made, continued involvement by police personnel will be contingent on the time of day, the location, the availability of departmental resources, and the vulnerability of the operator or disabled vehicle.

512.3.1 MECHANICAL REPAIRS

Department personnel shall not make mechanical repairs to a citizen's vehicle.

512.4 PUSH BUMPERS

Push bumpers may be used only in the case of emergencies or legal intervention.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 5/3/2007

California State University Chico Police Department
General Orders

CHAPTER 5 – TRAFFIC OPERATIONS
SECTION 514

ABANDONED VEHICLES

514.1 PURPOSE AND SCOPE

This policy provides procedures for the storage of vehicles parked on CSU, Chico property in violation of Vehicle Code Section 22523 (b).

Vehicle Code Section 22669 gives CSU, Chico Police Department officers authority to store a vehicle parked on CSU, Chico property when officers have reasonable grounds to believe that the vehicle has been abandoned.

514.2 VEHICLE STORAGE

Any vehicle in violation shall be stored by the authorized police towing service, and a Stored Vehicle Report (CHP form 180) will be completed by the officer authorizing the storage of the vehicle.

The Stored Vehicle Report will be submitted to the Records Unit immediately following the storage of the vehicle.

APPROVED

JOHN M. REID
CHIEF OF POLICE

STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

VEHICLE REPORT

CHP 180 (Rev. 2-99) OPI 061

NOTE: CHP 180 IS FURNISHED TO ALL PEACE OFFICERS BY THE CALIFORNIA HIGHWAY PATROL

REPORTING DEPARTMENT	LOCATION CODE	DATE / TIME OF REPORT	NOTICE OF STORED VEHICLE DELIVERED PERSONALLY ☐	FILE NO.
LOCATION TOWED / STOLEN FROM		ODOMETER READING	VIN CLEAR IN SVS? ☐ YES ☐ NO LIC. CLEAR IN SVS? ☐ YES ☐ NO	DATE / TIME DISPATCH NOTIFIED / LOG NO.

YEAR	MAKE	MODEL	BODY TYPE	COLOR	LICENSE NO. ☐ ONE ☐ TWO	MONTH / YEAR	STATE

VEHICLE IDENTIFICATION NO.	ENGINE NO.	VALUATION BY ☐ OFFICER ☐ OWNER ☐ 0-300 ☐ 301-4000 ☐ 4001 + ☐ $

REGISTERED OWNER

LEGAL OWNER ☐ SAME AS R/O

☐ **STORED** ☐ **IMPOUNDED** ☐ **RELEASED** ☐ **RECOVERED - VEHICLE / COMPONENT**

TOWING / STORAGE CONCERN *(NAME, ADDRESS, PHONE)*	STORAGE AUTHORITY / REASON

TOWED TO / STORED AT	AIRBAG? ☐ YES ☐ NO ☐ 1 ☐ 2	DRIVEABLE? ☐ YES ☐ NO ☐ JUNK ☐ UNK	VIN SWITCHED? ☐ YES ☐ NO

CONDITION	YES	NO	ITEMS	YES	NO	ITEMS	YES	NO	ITEMS	YES	NO	TIRES / WHEELS	CONDITION
WRECKED			SEAT (FRONT)			REGISTRATION			CAMPER			LEFT FRONT	
BURNED HULK per 431(c) VC			SEAT (REAR)			ALT. / GENERATOR			VESSEL AS LOAD			RIGHT FRONT	
VANDALIZED			RADIO			BATTERY			FIREARMS			LEFT REAR	
ENG. / TRANS. STRIP			TAPE DECK			DIFFERENTIAL			OTHER			RIGHT REAR	
MISC. PARTS STRIP			TAPES			TRANSMISSION						SPARE	
BODY METAL STRIP			OTHER RADIO			AUTOMATIC						HUB CAPS	
SURGICAL STRIP per 431(b) VC			IGNITION KEY			MANUAL						SPECIAL WHEELS	

RELEASE VEHICLE TO: ☐ R/O OR AGENT ☐ AGENCY HOLD ☐ 22850.3 VC	GARAGE PRINCIPAL / AGENT STORING VEHICLE *(SIGNATURE)*	DATE / TIME

NAME OF PERSON / AGENCY AUTHORIZING RELEASE	I.D. NO.	DATE	CERTIFICATION: I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM LEGALLY AUTHORIZED AND ENTITLED TO TAKE POSSESSION OF THE ABOVE DESCRIBED VEHICLE.

SIGNATURE OF PERSON AUTHORIZING RELEASE	SIGNATURE OF PERSON TAKING POSSESSION

☐ **STOLEN VEHICLE / COMPONENT** ☐ **EMBEZZLED VEHICLE** ☐ **PLATE(S) REPORT**

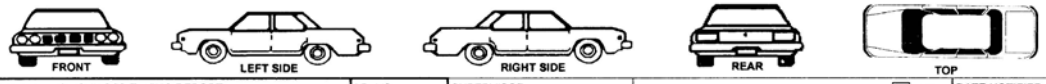
DATE / TIME OF OCCURRENCE	DATE / TIME REPORTED	NAME OF REPORTING PARTY (R/P)	DRIVER LICENSE NO. / STATE

LAST DRIVER OF VEHICLE	DATE / TIME	ADDRESS OF R/P	TELEPHONE OF R/P ( )

I CERTIFY OR DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.	SIGNATURE OF PERSON MAKING REPORT

REMARKS
[LIST PROPERTY, TOOLS, VEHICLE DAMAGE, ARRESTS]

DRIVER'S NAME	ARRESTED / SECTION? ☐ YES ☐ NO	REPORTED BY	CARGO / TYPE? ☐ YES ☐ NO	VALUE $ ☐ BILL OF LADING ATTACHED



SIGNATURE OF OFFICER TAKING REPORT	I.D. NO.	SUPERVISOR	REQUIRED NOTICES SENT TO REGISTERED AND LEGAL OWNERS PER 22852 VC? ☐ YES ☐ NO	DATE NOTIFIED

OSP 99 18768

c180_299.frp

STOLEN / EMBEZZLED NARRATIVE

1. AREA ☐ RURAL ☐ URBAN	2. TAKEN FROM ☐ STREET ☐ PARKING LOT ☐ GARAGE ☐ DRIVEWAY ☐ OTHER _____				3. REGISTRATION IN VEHICLE? ☐ YES ☐ NO
4. WAS NEIGHBORHOOD CHECKED FOR VEHICLE, WITNESSES, CLUES, OTHER CRIMES? ☐ YES ☐ NO	5. PAYMENTS CURRENT? ☐ YES ☐ NO	6. DOORS LOCKED? ☐ YES ☐ NO	7. KEYS IN VEHICLE? ☐ YES ☐ NO		8. ALL KEYS ACCOUNTED FOR? ☐ YES ☐ NO
9. WHEN WAS VEHICLE LAST SERVICED?	10. WHERE?			11. IS THIS THE USUAL MECHANIC? ☐ YES ☐ NO	
12. RECENTLY LEFT IN PARKING GARAGE OR PARKING VALET SERVICE? ☐ YES ☐ NO	13. IF YES, WHERE?			14. VEHICLE EQUIPPED WITH ORIGINAL ENGINE? ☐ YES ☐ NO ☐ UNK	
15. ORIGINAL TRANSMISSION? ☐ YES ☐ NO	16. ORIGINAL PAINT? ☐ YES ☐ NO	17. IF ANSWER TO 14, 15, OR 16 IS NO, PROVIDE ADDITIONAL INFORMATION, SERIAL NO., ORIGINAL COLOR, ETC.			
18. HAS VEHICLE BEEN PREVIOUSLY INVOLVED IN AN ACCIDENT? ☐ YES ☐ NO	19. IF YES, HAS DAMAGE BEEN FIXED? ☐ YES ☐ NO		20. PARTS DAMAGED		
21. FACTORY EQUIPPED RADIO? ☐ YES ☐ NO	22. IF NO, MAKE AND SERIAL NO.		23. DOES VEHICLE HAVE LOCKING GAS CAP? ☐ YES ☐ NO		
24. IS VEHICLE FULLY INSURED? ☐ YES ☐ NO	25. NAME / ADDRESS OF INSURANCE COMPANY				

26. NAME / ADDRESS OF NEAREST RELATIVE NOT LIVING WITH R/P

27. IDENTIFYING MARKS, BUMPER STICKERS, ADD ON EQUIPMENT, ETC.

28. SUSPECT NAME		DRIVER LICENSE NO. / STATE	ADDRESS	
HEIGHT	WEIGHT	EYES	HAIR	MISC.

RECOVERY NARRATIVE

29. NAME, DATE AND CASE NUMBER OF REPORTING AGENCY

30. AREA RECOVERED ☐ RURAL ☐ URBAN	31. DESCRIPTION OF RECOVERY AREA		32. RECOVERY ☐ COMPLETE ☐ PARTIAL
33. ANY EVIDENCE LOCATED? ☐ YES ☐ NO	34. WITNESSES, CLUES AND OTHER CRIMES		35. HAVE MISSING, IDENTIFIABLE PARTS BEEN ENTERED IN SVS? ☐ YES ☐ NO

COMPONENT RECOVERY

36. DESCRIPTION	37. SERIAL NO.

NARRATIVE

REVISED: 1/31/2018

California State University Chico Police Department
General Orders

CHAPTER 5 – TRAFFIC OPERATIONS
SECTION 516

ADMINISTRATIVE PER SE LAW (APS)

516.1 PURPOSE AND SCOPE

This policy provides for the immediate suspension of California Driver's Licenses in certain “Driving Under the Influence” (DUI) cases and in "Zero Tolerance" incidents. Vehicle Code §§23157(e) and (g), and 23158.5 require that peace officers immediately suspend driving privileges in certain situations involving arrests for violations of Vehicle Code §§23152 and 23153. This policy also describes the policy dealing with "Zero Tolerance" laws.

516.2 SUSPENSION OF CALIFORNIA DRIVER'S LICENSES

The driver's license of a person suspected of driving under the influence of alcohol shall immediately be suspended under any of the following circumstances:

- The arrestee refuses to submit to a chemical test.
- The arrestee fails to complete the selected test.
- The arrestee declines a breath test and demands a blood or urine test, and the arresting officer has reasonable cause to believe that the arrestee's Blood Alcohol Content (BAC) will exceed the .08% level for persons 21 years of age and older or .05% for persons under the age of 21 years.
- The arrestee completes the breath tests, which show a BAC of .08% or higher for persons 21 years of age or older or .05% for persons under the age of 21.

516.2.1 ZERO TOLERANCE LAW

Vehicle Code §§23136 & 23140 were enacted to reduce alcohol-related incidents by persons under the age of 21. A person under 21 years of age may have his or her license suspended under the following circumstances:

- When suspected of consuming alcohol and refusing a PAS test.
- When the suspect has a blood-alcohol level of .01 percent or greater.

Zero Tolerance requires the PAS device as the primary test. If the device is not available, one of the other chemical tests must be completed. Under Zero Tolerance, only the PAS device result is required. If the driver's PAS result warrants arrest and further chemical testing, the DMV does not require completion of the "Chemical Test" section of the DS367m form. Once the PAS certification is complete, the Zero Tolerance requirement has been met.

516.3 PEACE OFFICER'S RESPONSIBILITY

In any of the above situations, the peace officer, acting on behalf of the Department of Motor Vehicles, may do the following:

- Confiscate any California Driver's License(s) in the possession of the driver.

- If the subject has an APS temporary license document, do not confiscate. Complete and serve the "Administrative Per Se Order of Suspension" [DMV form DS367, DS367m or DS367s (Officer's Statement and Order of Suspension)] 4th page on the driver, regardless of license status.
- The officer will inform the driver that the "Administrative Per Se Order of Suspension" form DS367, DS367m or DS367s, along with his/her violator's "Notice to Appear" (except "Zero Tolerance"), or other release from custody document will serve as the driver's temporary license.
- If the driver's privilege to drive is suspended or revoked, the order will not serve as a valid temporary driver's license.
- If the subject presents an APS suspension order/temporary license, do not confiscate the existing order, and do issue another order pursuant to the current DUI arrest.

516.4 DEPARTMENT OF MOTOR VEHICLES NOTIFICATION

The following specified items must be forwarded to the Department of Motor Vehicles within five regular business days:

- Officer's Statement Form DS367 or DS367m (Minor) or DS367s (Spanish).
- Order of Suspension (Form DS367, DS367m or DS367s), pages 2 and 3.
- Copy of the printout of the breath test (if taken).
- Traffic collision report, if applicable.
- The offender's driver's license, if confiscated.

516.5 PROCESSING OF FORMS

In order to ensure that the DMV and Police Department forms are routed properly, the following responsibilities are identified:

- The supervisor responsible for approving reports shall collect the documents described in §516.4, review for completeness (dates, times, signatures, etc.), and forward the originals of the documents to the Dispatch/Records Unit.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 5/3/2007

California State University Chico Police Department
General Orders

CHAPTER 6 – INVESTIGATIONS OPERATIONS
SECTION 600

INVESTIGATIONS UNIT

600.1 PURPOSE & SCOPE

This order outlines the duties and responsibilities of officers assigned to the Investigations Unit, and establishes a system of case screening and assignment. This order also establishes procedures for the use of investigative techniques.

It shall be the policy of this Department to conduct thorough investigative follow-up on all crimes against persons and major property crimes, in an attempt to successfully identify and prosecute violators.

600.2 INVESTIGATIONS UNIT ORGANIZATION

The Investigations Unit shall consist of one investigator, and will be supervised by the Community Services' Sergeant, or his/her designee.

The investigator shall be assigned to work 0800 to 1700 Monday through Friday unless special circumstances require a change and the change has been approved by the Chief of Police.

600.3 INVESTIGATOR DUTIES

The primary function of the Investigations Unit is the prompt, efficient, and effective investigation of serious crimes that occur on the campus, identification and apprehension of individuals committing those crimes, and the preparation of those cases for prosecution.

Duties normally performed by individuals assigned to the Investigations Unit include:

- Working with the Community Services Unit and outreach programs in identifying, developing, marketing, and presenting crime prevention programs that address University needs.
- Developing and conducting ongoing analysis of University crimes and crime suppression tactics to reduce criminal opportunities.
- Maintaining criminal activity trend information, and submitting that information to the unit supervisor.
- Updating and briefing Patrol on all requirements and changes instituted by the District Attorney's Office, conducting periodic training on new laws, court decisions, investigative and interview procedures, evidence-gathering techniques, and other appropriate investigative or crime prevention information.
- Maintaining close liaisons with Patrol, and updating and briefing Patrol personnel on criminal activity and the status of follow up investigations, where appropriate.
- Investigating all criminal cases, as assigned, and submitting follow-up supplements documenting all actions taken.
- Reviewing preliminary investigation reports for thoroughness and accuracy.
- Conducting background investigations on candidates for officer, dispatcher, and CSO, as assigned by the Chief of Police.

- Submitting monthly reports to the Chief of Police indicating the status of all cases assigned, cases filed, and other activities performed during the month.
- Acting as liaisons with, and providing assistance to, other law enforcement agencies or elements of the criminal justice system.
- Providing victim/witness assistance information and support.

600.4 INVESTIGATOR'S RESPONSE

The procedure for notifying an Investigator will be as follows:

- The Patrol Supervisor will request that the Dispatcher contact the Community Services' Sergeant/designee, to be advised of the incident.
- The Community Services' Sergeant/designee, will determine if an Investigator should respond to the scene.
- Investigator is provided with department cell phones.
- Should the Investigator not be available to take a call during a given time period, they will notify the on-duty Dispatcher who will note this circumstance for other Dispatchers.
- If the Community Services' Sergeant/designee cannot be located when needed, the Patrol Supervisor will request that the Dispatcher directly contact the Investigators.
- If no Department members are available for response, and it is a serious crime requiring investigative expertise, the Chico Police Department and/or DOJ should be contacted, and a request made for one of their Investigators to respond.

Incidents where an Investigator should be notified and requested to respond include:

- All shootings;
- Incidents involving serious injuries or death;
- Incidents involving extensive evidence, or where immediate follow-up is needed and the Patrol Officers do not have the resources to conduct the follow-up;
- Armed robberies;
- Explosions;
- Arson with extensive damage or evidence to be collected;
- Serious, sexually-motivated student assaults by unknown subjects;
- All sexual assaults and child molestation cases.

Investigators should be notified about the following types of cases, for consultation and a determination whether response is necessary:

- Domestic violence;
- Stalking;
- Felony computer crimes.

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.

When an Investigator arrives on the scene, he/she will assume the responsibility for the crime scene and investigation unless relieved by a higher authority.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 5/3/2007

California State University Chico Police Department
General Orders

CHAPTER 6 – INVESTIGATION OPERATIONS
SECTION 602

ASSET FORFEITURE POLICY

602.1 PURPOSE AND SCOPE

This policy describes the authority and procedure for the seizure and liquidation of assets associated with specified controlled substances. This policy applies to forfeited or seized assets in the form of currency, real estate, automobiles, boats, aircraft, or any other items of value.

602.2 ASSET SEIZURE AUTHORITY

California Health & Safety Code §11470 provides for the forfeiture of any currency, real and/or personal property, which represents proceeds or was used to facilitate narcotic activity in violation of the California Health & Safety Code. The offense(s) must involve the manufacturing, distribution, transportation for sale, sales, possession for sale, offer for sale, offer to manufacture, or the conspiracy to commit certain California Health & Safety Code violations.

California Health and Safety Code §11488a specifies that any peace officer having probable cause, may seize all moneys, negotiable instruments, securities, vehicles, boats, airplanes, or other things of value which are forfeitable pursuant to California Health and Safety Code Sections11470 (e) or (f).

602.2.1 MINIMUM GUIDELINES

The following guidelines identify the minimum amounts or values required to seize currency, real and/or personal property, pursuant to California Health & Safety Code § 11470:

- Five hundred ($500.00) dollars or more in currency or other negotiable instruments that are proceeds of narcotic activity.
- Vehicles, i.e. cars, trucks, motorcycles, boats, or airplanes used as a conveyance, with a low blue book value of three thousand ($3,000.00) dollars or more. (See special guidelines in §602.2.2 below.)
- Evidence of other assets or property in excess of three thousand ($3,000.00) dollars in value, used to facilitate the manufacturing, distribution, and/or sales of controlled substances.
- One hundred thousand ($100,000.00) dollars in equity of real property (house/condo), in violation of Health & Safety Code §§11366, 11366.5, or 11366.6.

602.2.2 SPECIAL GUIDELINES APPLICABLE TO AUTOMOBILES

Special guidelines apply regarding the minimum amounts of controlled substances contained in a vehicle in order for it to be seized as a conveyance used to facilitate narcotic activity. The minimum amounts of controlled substances within a vehicle are as follows:

(a) 14.25 grams (1/2 oz) or more of cocaine base or a substance containing heroin.
(b) 28.5 grams (1 oz) or more of cut cocaine or methamphetamine.
(c) 57.0 grams (2 oz) of a substance containing cocaine or methamphetamine.
(d) 10 pounds of marijuana, peyote or psilocybin.

602.3 ASSET FORFEITURE PROCEDURE

Before seizing any currency, vehicle, or personal property pursuant to California Health & Safety Code §11470, a patrol officer should contact a Detective. The following guidelines will be observed:

- The seizing officer or the Detective will complete a Notice of Seizure and Intended Forfeiture (AF1), and will serve each involved party with a County of Origin Claim Form Opposing Forfeiture (MC-200) and a Forfeiture Receipt (the second page of the AF1).
- A Disclaimer (AF3) will be completed for all persons disclaiming ownership of the currency, vehicle, or property seized.
- The seizing officer or the Detective will contact the Butte County District Attorney's Asset Forfeiture Unit to obtain the next Asset Forfeiture case number. The Asset Forfeiture case number is entered after the agency case number on the AF3 form (under "Agency No."), and is also entered on the AF1 form under "D.A. No."
- Use a separate AF1 form for each asset. Currency, regardless of denomination, is counted as one asset.
- The officer need not complete the MC-200 form; a blank copy should be provided to each involved person. However, once the officer provides the person with the MC-200 form, the officer should date and initial the AF1 form next to where it says "A "Claim Opposing Forfeiture" Was Served _____".
- When someone other than the Asset Forfeiture Investigator has made the notification, a copy of all reports and all applicable asset forfeiture paperwork must be forwarded to the Asset Forfeiture Investigator, for review.
- Interview all persons involved concerning their possession of the seized assets, financial situation, employment, income, and other resources. If a defendant was not given a Miranda waiver before an interview regarding assets, the Detective will conduct a further criminal interview as necessary.
- Attempt to promptly determine all lien holders or all persons who may have a legal interest in the seized currency, vehicle, or property for further contact, investigation, and notification.
- The seizure of assets subject to forfeiture is a civil proceeding, filed through the county of origin, Office of the District Attorney, Asset Forfeiture Unit or Narcotic Enforcement Team.
- Once the police report is completed, forward the original AF1 and a copy of the police report to the Butte County District Attorney's Asset Forfeiture Unit.
- Forward any seized currency to the Butte County District Attorney's Asset Forfeiture Unit in the form of a check.

602.3.1 SEIZED PROPERTY

Property seized subject to forfeiture will be inventoried and booked into Property. The property will be checked through the Automated Property System to determine if the property has been stolen.

The property will be booked as evidence, with the notation in the comment section of the property form, "Seized Subject to Forfeiture." Property seized subject to forfeiture should be booked on a separate property form; no other evidence from the case should be booked on the same form.

602.3.2 SEIZED CURRENCY

Currency seized subject to forfeiture will be counted by the seizing officer and a supervisor. The currency will be placed in a money envelope with the denomination of the currency, totals of each denomination, and total amount of currency enclosed noted on the money envelope. The officer counting, and supervisor verifying, will initial and sign the money envelope when sealed. If the currency will not fit into a standard money envelope, place the currency in a larger envelope or bag, sealing and affixing a completed money envelope to the outside of the larger envelope or bag which contains the currency.

Currency seized will be given to and retained by a supervisor, for deposit into the CSU, Chico Litigation Trust Fund. If there is a need to book the currency into the Chico State Police Department Property Office, the currency will be booked and photographed on a single Property Form noting "subject to asset forfeiture" in the comments section of the Property Form. The seizing officer shall notify the Investigation Unit Supervisor of the currency booked into property and circumstances of the seizure, as soon as possible.

602.3.3 SEIZED VEHICLES

Vehicles seized subject to forfeiture will be taken to a designated secure storage facility. A seized vehicle should not be impounded. The officer seizing the vehicle shall notify the Investigation Supervisor of the seizure of the vehicle and circumstances of the seizure, as soon as possible. All vehicles will be photographed on all four sides when booked into evidence.

If the vehicle cannot be driven, a tow truck will be used to tow the vehicle to the storage facility.

Personal property located in a seized vehicle shall be removed and booked into Property as either evidence or for safekeeping.

602.4 ASSET FORFEITURE LOG

A computerized inventory of all asset forfeiture cases shall be kept in the Investigation Unit. The inventory shall include the following:

- Case number
- Date of seizure
- Value
- Type of Seizure (Federal or State)
- Status of the seizure

Information maintained in this inventory will be provided to the Chief of Police or authorized staff, as requested.

602.5 PROCEEDS FROM FORFEITURE

Equitable shares received from seized assets shall be maintained in separate funds and shall be subject to accounting controls and annual financial audits.

APPROVED

JOHN M. REID
CHIEF OF POLICE

Michael L. Ramsey
DISTRICT ATTORNEY
25 County Center Dr., Oroville, CA 95965 (530)538-7411 / FAX(530)538-7071

ASSET FORFEITURE UNIT

County of Butte

RECEIPT FOR PROPERTY SUBJECT TO FORFEITURE and PERSONAL NOTICE RE: FORFEITURE

Date filled out:_____ Police Agency: _____ D.A. No. _____

Party Seized From:_____

Seizure Location:_____

On (date of seizure):_____ at the above location, officers of the above police agency seized property for forfeiture related to a violation of the following California Health and Safety Code section(s): _____. The estimated or appraised value of the property is (insert dollar value): $_____. The property is described as follows: [List the property or write in "See attached list," and attach a property list.]

Pursuant to Section 11488 et. seq., of the California Health and Safety Code, procedures to forfeit this property are underway. If you claim a legal bona fide possessory interest in this property, **AND YOU HAVE BEEN SERVED WITH THIS FORM, YOU MUST, WITHIN THIRTY (30) DAYS, FILE A VERIFIED CLAIM (Signed under penalty of perjury) WITH THE BUTTE COUNTY SUPERIOR COURT,** 655 Oleander Avenue, Chico, CA 95926. **YOU MUST ALSO, WITHIN THIRTY (30) DAYS OF FILING THE VERIFIED CLAIM, SERVE AN ENDORSED (File stamped) COPY OF SAID CLAIM ON THE OFFICE OF THE DISTRICT ATTORNEY, ATTENTION: ASSET FORFEITURE UNIT,** 25 County Center Dr., Oroville, CA 95965. A form for the filing of a "Claim Opposing Forfeiture" has been developed by the Judicial Council and may be obtained from the Butte County Superior Court, 655 Oleander Avenue, Chico, CA 95926, OR, you may wish to consult with an attorney. The District Attorney Case No. above has been assigned to this action. Please reference all communications to the District Attorney regarding this action to the number above. **FAILURE TO FILE YOUR CLAIM WITHIN THIRTY (30) DAYS OF RECEIPT OF ACTUAL SERVICE OF THIS FORM, OR FAILURE TO SERVE AN ENDORSED COPY OF THE "CLAIM OPPOSING FORFEITURE," WITHIN THIRTY (30) DAYS OF THE FILING OF SAID CLAIM WILL RESULT IN A DECLARATION OF FORFEITURE OF SAID PROPERTY TO THE PEOPLE OF THE STATE OF CALIFORNIA BY THE DISTRICT ATTORNEY.** Said property will be disposed of pursuant to the applicable California Health and Safety Code provisions.

MICHAEL L. RAMSEY
District Attorney

By: _____
(Officer Serving Form)

A "CLAIM OPPOSING FORFEITURE" WAS SERVED_____

DECLARATION OF PERSONAL SERVICE

I, (officer serving form), _____, the undersigned, declare under penalty of perjury, on information and belief and under the laws of the State of California, the following is true and correct. I am over eighteen (18) years of age and not a party to the aforementioned action. On (date of service),_____, I personally served this RECEIPT FOR PROPERTY AND PERSONAL NOTICE RE: FORFEITURE, by hand delivering a copy of the aforementioned document to the party named herein (served at location-address, etc. below),

_____.

Executed on: (date) _____, at (place signed),_____, California,

By: (Signature of Officer above) _____, of (Police Agency), _____.

AF1(revised 8/2003)

MC-200

ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name, state bar number, and address)*:	*FOR COURT USE ONLY*
TELEPHONE NO.: E-MAIL ADDRESS *(Optional)*: FAX NO. *(Optional)*: ATTORNEY FOR *(Name)*:	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
THE PEOPLE OF THE STATE OF CALIFORNIA	
CLAIMED PROPERTY:	
CLAIMANT *(NAME)*:	
CLAIM OPPOSING FORFEITURE (Health & Saf. Code, § 11488.5) ☐ In response to a judicial petition for forfeiture *(use existing case No.)* ☐ In response to notice of administrative proceedings	CASE NUMBER:

1. Claimant *(name)*:
is an ☐ individual ☐ corporation ☐ other *(specify)*:

2. Claimed property *(describe)*:

3. Value of claim is ☐ $5,000 or less ☐ $5,001 or more (Health & Saf. Code, § 11488.5(a)(3).)

NOTICE

1. You must file your claim within 30 days after you receive personal or mailed notice that your property may be forfeited. If you do not receive personal or mailed notice, you must file your claim within 30 days after notice is first published in a newspaper.
2. Your claim must be filed in the county where the property was seized. If the property was not seized, file your claim in the county where the property is located. If you have received a notice, you can find the address of the court on that notice.
3. Within 30 days after filing your claim, serve a copy on the District Attorney or Attorney General. The copy must have the court clerk's filing stamp on it.

This notice is urgent. If you do not understand it, you must seek help.

AVISO

1. *Usted debe presentar su demanda dentro de los 30 días siguientes a la fecha en que recibe, personalmente o por correo, el aviso de que sus bienes pueden ser confiscados. Si no recibe dicho aviso, deberá presentar su reclamo dentro de los 30 días siguientes a la fecha en que el aviso está publicado por vez primera en un periódico.*
2. *Su demanda debe presentarse en el condado donde fueron confiscados los bienes. Si los bienes no han sido confiscados, presente su demanda en el condado donde están ubicados los bienes. Si ha recibido el aviso, busque la dirección de la corte en el aviso.*
3. *Dentro de los 30 días siguientes a la fecha en que presentó su demanda, envíe una copia de la notificación judicial a la oficina del Fiscal (District Attorney) o del Procurador General (Attorney General). La copia debe llevar el sello del actuario de la corte encargado de recibir las demandas.*

Esta notificación es urgente. Si usted no la entiende, debe pedir ayuda.

Form Approved for Optional Use
Judicial Council of California
MC-200 [Rev. January 1, 2002]

CLAIM OPPOSING FORFEITURE

Health and Safety Code, § 11488.5

American LegalNet, Inc.
www.USCourtForms.com

CLAIMANT *(Name)*:	CASE NUMBER:
CLAIMED PROPERTY:	

4. Claimant has an interest in the claimed property. Claimant
   a. ☐ is the owner. *For vehicles (cars, boats, planes, etc.) only*: ☐ registered owner ☐ legal owner
   b. ☐ has a security interest or is a lien holder ☐ has a right to possess.
   c. ☐ is the personal representative of the estate of the owner, lessee, or secured party.
   d. ☐ other *(specify)*:

5. Claimant's interest in the right to or value of the claimed property is
   a. ☐ all ☐ part *(specify nature, amount, or percentage)*:

   b. ☐ unknown.

6. **Claimant requests**
   a. ☐ that the claimed property not be ordered forfeited.
   b. ☐ that claimant's interest in the claimed property not be ordered forfeited.
   c. ☐ costs of suit.
   d. ☐ other *(specify)*:

7. ☐ Number of pages attached: _____

Date:

(TYPE OR PRINT NAME) ▶ (SIGNATURE OF CLAIMANT)

VERIFICATION

I am the claimant in this proceeding and have read this claim. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: ▶ (SIGNATURE OF CLAIMANT)

MC-200 [Rev. January 1, 2002] **CLAIM OPPOSING FORFEITURE** Page 2 of 2

MICHAEL L. RAMSEY
DISTRICT ATTORNEY

ASSET FORFEITURE UNIT
COUNTY OF BUTTE

25 County Center Drive
Oroville, California 95965-3385
Telephone: (530) 538-7411
Fax No. (530) 538-7071

DISCLAIMER FOR PROPERTY SUBJECT TO FORFEITURE

Date:_____ Agency No._____

By (Officer)_____ On (Date of seizure):_____,

at (Address of seizure):_____

Officers of the (Agency): _____

seized property for forfeiture in connection with controlled substance violation(s), to wit:_____,

of the California Health and Safety Code. The estimated/appraised value of the property is $_____.

The seized property is described as follows:

I have been advised that pursuant to Section 11469, *et seq.* of the California Health and Safety Code, procedures to forfeit this property WITHOUT JUDICIAL PROCEEDINGS are hereby underway.

I hereby declare that I AM NOT the owner of the described property. I have NO legal interest in the described property.

I personally waive any and all requirements of notice relative to the forfeiture proceedings against the described property above and since I have no interest in it at all, I certainly agree that any interest I may have can and will be forfeit to the State of California without any further Notice to me (By making this statement I am agreeing to give up the right to file a Claim Opposing Forfeiture to any of the property described above).

To the best of my knowledge, the described property is owned by the following party/parties:

_____

BY SIGNING THIS DISCLAIMER I HEREBY STATE I HAVE NO INTEREST IN THE SEIZED PROPERTY AND SUCH DISCLAIMER IS GIVEN FREELY AND VOLUNTARILY WITHOUT FORCE OR DURESS TO ME OR ANYONE DEAR TO ME.

By: _____

Agency No

AF 3 (Rev 10/2002)

REVISED: 1/31/2018
Effective: 5/3/2007

California State University Chico Police Department
General Orders

CHAPTER 6 – INVESTIGATION OPERATIONS
SECTION 604

CONFIDENTIAL INFORMANTS

604.1 PURPOSE AND SCOPE

In many instances, a successful investigation cannot be conducted without the use of confidential informants. To protect the integrity of the CSU, Chico Police Department and the officers using informants, it shall be the policy of the CSU, Chico Police Department to take appropriate precautions by developing sound informant policies.

604.2 INFORMANT FILE SYSTEM

The Investigations Unit Supervisor, or his or her designee, shall be responsible for maintaining informant files. A separate file shall be maintained on each confidential informant.

604.2.1 FILE SYSTEM PROCEDURE

Each file shall be coded with an assigned informant control number. An informant history shall be prepared to correspond to each informant file, and should include the following information:

- Informant's name and aliases
- Date of birth
- Physical description: height, weight, hair color, eye color, race, sex, and any scars, tattoos or other distinguishing features
- Current home address and telephone numbers
- Current employer, position, and work address and telephone number
- Vehicles owned, and registration information
- Places frequented
- Informant's photograph
- Brief synopses of information provided by the informant, and his or her subsequent reliability. If an informant is determined to be unreliable, the informant's file is marked "Unreliable"
- Name of the officer initiating use of the informant, and the case number the informant is providing information about
- Signed informant agreement
- Update on “active” or “inactive” status of the informant

The informant files shall be maintained in a secure area within the Investigations Unit. These files shall be used in order to provide a source of background information about the informant; enable review and evaluation of information given by the informant; and

minimize incidents that could be used to question the integrity of Detectives or the reliability of the confidential informant.

Access to the informant files shall be restricted to the Investigations Unit Supervisor and his/her designees.

604.3 USE OF INFORMANTS

Before using an individual as a confidential informant, an officer must receive approval from the Investigations Unit Supervisor. The officer shall compile sufficient information to determine the reliability and credibility of the individual.

604.3.1 JUVENILE INFORMANTS

The use of minor informants under the age of 13 is prohibited. Except as provided for in the enforcement of the Tobacco Enforcement Act, Business & Professions Code §§22950, et seq., the use of any minor informant between the ages of 13 and 18 years is only authorized by court order obtained pursuant to Penal Code §701.5.

For purposes of this policy, a "minor informant" means any minor who participates, on behalf of this agency, in a prearranged transaction or series of prearranged transactions with direct face-to-face contact with any party, when the minor's participation in the transaction is for the purpose of obtaining or attempting to obtain evidence of illegal activity by a third party, and where the minor is participating in the transaction for the purpose of reducing or dismissing a related pending juvenile petition against the minor.

604.4 GUIDELINES FOR HANDLING CONFIDENTIAL INFORMANTS

All confidential informants are required to sign and abide by the provisions of the Informant Agreement utilized by the Butte County District Attorney's Office. The officer using the confidential informant shall discuss each of the provisions of the agreement with the confidential informant. Details of the agreement are to be approved in writing by the Investigations Unit Supervisor before being finalized with the confidential informant.

604.4.1 RELATIONSHIPS WITH CONFIDENTIAL INFORMANTS

No member of the CSU, Chico Police Department shall knowingly maintain a social relationship with a confidential informant while off duty, or otherwise become intimately involved with a confidential informant. Members of the CSU, Chico Police Department shall not solicit nor accept gratuities nor engage in any private business transaction with a confidential informant.

To maintain Officer/Informant integrity, the following guidelines must be adhered to:

- Officers shall not withhold the identity of a confidential informant from their supervisors.
- Identities of confidential informants shall otherwise be kept confidential.
- Criminal activity by informants shall not be condoned.
- Informants shall be told they are not acting as police officers, employees or agents of the CSU, Chico Police Department, and that they shall not represent themselves as such.
- The relationship between officers and informants shall always be ethical and professional.

- Social contact shall be avoided unless necessary to conduct an official investigation, and such contact must receive prior approval from the Investigations Unit Supervisor.
- Officers shall not meet with informants of the opposite sex in a private place unless accompanied by at least one additional officer, or with prior approval of the Investigations Unit Supervisor. Officers may meet informants of the opposite sex alone in an occupied public place such as a restaurant. When contacting informants of either sex for the purpose of making payments, officers shall arrange for the presence of another officer, whenever possible.

604.5 PAYMENT PROCEDURE

This Department has no confidential informant fund. Compensation to informants, if any, shall be coordinated through the prosecuting attorney's office.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 5/3/2007

California State University Chico Police Department
General Orders

CHAPTER 6 – INVESTIGATION OPERATIONS
SECTION 606

EYEWITNESS IDENTIFICATION POLICY

606.1 PURPOSE AND SCOPE

This department policy establishes guidelines for conducting eyewitness identifications. This procedure applies to all members of the department.

606.2 BACKGROUND

Eyewitness identification procedures are among the most important procedures that law enforcement agencies employ to apprehend and convict criminals. These procedures must be reliable and fair. Police procedures that suggest the guilt of a suspect to a victim or an eyewitness are improper and must be avoided, even where there is other evidence to connect the suspect to the crime. The victim / witness recollection, unaided by outside influence, must govern the identification.

606.2.1 DEFINTIONS

Line-up: An identification procedure in which a suspect is placed in a live group setting and presented to a victim or witness. If a line-up is to be conducted, it should take place as soon as practicable after the arrest of the suspect.

Photographic Line-up: An identification procedure in which a suspect's photograph is placed with other photographs and presented to a victim or witness.

606.2.2 PROCEDURE FOR ATTORNEYS AT LINE-UPS

The suspect is entitled to an attorney at physical line-up, whether charges have been filed or not.

- The suspect must be advised of the right to have an attorney present at the line-up, as soon as possible prior to the line-up, and the suspect should be asked whether or not an attorney has been retained.
- If not, the suspect should be advised that if he/she cannot afford an attorney, one will be provided free of charge.
- If the suspect indicates a desire to seek counsel, inform the suspect of the date and time of the line-up, and impress upon the suspect that it is his/her responsibility to have the attorney present at the specified date and time.
- At least one day before the line-up, the suspect should be recontacted and asked if the necessary arrangements for an attorney have been made. If not, the suspect should be advised to contact the Public Defender's Office.
- If the suspect does not have an attorney, and says he/she cannot afford an attorney, contact the District Attorney's Office at (530) 538-7411, so that arrangements can be made for a public defender at the line-up.

- Contact the District Attorney's Office. The District Attorney's Office will contact the Public Defender's Office to ensure the appearance of an attorney from that agency at the line-up.
- If the suspect's attorney does not appear at the line-up, or indicates in any way that an appearance will not be made at the line-up, contact the Deputy District Attorney handling the case, or the District Attorney's Office, before proceeding with the line-up.
- A suspect may waive the right to an attorney at the line-up, but it must be done freely, intelligently, and in writing.

The role of the defendant's attorney is as follows:

- The attorney shall be permitted to observe the procedure, but not to control or obstruct the proceedings.
- The attorney must be permitted to be present at the time the victim or witness makes any statements about the participants in the line-up.
- The attorney should be instructed to remain silent during both the line-up and the victim or witness statements.
- The attorney may speak with any victim or witness after the line-up, but only if the victim or witness agrees to speak with the attorney.
- The victim or witness may be told that there is no obligation to speak with the attorney, but that the victim or witness is free to speak with the attorney if he or she wishes. The officer should request to be present during any discussion between any representative of the defendant and the victim or witness.

606.2.3 LINE-UP PROCEDURE

All line-ups should consist of at least five persons plus the suspect. Persons placed in the line-up should be of approximately similar physical characteristics.

- Factors such as age, height, weight, hair length/color, and physical build should be considered.
- Sex and race should be the same for all participants, except in unusual cases where the characteristic is difficult to replicate (e.g., female impersonator, Asian suspect who looks Indian).

Clothing - Persons placed in the line-up should wear similar clothing.

- If a victim or witness says the suspect wore a distinctive item of clothing, and the item is in police custody, the suspect can be compelled to wear the item.
- Each participant must wear clothing which is similar to that of the suspect.

Officers should not say or do anything to distinguish the suspect from the other line-up participants. The non-suspects in the line-up should be instructed that conduct in the line-up should not single out the actual suspect. The suspect can be instructed to utter specified words, make gestures, or assume a particular pose, if the viewer so desires. All participants should do whatever reasonable act is required of the suspect.

Photographs or videotapes should be taken of all line-ups.

606.2.4 PHOTOGRAPHIC LINE-UP

Except in very rare instances, photographic line-ups should be conducted by investigative personnel only.

There should be at least five (5) photographs in addition to the suspect's photograph. The suspect's photograph should be arranged at random with the other photographs when it is

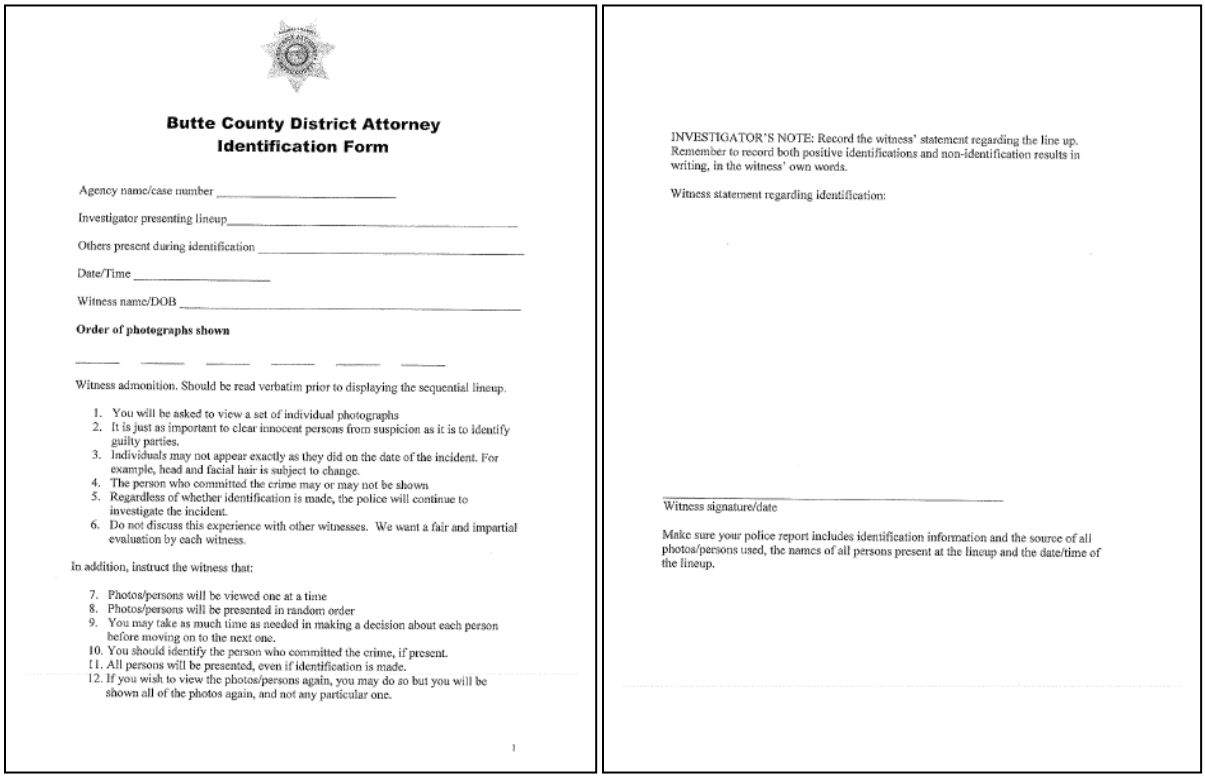
displayed to a victim or witness. An adequate record of each photograph shown in each display must be kept. Photographs must be preserved so that the display can be reconstructed at trial.

Use of a "mug book" is appropriate when there is no particular suspect. To assure an accurate "mug book" identification, a reasonable number of photographs should be shown to a witness. Even if the suspect is selected, a record of all pictures the witness viewed must be made, and this information must be included in the investigation report.

No person has a right to have an attorney present at any pictorial identification procedure, whether it takes place before or after an arrest or before or after criminal proceedings have been initiated against the suspect.

If a detective from another agency conducts a line-up at your request, be sure to personally speak to the detective prior to any preliminary hearing in the matter, so that you will be able to testify to the results of the line-up.

Example of (BCDA) Sequential Line-up Instructions:



Butte County District Attorney
Identification Form

Agency name/case number _____

Investigator presenting lineup_____

Others present during identification _____

Date/Time _____

Witness name/DOB _____

Order of photographs shown

_____ _____ _____ _____ _____ _____

Witness admonition. Should be read verbatim prior to displaying the sequential lineup.

1. You will be asked to view a set of individual photographs
2. It is just as important to clear innocent persons from suspicion as it is to identify guilty parties.
3. Individuals may not appear exactly as they did on the date of the incident. For example, head and facial hair is subject to change.
4. The person who committed the crime may or may not be shown
5. Regardless of whether identification is made, the police will continue to investigate the incident.
6. Do not discuss this experience with other witnesses. We want a fair and impartial evaluation by each witness.

In addition, instruct the witness that:

7. Photos/persons will be viewed one at a time
8. Photos/persons will be presented in random order
9. You may take as much time as needed in making a decision about each person before moving on to the next one.
10. You should identify the person who committed the crime, if present.
11. All persons will be presented, even if identification is made.
12. If you wish to view the photos/persons again, you may do so but you will be shown all of the photos again, and not any particular one.

1

INVESTIGATOR'S NOTE: Record the witness' statement regarding the line up. Remember to record both positive identifications and non-identification results in writing, in the witness' own words.

Witness statement regarding identification:

_____
Witness signature/date

Make sure your police report includes identification information and the source of all photos/persons used, the names of all persons present at the lineup and the date/time of the lineup.

606.3.1 GENERAL PROCEDURES

The victim or witness should always be brought to view the suspect. There are three exceptions to the general rule of "bring the victim or witness to the suspect":

- Probable Cause to Arrest – If you have probable cause to arrest the suspect, you may transport him to the victim or witness for identification. (In re Rafael [1982] 132 Cal.App.3d 977.)

  Note: If there is any doubt as to whether probable cause to arrest exists, do not move the suspect unless consent is obtained or it is impractical to move the victim or witness (see below).

- Consent – If you obtain the valid, voluntary consent of a detainee to move him to the location of the victim or witness for a show-up, the movement is lawful. (People v. Harris [1975] 15 Cal 3d 384,391.)

- Impracticality – If it is impossible or impractical to bring the victim or witness to the suspect, the courts will often permit the movement of the suspect. For example:

  - The Victim or Witness is Injured - If the victim or witness is injured, it is clearly permissible to transport the suspect. (Stoval v. Denno [1967] 388 U.S. 293), (In Re Carlos M. (1990) 220 Cal.App.3d 372.)

  - Availability of Officers is Limited - If the detention occurs in an area where there are not enough officers to secure the scene, pursue other suspects, transport the witnesses, etc., courts have permitted the immediate transportation of the suspect to the victim or witness. (People v. Gatch [1976] 56 Cal.App.3d505.) However, this option should be avoided unless absolutely necessary.

Suggestivity - It is unfair and therefore a violation of due process under the Fifth and Fourteenth Amendments for you to "suggest in any way" to the victim or witness that a suspect to be observed at a line-up or show-up committed the crime.
Suggestiveness Before the Identification – You must avoid any conduct prior to the identification which might be ruled suggestive.

Never tell the witness:

- You caught (or think you caught) the person who committed the crime.
- The victim's property was in the suspect's possession.
- The suspect made admissions or confessed to the crime.
- The person to be observed is a "suspect" (do not use the word "suspect" at all).

Always tell the witness:

- To keep an open mind.
- The person who committed the crime may or may not be among those present.
- Just because the person is in custody does not mean he/she committed the crime (this applies only in situations where it will be obvious that the person is in custody).
- Not to talk to any other victim or witness about the identification.

Officer Conduct – You should not say or do anything during the line-up that would draw the attention of a victim or witness to the suspect. To avoid problems, try not to say or do anything during the identification.

Witness Conduct – When more than one person is to view the line-up, explain that each person must view the line-up separately. Do not permit any witness to hear another's comments at the identification, or to "compare notes" about the description of the suspect(s).

One-on-One Confrontations

A one-on-one confrontation between the suspect and a witness or victim is automatically suggestive because there is only one person to view, and he/she is already in police custody.

Nevertheless, the courts reluctantly make an exception to the general rule (that the suspect deserves a full line-up) because a show-up held shortly after the offense benefits everyone:

- The witness has the culprit's image fresh in mind, so an innocent suspect gets cut loose immediately, and the police can go on with their investigation while the trail is still fresh. (Stoval v. Denno [1967] 388 U.S. 293; People v. Gomez [1976] 63 Cal.App.3d 328.)

The courts will not uphold a line-up if it was too suggestive. In deciding this question, and the lineup's validity, they try to balance all the circumstances, including:

- The witnesses' opportunity to view the perpetrator at the time of the crime (length of time, lighting, distance, etc.)
- The witnesses' degree of attention at the time of the crime (was he/she concentrating to remember the perpetrator's looks).
- The amount of time that passed between the crime and the line-up (this should not be more than an hour or two at the most; however, a four-hour period has been upheld in a case where all of the other factors have been strong).
- The physical set-up of the line-up itself (did the officer say "leading" things, how was the suspect positioned, where was he/she located, etc.).
- The accuracy and detail of the witnesses' prior description.
- The certainty of the witnesses' identification at the line-up. (Neil v. Biggers [1972] 409 U.S. 188; People v. Nash [1982] 129 Cal.App.3d 513.)

> **Example:** The witnesses had an excellent chance to look at the robber for 15 minutes from close distances. Circumstances "encouraged" them to remember his/her face. The show-up took place within 20 minutes at the defendant's motel. Descriptions given were accurate. The identification upheld. (People v. Smith [1980] 112 Cal.App.3d 37.)

> **Example:** A show-up took place 45 minutes after a murder. The defendant was on the curb in handcuffs with many officers and patrol vehicles present. However, the police did not use the word "suspect," specifically advised the witnesses that the murderer might not be the person they would be looking at, and reminded them to keep open minds. The identification was upheld. (People v. Odom [1980] 108 Cal.App.3d 100.)

> **Example:** A show-up took place less than one hour after a rape. The victim had a "clear view" of the perpetrator in daylight. The show-up took place on a city street with the suspect not handcuffed. The victim had given an accurate

description and was positive of her identification. The identification was upheld. (People v. Kilpatrick [1980] 105 Cal.App.3d 401.)

Suggestiveness After the Identification – You must also avoid any conduct after the identification that might be ruled suggestive.

If you tell a witness that he/she has picked the "right" (or "wrong") person, it may jeopardize the admissibility of later in-court identification.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 5/3/2007

California State University Chico Police Department
General Orders

CHAPTER 7 – EQUIPMENT
SECTION 700

AGENCY OWNED & 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 duties. Certain procedures are required, depending on the loss and ownership of the item.

700.2 CARE OF DEPARTMENTAL PROPERTY

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

- Employees shall promptly report to their supervisor any loss, damage to, or unserviceable condition of, any department-issued property or equipment assigned for their use.
- 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, following notice to a supervisor.
- 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.
- Department property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without prior approval of a supervisor.
- 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.

700.3 FILING CLAIMS FOR PERSONAL PROPERTY

Claims for reimbursement for damage to, or loss of, personal property must be made on a department memorandum. 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 will direct a memorandum to the Operations Lieutenant, which will include the results of his/her investigation and whether the employee followed proper procedures. The supervisor's report will address whether reasonable care was taken to prevent the loss or damage.

Upon review and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Chief of Police.

The department will not replace or repair luxurious or overly expensive items (jewelry, exotic equipment, etc.) that are not reasonably required as part of the employees' duties.

Although watches are not a required part of a uniform or mandated in any way to be worn while on-duty, some instances of requesting to file a reimbursement claim may be considered. If a watch is damaged or broken during the course of conducting police duties an officer may file a claim for reimbursement. Upon review of the claim, if approved by administration, a reimbursement of no more than $40.00 may be made regardless of the replacement cost of the watch. In such cases where the replacement cost is less than $40.00 the lesser amount will be reimbursed.

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, whether within or outside the jurisdiction of CSU, Chico, shall report the loss or damage as provided below.

- 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.

700.4.1 DAMAGE BY PERSON OF ANOTHER AGENCY

If employees of another jurisdiction cause damage to real or personal property belonging to CSU, Chico, it shall be the responsibility of any CSU, Chico Police Department officer present, or the CSU, Chico Police Department officer responsible for the Department property, to make a verbal report to his or her immediate supervisor as soon as circumstances permit. The officer shall submit a written report before going off duty, or as otherwise directed by the supervisor. This written report, accompanied by the supervisor's written report, will be forwarded to the Operations Lieutenant, who will notify the Chief of Police.

APPROVED

JOHN M. REID
CHIEF OF POLICE

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California State University Chico Police Department
General Orders

CHAPTER 7 – EQUIPMENT
SECTION 702

VEHICLE MAINTENANCE

702.1 PURPOSE AND SCOPE

Employees are responsible for assisting in maintaining department vehicles so that they are properly equipped, properly maintained, properly refueled, and present a clean appearance.

702.2 DEFECTIVE VEHICLES

When a department vehicle becomes inoperative, or in such need of repair that the safety of the vehicle is compromised, that vehicle shall be removed from service for repair. The Defective Vehicle Report shall be promptly completed by the employee who first becomes aware of the defective condition, and the employee should completely describe the correction needed. The report shall be immediately forwarded to the Fleet Manager (or, in the Fleet Manager's absence, to the on-duty sergeant). The Fleet Manager (or on-duty sergeant) shall make immediate determination as to what action should be taken to have the defect corrected. Upon completion of the repair, the Fleet Manager/Sergeant shall complete the bottom portion of the form and file it in the Fleet file. If monetary charges are involved, a copy of report, plus any invoices, shall be forwarded to the department's budget coordinator.

702.3 VEHICLE DAMAGE DOCUMENTATION

If an employee is involved in a collision, the on-duty supervisor shall be notified immediately and shall respond to the scene. The California Highway Patrol shall be contacted to take the collision report.

Damage to vehicles not related to traffic accidents, and not reportable on a CHP 555 Form, shall be handled by:

- Documenting the circumstances and damages incurred on a memorandum to the supervisor,
- Taking digital photographs and attaching the photographs to the memorandum.

702.4 VEHICLE EQUIPMENT

Certain items shall be maintained in all Department vehicles for emergency purposes and to perform routine duties.

702.4.1 PATROL VEHICLES

Officers shall inspect the patrol vehicles at the beginning of the shift, and ensure that the following equipment, at a minimum, is present in the vehicle:

- 20 emergency road flares

- 2 sticks of yellow crayon or chalk
- 1 Econo blanket
- 1 first aid kit & pocket CPR mask
- 1 Slim Jim (in Sergeant's car)
- 1 leg restraint – RIPP HOBBLE
- 1 orange traffic vest
- 1 Protect Aide Biohazard clean up protection kit
- 1 fire extinguisher
- 1 crime scene tape
- Rubber Gloves

702.4.2 UNMARKED VEHICLES

An employee driving an unmarked Department vehicle shall ensure that the following equipment, at a minimum, is present in the vehicle:

- 1 first aid kit
- 20 flares
- 1 roll of barricade tape

702.5 VEHICLE REFUELING

Absent emergency conditions or supervisor approval, officers driving patrol vehicles shall ensure the vehicle has at least a 1/2 tank of fuel at the end of their shift. Vehicles shall only be refueled at the authorized locations.

702.5.1 AUTHORIZED REFUELING LOCATION/PROCEDURES

The following locations are authorized for refueling of CSU, Chico Police Department vehicles:

- 10-18 Location 1 –Thornton's Chevron located at 360 East Ave.
- 10-18 Location 2 – 76 Station located at 1800 Nord Ave.
- 10-18 Location 3 – Shell Station located at 952 Nord Ave.
- 10-18 Location 4 – George's Valero located at 1295 E. 8th St.
- 10-18 Location 5 – Chevron Station located at 110 Main Street.
- 10-18 Location 6 – Northgate Petroleum (cardlock) located at 2549 Scott Ave. (Pacific Pride Fueling Station)

To use locations 1- 5: Swipe your card at the pump card reader. Enter the assigned PIN number and press enter. Enter the Odometer reading in whole numbers and press enter. When prompted, pump gas. **ONLY** use the regular unleaded fuel (87 octane).

To use location 6: Slide the card at the pump card reader. Enter the assigned PIN number and press enter. Enter the Odometer reading in whole numbers and press enter. Enter the Officer's ID number in the miscellaneous field. When prompted, pump gas. **ONLY** use the regular unleaded (88 octane). **NOTE:** This location is for police units 700, 702 & 705 only.

702.6 WASHING OF VEHICLES

Weather conditions permitting, all police units shall be kept clean at all times and shall be washed as necessary to enhance their appearance.

Employees using a Department vehicle shall remove any trash or debris at the end of their shift. Confidential material shall be removed from the vehicle and shredded.

702.7 CIVILIAN EMPLOYEE USE

Civilian employees using marked vehicles shall contact a sworn officer to have weapons removed before going into service. Civilian employees shall also prominently display the "out of service" placards at all times. Non-sworn employees shall not operate the emergency lights or siren of any vehicle.

APPROVED

JOHN M. REID
CHIEF OF POLICE

CSU CHICO POLICE DEPARTMENT
DEFECTIVE VEHICLE REPORT

TO: Fleet Manager/Sergeant

FROM: _____

DATE/TIME: _____

VEHICLE #: _____

The following defective condition was observed by me on above date/time:

TO BE FILLED OUT BY FLEET MANAGER/SERGEANT:

Fleet Manager Name: _____

Action Taken: (describe work completed): _____

_____

_____

_____

_____

Date Completed: _____ Cost Involved: _____
(send copy to Budget Coordinator)

Fleet Manager/Sergeant Signature: _____

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California State University Chico Police Department
General Orders

CHAPTER 8 – SUPPORT SERVICES
SECTION 800

CRIME PREVENTION/ COMMUNITY INVOLVEMENT

800.1 PURPOSE AND SCOPE

This policy describes the Community Service Unit, and establishes guidelines for the provision of community-related programs and services to be accomplished by all members of the department.

The CSU, Chico Police Department is committed to contributing to the welfare of the campus community. The Community Service Unit supports this commitment through programs designed to anticipate, recognize, and appraise crime risks, and initiate actions to reduce those risks. These programs attempt to promote community involvement, support department activities, and address community perceptions and misperceptions of crime.

800.2 DEPARTMENT INVOLVEMENT

Crime prevention activities are implemented and coordinated through the Community Service Unit, and involve an integrated department response. The assignment of responsibility to an individual does not relieve other employees from being aware of, and involved in, crime prevention activities and programs. All employees should be familiar with the crime prevention and community relations activities and programs offered by the department.

The Community Service supervisor will train employees on various crime prevention programs and techniques, and establish the responsibilities of employees for achieving community relations objectives.

Training needs will be identified through interviews with campus and community representatives, consultations with those involved in internal investigations, and discussions with department supervisors.

The Community Service Unit will focus activities on community relations, crime prevention, and security on campus. Department employees will keep the Community Service supervisor informed of potential problems and concerns of the campus community, either through informing the supervisor directly or documenting information in memorandum form.

800.3 CRIME PREVENTION

The department's crime prevention function is a shared responsibility of all employees, but specific duties are assigned to the Community Service supervisor and the department's Investigators.

The department's crime prevention function provides for the following:

- Targeting crime prevention programs based on the type of crimes that are occurring and location of those crimes as the result of an analysis of crime data by department Investigators or other department employees;
- Targeting crime prevention programs to address community perceptions or misperceptions of crime;
- Evaluating the effectiveness of crime prevention programs through follow-up analysis of crime data and feedback from community members.

The department, through the Chief of Police, will provide input into any new construction plans and projects to identify any security concerns or risks and make recommendations. Additionally, input will be provided into any proposed University policy changes that may affect the safety of the campus community.

800.4 COMMUNITY INVOLVEMENT/COMMUNITY EDUCATION

The Community Service Unit is responsible for the following:

- Coordinating activities with other organizations on campus to educate and raise awareness levels of students, faculty, and staff on personal safety issues.
- Developing and maintaining an inventory of literature for distribution, including brochures, flyers, and newsletters, promoting the department's crime prevention programs and objectives.
- Responding to requests for information from media, faculty, staff, parents, students, and prospective students. Providing problem-solving assistance and answering questions about program goals.
- Establishing liaisons with community organizations and conveying information and suggestions from citizens and community organizations regarding crime prevention to the appropriate individuals within the department.
- Serving as the department's representatives on University advisory boards and ad hoc committees as needed.
- Developing community involvement policies for the department.
- Publicizing the department's crime prevention objectives, problems, and successes.
- Improving the department's practices bearing on police/community interaction.
- Establishing community groups where they are needed.
- Assisting in organizing crime prevention groups in University Housing and areas identified for targeted crime prevention programs, and maintaining liaisons with these and other interested community groups.
- Coordinating department personnel in providing presentations to University departments, office areas, residence halls, fraternities, sororities, campus clubs, organizations, and other interested groups.

The Investigations Unit is responsible for the following:

- Conducting analysis of crime trends, and helping to create and present crime prevention programs based on information learned.
- Presenting community awareness programs in areas such as sexual assault, workplace violence, stalking, hazing, hate crimes, and drug and alcohol abuse.

- Conducting security analyses of workplace environments and residence halls to include suggestions for creating safer environments.
- Providing crime prevention training to employees who work in areas that handle money and/or sales of merchandise.
- Preparing Crime Alert bulletins on known or potential threats to the campus community.

800.5 CRIME ANALYSIS

Crime analysis should provide current, 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 agency's long range planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities.

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 agency'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.

800.6 REPORTS AND SURVEYS

The Community Service Unit supervisor will prepare and submit to the Chief of Police a report that includes, at a minimum, the following elements:

- A description of current concerns voiced by the community;
- A description of potential problems that have a bearing on law enforcement activities within the community;
- A statement of recommended actions that address previously identified concerns and problems; and
- A statement of progress made toward addressing previously identified concerns and problems.

APPROVED

JOHN M. REID
CHIEF OF POLICE

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California State University Chico Police Department
General Orders

CHAPTER 8 – SUPPORT SERVICES
SECTION 802

COMMUNICATION OPERATIONS

802.1 PURPOSE AND SCOPE

The basic function of the communications system is to satisfy the immediate information needs of the law enforcement agency, in the course of both its normal daily activities and during emergencies. The latter situation places the greatest demands upon the communications system, and tests the capability of the system to fulfill its functions. Measures and standards of performance are necessary to assess the effectiveness with which any department, large or small, uses available information technology in the fulfillment of its mission.

802.1.1 FCC COMPLIANCE

CSU, Chico Police Department radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and guidelines.

802.2 COMMUNICATION OPERATIONS

This agency provides 24-hour telephone service to the public for information or assistance that may be needed in emergencies. The ability of citizens to telephone quickly and easily for emergency service is critical. This agency provides access to the "911" system for a single emergency telephone number. This agency has two-way radio capability providing continuous communication between the Dispatch Center and officers on duty.

802.2.1 COMMUNICATIONS LOG

The Dispatch Center is responsible for recording relevant information on calls for criminal and non-criminal service or self-initiated activity. Dispatch personnel shall attempt to elicit as much information as possible to enhance the safety of the officer and assist in anticipating conditions to be encountered at the scene. Desirable information would include, at a minimum, the following:

- incident/case number;
- date and time of request;
- name, address, and telephone number of complainant, if possible;
- type of incident reported;
- location of incident reported;
- identification of officer(s) assigned as primary responder and backup;
- time of dispatch;
- time of officer arrival;
- time of officer return to service; and

- disposition or status of reported incident.

802.3 RADIO COMMUNICATIONS

Operations are more efficient and officer safety is enhanced when dispatchers, supervisors, and fellow officers know the status of officers, their locations, and the nature of calls.

802.3.1 OFFICER IDENTIFICATION

Identification systems are based on the officer's badge number. Employees should use their entire badge numbers when initiating communication with the Dispatcher.

802.3.2 STANDARD RADIO CODES

It is understood that there will be occasions for the use of plain/clear text.

PHONETIC ALPHABET

A – Adam	N – Nora
B – Boy	O – Ocean
C – Charles	P – Paul
D – David	Q – Queen
E – Edward	R – Robert
F – Frank	S – Sam
G – George	T – Tom
H – Henry	U – Union
I – Ida	V – Victor
J – John	W – William
K – King	X – X-Ray
L – Lincoln	Y – Yellow
M – Mary	Z – Zebra

RADIO CODES

10-1	Reception poor
10-2	Reception good
10-4	Acknowledged radio transmission
10-5	Relay information
10-6	Busy
10-7	Out at ___ available (use clear text for location and how to be reached)
10-8	In service
10-9	Repeat transmission
10-10	Secure – Off duty
10-14	Provide transport
10-15	Prisoner in custody (give mileage to dispatch)
10-15X	Female prisoner in custody (give mileage to dispatch)

10-18	Fueling vehicle (give dispatch LOCATION)
10-19	Arrived at station
10-20	Location
10-21	Telephone call
10-22	Cancel
10-23	Standby
10-27	Driver's license information
10-28	Vehicle registration information
10-29	Wants check (person, vehicle, property)
10-33	Alarm
10-37	Can you receive confidential/officer safety information? "Go ahead" or "Standby"
10-39	Message delivered
10-50	Case # for report
10-66	Suspicious circumstances/subject/vehicle
10-85	Area check of specific location
10-97	Arrived at scene
10-98	Finished last assignment
11-44	Coroner/deceased person
11-80	Accident – major injuries
11-81	Accident – minor injuries
11-82	Accident – non injury
11-83	Accident – no details
11-85	Tow truck needed
11-96A	Vehicle stop (no cover required)
11-96	Vehicle stop (cover required)
11-98	Meet with _____
11-99	**OFFICER NEEDS HELP – EMERGENCY!!** (injury or life threatening)

ADDITIONAL CODES

Code 1	Normal response – At your convenience
Code 3	Emergency – Use lights & siren
Code 4	No further assistance needed
Code 5	Stake out
Code 7	Meal Break (give location code)
Code 9	Unlock
Code 10	Bomb threat
Code 30	Deposit (money or bank run)
Code 33	Emergency in progress (DO NOT TRANSMIT – Dispatcher put out 2 alert tones and will activate channel marker)
Code 33-silent	Emergency in progress (**DO NOT TRANSMIT – NO alert tones or channel marker**)
Code B	Dispatcher needs break
Code R	Report Writing – give report number

APPROVED

JOHN M. REID
CHIEF OF POLICE

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California State University Chico Police Department
General Orders

CHAPTER 8 – SUPPORT SERVICES
SECTION 804

FACILITY UNLOCKS

804.1 PURPOSE AND SCOPE

This policy regulates the proper procedure for allowing faculty, staff, and citizens to access locked University facilities and after-hours usage of facilities. This includes special requests made through CSU, Chico Facilities Reservations and CSU, Chico Athletics Department.

804.2 DEFINITIONS AND TERMS

Code 9 is the radio code used to designate a request to unlock any room, office, lab, or other University facility.

Citizen includes students, special interest groups, staff, faculty, or CSU, Chico administrators.

Facility includes any property under the control and jurisdiction of the CSU, Chico Police Department and/or the California State University System.

Employee includes any member of the CSU, Chico Police Department, whether sworn or non-sworn personnel.

Card Access System is a computer program that remotely allows access to specific campus facilities based on the authorization of the card holder.

Legitimate refers to a case-by-case evaluation of the need to access a room or facility based on reason and priority.

804.3 HANDLING REQUEST FOR FACILITY UNLOCK

Requests for unlocks are received by the CSU, Chico Police Department dispatcher, who will determine if the requesting citizen is authorized to use the facility, using the following procedures:

- Any student that has an after-hours pass and current photo I.D. The pass must be a valid CSU, Chico Access Card showing the name, expiration date, and room he/she is authorized to be in. If the pass does not have the required information, or is expired, the dispatcher shall confiscate the pass. An explanation should be given to the individual that he/she will need to be re-issued a valid pass from the instructor, college dean, or department chair. The pass may only be issued for the current semester and must have an expiration date. The

student's name must be clearly printed or typed on the card, and the card filled out correctly.

- Any faculty or staff member that makes a request to enter a room/facility, and it is determined by the dispatcher, or shift supervisor, that the reason is legitimate. Faculty or staff member must have a valid CSU, Chico identification card.

- Requests by citizens to enter a faculty member's office will be honored only after the dispatcher or employee has received confirmation from the faculty member, or if prior arrangements have been made with the faculty member and the CSU, Chico Police Department.

- Posted room lists are located inside the classroom or behind a glass display case, and are on official University letterhead. They must be signed by the instructor, advisor, or dean of the college who has authority over the facility and its intended use.

- The CSU, Chico Police Department employee responding to unlock requests will check the posted room list and the citizen's identification before allowing entry into the room.

- Facility unlocks will be completed depending on employee availability. The requestor will be advised that if an emergency occurs, there will be a delay in completing the request.

- Citizens requiring after-hours access to buildings via the card access program must have pre-approved access from the authorized signer(s) in their department and have submitted the proper Card Access Authorization forms. Citizens that are authorized entry into rooms by using and/or checking out keys after hours may not have authorization for after-hour access to the exterior of any building on the Card Access Program.

- Dispatchers will not unlock/lock any door or building, using the Card Access System, unless an officer is on scene and instructs the dispatcher to do so, or if instructed to do so by FMS locksmith personnel.

APPROVED

JOHN M. REID
CHIEF OF POLICE

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California State University Chico Police Department
General Orders

CHAPTER 8 – GENERAL OPERATIONS
SECTION 806

PROPERTY PROCEDURES

806.1 PURPOSE AND SCOPE

This policy provides for the proper collection, storage, and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and those persons authorized to remove and/or destroy property.

806.2 DEFINITIONS

Property includes all items of evidence, items taken for safekeeping, and found property.

Evidence includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.

Safekeeping includes the following types of property:

- Property obtained by the department for safekeeping, such as a firearm.
- Personal property of an arrestee not taken as evidence.
- Property taken for safekeeping under authority of a law, i.e. Welfare & Institutions Code § 5150 (mentally ill persons).

Found Property includes property found by an employee or citizen that has no apparent evidentiary value, and property for which the owner cannot be readily identified or contacted. Found Property Procedures are located in Section 808.

806.3 PROPERTY HANDLING

Any employee who first comes into possession of any property shall retain such property in his/her possession until it is properly tagged and placed in the designated property locker or storage room, along with the property form. Care shall be taken to maintain the chain of custody for all evidence.

Where ownership can be established as to found property with no apparent evidentiary value, such property may be released to the owner without the need for booking. The property form must be completed to document the release of property not booked, and the owner shall sign the form acknowledging receipt of the item(s).

806.3.1 PROPERTY BOOKING PROCEDURE

The Property Controller has the authority to refuse incorrectly or improperly booked property that does not comply with the “Property/Evidence Packaging Manual”. Once the appropriate changes have been made, the items can be resubmitted to Property for processing.

All property must be booked prior to the employee going off duty unless otherwise approved by a supervisor. Employees booking property shall observe the following guidelines:

- Complete the CSU, Chico Police Department Property page in the PSNet report entry, describing each item of property separately, and listing all serial numbers, any known associated name and other identifying information or markings.
- Print out a copy of the PSNet property page for each item, and attach it to the package or envelope in which the property is stored.
- The original property page shall be submitted with the case report. The property shall be placed in the temporary property locker.
- When the property is too large to be placed in a locker, the item may be retained in the bulk storage area. Place a copy of the PSNet property page into a temporary locker, indicating the location of the property.

806.3.2 NARCOTICS AND DANGEROUS DRUGS

All narcotics and dangerous drugs shall be booked separately using a separate property page. Paraphernalia, as defined by Health & Safety Code § 11364, shall also be booked separately. The officer seizing the narcotics and dangerous drugs shall place them in the temporary evidence lockers. The original property/evidence form will be submitted with the case report, and a copy attached to the evidence bag.

806.3.3 EXPLOSIVES

Explosives that are known or suspected to be armed or live, other than fixed ammunition, should not be retained in the Police Department. All fireworks, railroad flares, or fuses which are considered safe may be temporarily retained at the department pending notification of the State Fire Marshal.

Officers who encounter an explosive device shall immediately notify their immediate supervisor and/or Watch Commander. The Butte County Explosive Ordinance Disposal Team will be called to handle situations involving explosive devices, and all such devices will be released to them for disposal.

806.3.4 EXCEPTIONAL HANDLING

Certain property items require a separate process. The following items shall be processed in the described manner:

- Latent fingerprints are to be placed in a Department of Justice latent print envelope which is completed by the employee collecting the prints. The employee shall prepare the latent print envelope and mail it to the Sacramento Department of Justice for comparison.
- “Elimination Fingerprints” shall be placed directly in a latent fingerprint envelope and either submitted to Department of Justice with the other latent prints collected, or placed into evidence under normal procedures.
- Bodily fluids, such as blood or semen stains on clothing, sheets, or other similar items, shall be air dried prior to booking.
- License plates found not to be stolen or connected with a known crime should be returned to the Department of Motor Vehicles. No formal property booking process is required.
- All bicycles and bicycle frames require a property record. Property pages will be securely attached to each bicycle or bicycle frame. Bicycles taken as evidence shall be tagged and placed in the temporary bicycle storage area in the rear of the department. The officer shall notify the Property Controller or designee for transportation to the evidence warehouse.

- All cash shall be counted in the presence of another officer, placed in a currency pouch and all applicable information shall be filled in on the front of the pouch.

806.3.5 ACCEPTING WEAPONS FOR THE CONVENIENCE OF STORAGE

CSU, Chico Police Department personnel will not accept weapons (firearms, knives, etc.) for the convenience of storage. This includes specific requests made by students, faculty, and staff.

806.4 PACKAGING OF PROPERTY

Certain items require special consideration and shall be packaged separately, as indicated in this policy:

- Narcotics and dangerous drugs.
- Firearms (ensure they are unloaded and booked separately from ammunition).
- Property with more than one known owner.
- Paraphernalia, as described in section 11364 H & S.
- Fireworks.

806.4.1 PACKAGING CONTAINER

Employees shall package all property, except narcotics and dangerous drugs, in a suitable container, appropriate for its size. Knife boxes should be used to package knives, and syringe tubes should be used to package syringes and needles. A property page shall be securely attached to the outside of all items or group of items packaged together.

806.4.2 PACKAGING NARCOTICS

The officer seizing narcotics and dangerous drugs shall retain such property in his/her possession until it is properly weighed, packaged, tagged, and placed in the temporary storage locker, accompanied by a copy of the property page. Prior to packaging, and if the quantity allows, a presumptive test should be conducted on all suspected narcotics. If conducted, the results of this test shall be included in the officer's report.

806.5 RECORDING OF PROPERTY

The Property Controller or designee receiving custody of evidence or property shall record all appropriate information in the Property Manager module of PSNet. This shall include the date and time the property was received and the location where the property is stored.

806.6 PROPERTY CONTROL

Each time the Property Controller or designee receives property or releases property to another person, he/she shall enter this information in the tracking field in the Property Manager module of PSNet. Officers desiring property for court shall contact the Property Controller or designee at least five days prior to the court date. The Lieutenant may call in the Property Controller or designee if an unforeseen circumstance occurs, and the officer was unable to pre-plan the release of the property.

806.6.1 RESPONSIBILITY OF OTHER PERSONNEL

Every time property is released or received, an appropriate entry on the evidence package shall be completed to maintain the chain of possession. No property or evidence is to be released without providing written notification to the Property Controller or designee.

Request for analysis, for items other than narcotics or drugs, shall be completed on the appropriate forms and submitted to the Property Controller or designee. This request may be filled out any time after the booking of property or evidence.

806.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY

The transporting employee will check the evidence out of property, indicating the date and time on the evidence package and the request for laboratory analysis. The Property Controller or designee releasing the evidence must complete the required information in the tracking field in the Property Manager module of psnet. The lab forms will be transported with the property to the Examining Laboratory. Upon delivering the item involved, the officer will record the delivery time on both copies, and indicate the locker in which the item was placed, or the employee to whom it was delivered. The original copy of the lab form will remain with the evidence, and the copy will be returned to the Records Unit for filing with the case.

806.6.3 STATUS OF PROPERTY

Each person receiving property will make the appropriate entry to document the chain of custody. Temporary release of property to officers for investigative purposes, or for court, shall be noted on the evidence package, stating the date, time, and to whom released. The Property Controller or designee shall obtain the signature of the person to whom property is released, and the reason for release. Any employee receiving property shall be responsible for such property until it is properly returned to property or properly released to another authorized person or entity. The return of the property should be recorded on the evidence package, indicating date, time, and the person who returned the property. The Property Controller will be responsible for the tracking of returned property in PSNet.

806.6.4 AUTHORITY TO RELEASE PROPERTY

The Property Controller or designee shall authorize the disposition or release of all evidence and property coming into the care and custody of the department.

806.6.5 RELEASE OF PROPERTY

All reasonable attempts shall be made to identify the rightful owner of found property or evidence not needed for an investigation. Release of property shall be made upon receipt of an authorized release form, listing the name and address of the person to whom the property is to be released. The release authorization shall be signed by the authorizing supervisor, or Property Controller, or designee, and must conform to the items listed on the property form, or must specify the specific item(s) to be released. Release of all property shall be documented on the property receipt form.

Found property and property held for safekeeping will be held for six months. Dispatch personnel shall attempt to contact the rightful owner by telephone and/or mail. Property not claimed within 90 days after notification will be auctioned or destroyed. The Property Controller or designee shall be responsible for the disposition of all unidentified, unclaimed, and contraband property within six months after all legal requirements have been satisfied.

The Property Sergeant or designee shall release the property upon proper identification being presented by the owner from whom an authorized release has been received. A signature of the person receiving the property shall be recorded in the Property Log Book.

806.6.6 DISPUTED CLAIMS TO PROPERTY

Occasionally more than one party may claim an interest in property being held by the department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or other undisputed right to the involved property. All parties should be advised that their claims are civil and, in extreme situations, legal counsel for the department may wish to file an interpleader [Code of Civil procedure § 386(b)] to resolve the disputed claim.

806.6.7 CONTROL OF NARCOTICS & DANGEROUS DRUGS

The Property Controller or designee will be responsible for the storage, control, and destruction of all narcotics and dangerous drugs, including paraphernalia coming into the custody of this department under Health & Safety Code § 11364.

806.7 DISPOSITION OF PROPERTY

All property not held for evidence in a pending criminal investigation or proceeding, and held for six months or longer where the owner has not been located or fails to claim the property, may be disposed of, by the Property Controller, in compliance with existing laws and the Butte County Law Enforcement Property Retention Policy, upon receipt of proper authorization for disposal.

806.7.1 EXCEPTIONAL DISPOSITIONS

The following types of property shall be destroyed or disposed of in the manner, and at the time, prescribed by law, unless a different disposition is ordered by a court of competent jurisdiction:

- Weapons declared by law to be nuisances (Penal Code §§ 12028, 12029, 12251).
- Animals, birds, and related equipment that have been ordered forfeited by the court (Penal Code § 599a).
- Counterfeiting equipment (Penal Code § 480).
- Gaming devices (Penal Code § 335a).
- Obscene matter ordered to be destroyed by the court (Penal Code § 312).
- Altered vehicles or component parts (Vehicle Code § 10751).
- Narcotics (Health & Safety Code § 11654, etc.).
- Unclaimed stolen or embezzled property (Penal Code § 1411).
- Destructive devices (Penal Code § 12307).

806.8 PROPERTY/EVIDENCE ROOM SECURITY

To ensure the evidentiary value and safety of the items stored in the property/evidence room, only two keys will be issued, allowing access. One will be held by the Property Controller and the other by his/her supervisor. No one may enter the property/evidence room unless accompanied by the Property Controller or his/her supervisor. Anyone, other than the Property Controller, his/her assistant, and his/her supervisor must sign in on the Property/Evidence Room Access Log.

806.9 INSPECTIONS/AUDITS/INVENTORY CHECKS

The purpose of conducting periodic audits and inventories is to ensure the continuity of the custody of property and evidence. Unannounced inspections and audits will be held at the discretion of the Support Services Lieutenant.

An inspection will be conducted to determine:

- The property/evidence room is clean and orderly.
- The integrity of the property and evidence is being maintained.
- Property/evidence is being protected from damage or deterioration.

An audit will be conducted to determine:

- The accuracy of the documented location of property/evidence being stored.
- Property having no further value as evidence is being disposed of in a timely manner.
- Departmental provisions and policies are being followed.

The purpose of an inventory check is to account for every single item of property and evidence. This should be done when:

- There is information received suggesting a breach of system integrity.
- There is a change of the supervisor overseeing the property/evidence unit.
- There is a change of property/evidence personnel.

806.10 ADDITIONAL RESOURCES AND GUIDELINES

The Butte County Property Retention Policy and the Butte County Property Retention Code Matrix establish standard criteria for all Butte County Law Enforcement Agencies with regard to property retention. These documents can be found in the Property Room folder on the Common Drive of the CSU Chico, Police Department computer system.

APPROVED

JOHN M. REID
CHIEF OF POLICE

California State University, Chico
Police Department
Chico, Ca 95929-0133
(530) 898-5372

PROPERTY RECEIVED / RELEASED

Name: _____ Date/Time: _____
Case #: _____ Arresting Officer: _____

RECEIVED

Cash Count:	Property:	Misc. Property:
____ x $100 = ____	____ wallet/purse	____
____ x 50 = ____	____ ring(s)	____
____ x 20 = ____	____ earring(s)	____
____ x 10 = ____	____ necklace(s)	____
____ x 5 = ____	____ bracelet(s)	____
____ x 1 = ____	____ watch(es)	____
____ x coin = ____	____ keys	____

Officer Signature: Date/Time:

2nd Signature (if more than $100 cash) Date/Time:

Items listed below are retained at the CSU Chico Police Department. Arrangements are to be made to have items picked up within ten (10) days. Contact the Property Clerk at (530) 898-5372, Monday – Friday, 8AM-5PM to make an appointment to pick up your property.
Items stored at CSU Chico Police Department:

_____
_____
_____

PROPERTY RECEIVED BY DETENTION CENTER
I hereby acknowledge receipt of the property listed above:
Signature_____ Date/Time:_____
Representative of CPD/BCSO Jail/Juvenile Hall (circle one)

PROPERTY RELEASE TO ARRESTEE
I hereby acknowledge that the above property has been released to me:
Signature_____ Date/Time:_____

PROPERTY RELEASED TO OTHER THAN ARRESTEE
I hereby authorize the CSU Chico Police Department to release the following property
_____
_____
*TO (name, address)*_____
Arrestee Signature _____ *Date/Time:* _____

WHITE – CSU Chico Case File YELLOW – Detention Center/Arrestee

REVISED: 1/31/2018
Updated: 3/2/09
Effective: 5/8/2007

California State University Chico Police Department
General Orders

CHAPTER 8 – SUPPORT SERVICES
SECTION 808

LOST AND FOUND PROPERTY PROCEDURES

808.1 PURPOSE AND SCOPE

This policy provides the department guidelines for the handling of Lost and Found property. Only specific items are accepted as lost and found (see below). Per California Civil Code 2080.9 this agency is required to store items accepted as found property for 180 days.

808.2 DEFINITION

Found Property accepted into Lost and Found by this department is defined as follows:

- Serialized items: e.g. calculators, cell phones, walkmans, cameras, license plates, etc.
- Personal identifications: e.g. driver's license, student ID, etc.
- Wallets
- Cash (logged into the safe at the end of dispatcher shift)
- Bicycles (report number assigned and placed at FMS yard)
- Items valued at or over $100.00
- Keys (stored at front counter for inspection and recovery)
- Computer thumb drives
- Discretionary items

808.3 PROCEDURE FOR RELEASING FOUND PROPERTY

The existing Lost Property Log Book is checked for items being stored at the CSU, Chico Police Department. If the item(s) is present, complete the "Released to Owner" section of the Lost Property Log Book, and return the property to the owner.

When items are turned in to the department, and the owner is known, the dispatcher will mark "Contacted" or "To Be Contacted" in the log book, and the owner will be notified via mail, e-mail, or phone and the appropriate notes will be made in the Lost and Found Property Log Book. The item will be held for at least 30 days in the dispatch center found property cabinet. If the owner fails to claim the property, it will be taken to the warehouse. The owner will then need to make special arrangements to retrieve the property.

Small items valued over $100, when the owner is not known, will be stored in the file cabinet in dispatch for approximately 30 days. These items will then be taken to the

warehouse. If the property is not claimed after a total of 180 days it will be turned over to CSU, Chico Property Management personnel for auction.

All other items can be stored at the front counter for inspection by citizens. These items may include paperback books, notebooks, keys, and sunglasses. Food items or anything that may create a health hazard to department personnel will be discarded.

Department personnel will have the right of refusal of any item that does not meet the criteria for lost and found property.

APPROVED

JOHN M. REID
CHIEF OF POLICE

CSU, Chico Police
139 Normal Ave.
Chico, CA 95929-0133

_____

_____

_____

Dear _____,
(print clearly)

The following item was turned in to CSU, Chico Police Department as found/retained for safekeeping, and possibly belonging to you:

Item: □ Cell phone □ Wallet/Purse □ Backpack □ Notebook/Planner/ Textbook

□ ID/CDL/ATM □ Cash $_____ □ Bicycle □ Electronic Device _____

□ Other_____

You have 15 working days to claim this item. Please pick this item up at our department located at the corner of W. 2nd St/ Normal Ave by _____, or it will be placed into a locked facility, located off-site. After the above date, items become releasable ***BY APPOINTMENT ONLY.***

Please bring a form of identification and this card with you at time of pick up to ensure the property is released to the rightful owner. If you have already claimed your property, please DISREGARD THIS NOTICE.

Date Received_____ Location Found_____ Finder_____ □ Faculty/Staff

Property Control Number:_____ Logged by/Notice sent by_____ ID_____

Case Number (safekeeping/evidence/arrest) _____

□ Message left for owner on date_____ by _____.

□ Owner unknown – Hard copy to Property Sgt.

If you have any questions, or need to schedule an appointment for release, call (530) 898-5555.

Routing: Attach top copy to item Mail bottom card to owner's address

REVISED: 1/31/2018
Revised: 2/7/2008
Effective: 5/8/2007

California State University Chico Police Department
General Orders

CHAPTER 8 – SUPPORT SERVICES
SECTION 810

RECORDS UNIT PROCEDURES

810.1 PURPOSE AND SCOPE

The Administrative Lieutenant will maintain the Department's Criminal and Incident Report Processing Manual on a current basis to reflect the procedures being followed within the Records Unit. Policies and procedures that apply to all employees of this Department are contained in this section (§ 800 series).

810.1.1 NUMERICAL FILING SYSTEM

Case reports are filed numerically within Dispatch/Records by Dispatch/Records personnel.

810.1.2 NUMBERING SYSTEMS

Reports are numbered commencing with the last two digits of the current year followed by the sequential number generated by the Computer Automated Dispatch (CAD) system. This begins at midnight on the first day of January of each year. As an example, case number 06-0001 would be the first new case beginning January 1, 2006.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 5/8/2007

California State University Chico Police Department
General Orders

CHAPTER 8 – SUPPORT SERVICES
SECTION 812

RESTORATION OF FIREARM SERIAL NUMBERS

812.1 PURPOSE AND SCOPE

The primary purpose for restoring firearm serial numbers is to determine the prior owners or origin of the item from which the number has been recovered. Thus, property can be returned to rightful owners or investigations can be initiated to curb illegal trade of contraband firearms. The purpose of this plan is to develop standards, methodologies, and safety protocols for the recovery of obliterated serial numbers from firearms and other objects using procedures that are accepted as industry standards in the forensic community. All personnel who are involved in the restoration of serial numbers will observe the following guidelines. This policy complies with Penal Code §11108.9.

812.2 PROCEDURE

Any firearm coming into the possession of the CSU, Chico Police Department as evidence, found property, etc., where the serial numbers have been removed or obliterated, will be processed in the following manner:

812.2.1 PRELIMINARY FIREARM EXAMINATION

Always keep the muzzle pointed in a safe direction. Be sure the firearm is in an UNLOADED condition. This includes removal of the ammunition source (i.e., the detachable magazine, contents of the tabular magazine, etc.) as well as the chamber contents.

If the firearm is corroded shut or in a condition that would preclude inspection of the chamber contents, TREAT THE FIREARM AS IF IT IS LOADED! Make immediate arrangements for a firearms examiner or other qualified examiner to render the firearm safe.

Accurately record/document the condition of the gun when received. Note the positions of the various components such as the safeties, cylinder, magazine, slide, hammer, etc. Accurately record/document cylinder chamber and magazine contents. Package the ammunition separately.

If the firearm is to be processed for fingerprints or trace evidence, process before the serial number restoration is attempted. First record/document important aspects such as halos on the revolver cylinder face or other relevant evidence that might be obscured by the fingerprinting chemicals.

812.2.2 PROPERTY BOOKING PROCEDURE

Any employee taking possession of a firearm with removed/obliterated serial numbers shall book the firearm into property following standard procedures. The employee booking the firearm shall indicate on the property form that serial numbers have been removed or obliterated. The employee will notify the department evidence officer that the weapon should be checked for evidence.

812.2.3 PROPERTY OFFICER RESPONSIBILITY

The property officer receiving a firearm when the serial numbers have been removed or obliterated shall arrange for the firearm to be transported to the crime lab for restoration and maintain the chain of evidence.

812.2.4 DOCUMENTATION

Police reports are prepared in order to document the chain of custody and the initial examination and handling of evidence from the time it is received or collected until it is released from the CSU, Chico Police Department. This report must include a record of the manner in which and/or from whom the firearm was received. This may appear on the request form, or property form, depending on the type of evidence.

812.2.5 FIREARM TRACE

After the serial number has been restored (or partially restored) by the crime laboratory, the property officer will complete a Bureau of Alcohol, Tobacco, and Firearms “NTC Trace Request Form” (ATC 3312.1) and forward the form to the National Tracing Center in Falling Waters, West Virginia.

812.3 OTHER CONSIDERATIONS

Exemplar bullets and cartridge cases from the firearm, depending upon acceptance criteria and protocol, may be submitted either to the DRUGFIRE or IBIS National Integrated Ballistic Information Network (NIBIN) Program for comparison against evidence from previous crimes.

APPROVED

JOHN M. REID
CHIEF OF POLICE

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

OMB No. 1140-0043

National Tracing Center Trace Request

Phone: 1-800-788-7133 | Martinsburg, WV 25405 | Fax: 1-800-578-7223

FOR NTC DATA ENTRY ONLY | **Page 1 of 2 - Trace Request Information**

NOTE: * - Required Entry Field *(Must be completed for trace processing)*
** - Required Entry With Listed Data Response *(See back for codes and options)*

Part I - Trace Initiation Information

1a. Date of Request	1b. Priority** Routine ☐ **Urgent** *(Justification required)* ☐ For NTC Data Entry Only ☐ Justification
1c. Special Instructions	

Part II - Crime Code Information

2a. NCIC Crime Code**:	2b. Project Code, Project Title, or other Initiative *(If you wish to obtain a Project Code, contact the Chief, Firearms Tracing Branch, ATF National Tracing Center)***:

Part III - ATF Agent Requesting Trace

3a. Organization Code*	3b. Phone Number: Fax Number: E-Mail:	3c. ATF Special Agent's Name *(Last, first, middle)*
3d. Badge Number	3e. ATF Case Number	3f. Field Office

Part IV - Other Agency Requesting Trace

4a. ORI Number*	4b. Phone Number: Fax Number: E-Mail:	4c. Other Agency Officer's Name *(Last, first, middle)*
4d. Badge Number	4e. Other Agency Case Number	4f. Department/Unit
4g. Mailing Address		

Part V - Firearms Information

5a. Serial Number* *(From Frame or Receiver)*	5b. Obliterated *(If yes, complete Part IX)* Yes ☐ No ☐	5c. Firearms Manufacturer*	
5d. Type*	5e. Caliber*	5f. Model*	5g. Country of Origin* *(Importer required if other than U.S.)*
5h. Importer*		5i. Additional Markings	

Part VI - Possessor Information

6a. Name *(Last, First, Middle, Suffix)*					
6b. Alias *(If given)* *(Last, First, Middle, Suffix)*					6c. Alias Date of Birth
6d. Height	6e. Weight	6f. Sex	6g. Race *(Check one only)* American Indian or Alaskan Native ☐ Asian ☐ Black or African American ☐ Hispanic ☐ Native Hawaiian or Other Pacific Islander ☐ White ☐ Other (Specify) _____ ☐		6h. Address - Route Number
6i. Apt. Number	6j. Street No.	6k. Direction	6l. Street Name		6m. City
6n. County	6o. State	6p. Zip Code *(Nine Digit Number)*		6q. Country	
6r. Date of Birth	6s. Place of Birth	6t. Possessor's ID Number		6u. ID Type/State	

ATF E-Form 3312.1
Revised January 2007

Requestor's Name*	Page 2 of 2 - Trace Request Information

Part VII - Associate Information

7a. Name *(Last, First, Middle, Suffix)*

7b. Alias *(If given) (Last, First, Middle, Suffix)*	7c. Alias Date of Birth

7d. Height	7e. Weight	7f. Sex	7g. Race *(Check one only)*	7h. Address - Route Number
			American Indian or Alaskan Native ☐ Asian ☐ Black or African American ☐ Hispanic ☐ Native Hawaiian or Other Pacific Islander ☐ White ☐ Other (Specify) _____ ☐	

7i. Apt. Number	7j. Street No.	7k. Direction	7l. Street Name	7m. City

7n. County	7o. State	7p. Zip Code *(Nine Digit Number)*	7q. Country

7r. Date of Birth	7s. Place of Birth	7t. Associate's ID Number	7u. ID Type/State

Part VIII - Firearm Recovery Information

8a. Recovery Date*	8b. Street Number	8c. Direction	8d. Street Name	8e. Suffix	8f. Route Number

8g Apt. Number	8h. City*	8i. County	8j. State*	8k. Zip Code	8l. Country

8m. Additional Information

Part IX - Obliterated Serial Number Information

9a. Serial Number Category *(Check one of the following serial number categories)*

Restoration Pending ☐	Serial Number Restored ☐	Partial Serial Number ☐
Unable To Restore Serial Number ☐	Attempt to Obliterate Serial Number ☐	Research/Review Multiple Serial Number Combinations ☐

9b. Serial Number Being Submitted _____

NOTE: On partial serial numbers enter * where character was unable to be recovered.

9c. Obliteration Method Used *(Check all that apply)*

AG - Worn by Age ☐	DR - Drill ☐	ES - Electric Scribe ☐
FI - Filled In ☐	GC - Grinder Course ☐	GS - Grinder Smooth ☐
GV - Grinder Concave ☐	PD - Peened ☐	PN - Punch ☐
SB - Scratch Pointed/BROA ☐	SN - Scratch Pointed/NARR ☐	OR - Other ☐

9d. Additional Remarks, Firearms Markings, Possible Serial Number Combinations, or Other Special Instructions

ATF E-Form 3312.1
Revised January 2007

Instructions For Completing ATF Form 3312.1 - National Tracing Center Trace Request

General Instructions - *Required Data Entry Fields And **Available Options/Codes Listed For Reference

The information requested on this form is needed to initiate a trace request. All fields marked with an asterisk (*) indicate required entry data fields. All areas so marked must be completed in order to effectively and expeditiously execute the trace request. Fields marked with a double asterisk (**) indicate areas of required data entry with available options and codes listed for reference *(refer to lists below to determine the appropriate entry and correct nomenclature)*.

Required Entry Fields Include:

Question 1b** - *(Justify Urgent Trace)* See Priorities listed below
Question 2a*, 2b** - Include Project Code and list NCIC Code
Question 3a* - Office Organizational Code For Use by ATF Requestor Only
Question 4a* - ORI - NCIC Originating Requestor Identifier
Question 5a*, 5c*, 5d*, 5e*, 5f*, 5g* & 5h* - Verify Data
Question 8a*, 8h* & 8j* - Confirm Recovery Data to be submitted

Question 1b - Trace Priority *(Entered Numbered Qualifier to Justify Urgent Trace Request)*
NOTE: An urgent trace is deemed necessary when the violations are significant and circumstances warrant or require that the firearm be traced without undue delay. Examples of this are: to hold a suspect, provide probable cause, officer and public safety, etc. The following are examples of significant violations.

1 - Assault
2 - Bank Robbery
3 - Kidnapping
4 - Murder/Suicide
5 - Rape/Sex
6 - Terrorist Act
7 - Terrorist Threat
8 - Other *(specify circumstance)*

Question 2a - NCIC Crime Codes *(Enter <u>one</u> code only. For complete listing refer to NCIC Manual)*

0098 Found Firearm
0199 Sovereignty
0299 Military
0399 Immigration
0907 Homicide *(Police)*
0911 Homicide *(Suicide)*
0999 Homicide *(Street)*
1099 Kidnapping
1101 Rape
1199 Sexual Assault
1201 Robbery *(Business)*
1204 Robbery *(Street)*
1211 Bank Robbery
1212 Car Jacking
1299 Robbery
1301 Aggravated Assault *(Family)*
1311 Aggravated Assault *(Police)*
1399 Assault
1499 Abortion
1602 Threat *(Terroristic)*
1702 Material Witness *(Federal)*
2099 Arson
2199 Extortion
2299 Burglary
2399 Larceny
2411 Unauthorized Use of Auto
2499 Stolen Vehicle
2599 Counterfeiting
2699 Fraud
2799 Embezzlement
2899 Stolen Property
2999 Damage Property
3599 Dangerous Drugs
3699 Sex Offense
3799 Obscenity
3802 Cruelty Towards Child
3803 Cruelty Towards Spouse
3999 Gambling
4099 Commercial Sex
4199 Liquor
4899 Obstruction Police
4999 Flight - Escape
5099 Obstruct
5199 Bribery
5201 Altering Identification on Firearm
5211 Explosives
5212 Possession of Weapon
5399 Public Peace
5499 Traffic Offense
5599 Health - Safekeeping
5699 Civil Rights
5799 Invade Privacy
5899 Smuggling *(Customs)*
5999 Election Laws
6099 Antitrust
6199 Tax Revenue
6299 Conservation
7099 Crimes Against Person
7199 Property Crimes
7299 Morals
7399 Public Order Crimes
8100 Escape *(Juvenile)*

Question 5d - Type of Firearm

C = **Combination** - A weapon designed to be fired from the shoulder which is fitted with both a rifled barrel 16" or greater in length and a smooth-bore barrel 18" or greater in length with an overall length of 26" or more.
M = **Machine Gun** - A weapon of handgun, rifle or shotgun configuration designed to automatically fire more than one shot, without manually reloading, by a single function of the trigger.
P = **Pistol** - A weapon which includes single shot and both single or double-action semiautomatic handguns fitted with a barrel(s) with an integral chamber design or having a chamber(s) permanently aligned with the barrel.
PR = **Pistol/Revolver** - A weapon which includes both single and double-action handguns having a breechloading chambered cylinder designed with a repetitive function based on rotation.
PD = **Pistol/Derringer** - A weapon which includes single barrel, super-posed *(over/under)* and multi-barrel configuration handguns based on a hinged or pivoting barrel small frame pistol design.
R = **Rifle** - A weapon designed to be fired from the shoulder which discharges a single projectile through one or more rifled barrels 16" or greater in length with an overall length of 26" or more.
S = **Shotgun** - A weapon designed to be fired from the shoulder which discharge a single or multiple projectiles through one or more smooth-bore barrels 18" or greater in length with an overall length of 26" or more.

Paperwork Reduction Act

This request is in accordance with the Paperwork Reduction Act of 1995. The information collection is used by Federal, State and local law enforcement officials to request that the Bureau of Alcohol, Tobacco, Firearms and Explosives trace firearms used or suspected to have been used in crimes.

The estimated average burden associated with this collection of information is 6 minutes per respondent or recordkeeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be addressed to Reports Management Officer, Document Services Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, Washington, DC 20226.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

ATF E-Form 3312.1
Revised January 2007

Effective: 3/7/2019

California State University Chico Police Department
General Orders

CHAPTER 8 – SUPPORT SERVICES
SECTION 814

RELEASE OF RECORDS & INFORMATION

814.1 PURPOSE AND SCOPE

The purpose of this section is to establish a comprehensive reference and procedure for the maintenance and release of Department reports and records in accordance with applicable law.

814.2 PUBLIC REQUESTS FOR RECORDS

6250 G.C. (Government Code) states the Legislature, mindful of the right of individuals to privacy, finds and declares that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state.

814.2.1 PROCESSING OF REQUESTS

All requests for release of a report or release of records will be forwarded to the custodian of records or his/her designee for processing.

- 6251 G.C. is known and may be cited as the California Public Records Act. All members of this department shall adhere to the CSU, Chico Police Department procedure for the release of records created and held by this department.
- 6253(c) G.C. This department, upon a request for a copy of records shall, within 10 business 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 this department, and shall promptly notify the person making the request of the determination and the reasons therefore.
- 6253(d) G.C. The notification of denial of any request for records required by section 6522 G.C. shall set forth the names and titles or positions of each person responsible for the denial.

814.3 REPORT RELEASE RESTRICTIONS

Absent a valid court order or other statutory authority, records and/or unrestricted portions of such records of this agency shall be made public subject to the following restrictions:

814.4 GENERAL POLICE AND CRIME REPORTS

6254 G.C. states that disclosure is not required on:

- Any preliminary drafts
- Cases where there is pending litigation, until adjudicated or settled
- Any personnel, medical, or other files which constitute an unwarranted invasion of personal privacy

6254(f) G.C. allows any request to be denied if the release of the report would:

- Endanger the safety of a witness or person involved
- Endanger the successful completion of an investigation or related investigation
- Note: There is no requirement to release investigators' analyses and conclusions.

6255 G.C. This department shall justify withholding any record by demonstrating the record in question is exempt under express provisions listed in this policy, or that on the facts of the particular case, the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.

No child abuse report taken by this department will be released to the general public, the victim, or the victim's parent or guardian. Any other agency requesting such a report **MUST** show they have the need to know pursuant to 11167.5 P.C.

No report taken by this department shall be released if classified under 220, 261, 261.5, 262, 264, 264.1, 265, 266, 266a, 266b, 266c, 266e 266f, 266j, 267, 269, 273a, 273d, 273.5, 285, 286, 288, 288a, 288.2, 288.3, 288.4, 288.5, 288.7, 289, 422.6, 422.7, 422.75, 646.9 and 647.9 P.C. when the victim, or parent or legal guardian of a minor victim, has requested confidentiality.

814.5 TRAFFIC COLLISION REPORTS

Any vehicle accident report taken by this department will be released under the guidelines pursuant to 20012 V.C.

814.6 ARREST REPORTS

Any defendant or his/her attorney, requesting a copy of a report that has been sent to the District Attorney or a court of this county, shall be directed to contact the District Attorney's office or the appropriate court pursuant to 1054.5 P.C.

814.7 PERSONNEL RECORDS

6254c G.C. states personnel records, medical records, and similar records which would involve personal privacy shall not be made public.

Peace Officer personnel records are deemed confidential pursuant to 832.7 P.C. and shall not be made public or otherwise released to unauthorized individuals or entities absent a valid court order.

814.8 SUBPOENA DUCES TECUM

Any Subpoena Duces Tecum (SDT) received by any member of this department shall promptly be given to the Custodian of Records or his/her designee for review and processing. While an SDT may ultimately be subject to compliance, it is **not** an order from the Court which will automatically require the release of the requested information.

814.9 RELEASED RECORDS TO BE STAMPED

Any copy of any record made by this department to be released to any person, agency, business, company, or office will be stamped, in red ink, with the "Controlled Document: Do Not Duplicate" stamp, with the correct date and to whom the record is to be released.

814.10 COMPLIANCE WITH CALIFORNIA "VALUES ACT"

The purpose of the Values Act [Government Code 7284.6] is to ensure that information held in Department databases is limited with respect to dissemination for immigration

enforcement purposes. The Legislature of the State of California has defined "immigration enforcement" as "any efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, and also includes any efforts to investigate, enforce, or assist in the investigation or enforcement of any federal criminal immigration law that penalizes a person's presence in, entry, reentry to, or employment in, the United States.

814.10.1 PROHIBITED ACTIONS

The Values Act generally prohibits law enforcement agencies from using agency or department moneys or personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes, including providing personal information for that purpose. The Act does not prohibit law enforcement agencies from participating in law enforcement task forces, provided the primary purpose of the task force is not immigration enforcement. Law enforcement agencies are also prohibited from using any information for immigration enforcement purposes with respect to any person who does not possess a criminal history. A person with a criminal history includes any person with a prior criminal arrest or conviction.

814.10.2 EXCEPTIONS

Users are not prohibited or restricted from sending to, or receiving from, federal immigration authorities, information regarding the citizenship or immigration status, lawful or unlawful, of an individual, or from requesting from federal immigration authorities information regarding a person's immigration status, maintaining such information, or exchanging such information with any other federal, state, or local government entity, pursuant to 8 USC Sections 1373 and 1644.

Link to **8 USC Sections 1373 and 1644**

814.10.3 RECORDS RELEASES PURSUANT TO THE VALUES ACT

Users of Department databases agree they will only use information contained therein, with respect to a person's immigration status, for persons with a criminal history. Users further agree they will not use non-criminal history information, aside from information regarding immigration or citizenship status pursuant to 8 USC Sections 1373 and 1644, for immigration enforcement purposes.

814.10.3.1 DATABASE COMPLIANCE AUDITS

Internal database compliance audits will be periodically conducted to ensure compliance with this policy.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 5/10/2007

California State University Chico Police Department
General Orders

CHAPTER 3 – GENERAL OPERATIONS
SECTION 816

ANTI-REPRODUCTIVE RIGHTS CRIMES REPORTING

816.1 PURPOSE AND SCOPE

This policy shall establish a procedure for the mandated reporting of Anti-Reproductive Rights Crimes (ARRC) to the Attorney General pursuant to the Reproductive Rights Law Enforcement Act. (Penal Code § 13775 et seq.)

816.2 DEFINITIONS

Penal Code § 423.2 provides that the following acts shall be considered Anti-Reproductive Rights Crimes (ARRC) when committed by any person, except a parent or guardian acting towards his or her minor child or ward:

- By force, threat of force, or physical obstruction that is a crime of violence, intentionally injures, intimidates, interferes with, or attempts to injure, intimidate, or interfere with, any person or entity because that person or entity is a reproductive health services client, provider, or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services client, provider, or assistant.
- By non-violent physical obstruction, intentionally injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with, any person or entity because that person or entity is a reproductive health services client, provider, or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services client, provider, or assistant.
- Intentionally damages or destroys the property of a person, entity, or facility, or attempts to do so, because the person, entity, or facility is a reproductive health services client, provider, assistant, or facility.

816.3 REPORTING REQUIREMENTS TO THE ATTORNEY GENERAL

Upon the receipt of the report of an ARRC, it shall be the responsibility of the employee taking such a report to also complete an ARRC Data Collection Worksheet (BCIA 8371) in accordance with the instructions contained on such forms.

The ARRC Data Collection Worksheet shall be processed with all related reports and forwarded to Dispatch / Records personnel.

By the 10th of each month, it shall be the responsibility of the Crime Analyst to insure that a Summary Worksheet (BCIA 8370) is submitted to the Department of Justice Criminal Justice Statistics Center.

In the event that no ARRC's were reported during the previous month, a Summary Worksheet shall be submitted to DOJ with an indication that no such crimes were reported.

Any ARRC's reported in the Summary Worksheet shall be accompanied by a copy of the related Data Collection Worksheet(s).

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 5/10/2007

California State University Chico Police Department
General Orders

CHAPTER 8 – SUPPORT SERVICES
SECTION 818

STATISTICAL REPORTING AND CLERY COMPLIANCE

818.1 PURPOSE AND SCOPE

This policy is established as a guide for department personnel to follow in order to comply with providing crime statistics to the Department of Justice, the CSU Chancellor's Office, the Department of Education, and the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act.

818.2 POLICY

It shall be the policy of the CSU, Chico Police Department to comply with all Federal and State Statutes and all CSU Chancellor's Office procedures for the submission of crime statistics.

818.3 DEFINITIONS

Department of Justice Statistics – Required per Penal Code Sections 13010-13023, and due to the Department of Justice no later than the 7th of every month.

CSU Chancellor's Office Statistics – Required by CSU Human Resources Coded Memorandum 2004-04, and due annually.

Department of Education Annual Statistics – Required by the Campus Security Act of 1990, and due on October 15th for distribution.

Clery Act Compliance – Required by 20 USC § 1092(f). This report is due October 1st annually, and to the Chancellor's Office on October 1st annually.

On Campus – Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area, and used by the institution in direct support of, or in a manner related to, the institution's educations purposes, including residence halls; and

Any building or property that is within or reasonably contiguous to a building or property described in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

818.3.1 DEPARTMENT OF JUSTICE STATISTICS

Statistics are due to the California Department of Justice the first day of every month, and before the tenth day. The following are the reports that are required:

- UCR (Uniform Crime Reporting)
- Hate Crimes
- Domestic Violence
- Violent Crimes Committed Against Seniors
- Anti-Reproductive Rights Crimes
- Law Enforcement Officers Killed or Assaulted
- Monthly Arrest and Citation Register

After all forms are completed with the signature of the Chief of Police, they shall be mailed to the Department of Justice, Criminal Justice Statistics Center at PO Box 903417, Sacramento, CA 94203-4270.

The yearly statistics are due prior to January 15th.

818.3.2 CSU CHANCELLOR'S OFFICE STATISTICS

The CSU Chancellor's Office report is e-mailed to the Records Manager for completion. This Microsoft Word document should be filled out using statistics from PS.Net/RMS. After approval from the Chief of Police, it is e-mailed to the Chancellor's Office. This report is due March 31st of each year.

818.3.3 DEPARTMENT OF EDUCATION (DOE) ANNUAL STATISTICS

Yearly in July, the DOE mails a Registration Certificate to the Chief of Police. This Certificate contains the Department's user ID and password to access the DOE Campus Crime and Security Survey website.

Statistics, taken from the Clery Report, are entered into the DOE website during the data collection period (normally last week of August through second week of October). During this time period, the data may be updated and changed. All data must be entered and "locked" by the user prior to the October deadline. Only the current and previous year's data may be changed during the access period. The data may not be changed during any other time of the year. The DOE statistics are due on October 15th of each year.

818.3.4 CLERY ACT SECURITY REPORT

Publication and distribution must occur annually prior to October 1st. The Annual Security Report (hard copy and on-line versions) must be updated by February 10th annually.

To be in compliance with the Clery Act regulations, CSU, Chico Police Department is required to adhere to the following guidelines:

- Policy disclosure
- Records collection and retention
- Information dissemination

818.3.4.1 POLICY DISCLOSURE

CSU, Chico Police Department shall provide the campus community and the public with accurate statements of its current policies and practices regarding:

- Procedures for students and others to report criminal actions or other emergencies occurring on campus;
- Security of, and access to, campus facilities;
- Campus law enforcement.

818.3.4.2 RECORDS COLLECTION AND RETENTION

CSU, Chico Police Department shall keep and retain statistical records and crime reports based on the Department of Justice guidelines. CSU, Chico Police Department shall also make a reasonable good-faith effort to obtain crime statistics from appropriate law enforcement agencies, to include in an annual security report and the web-based report to DOE.

CSU, Chico Police Department is required to keep a daily crime log that will be open to public inspection.

818.3.4.3 INFORMATION DISSEMINATION

To provide campus community members with information necessary to make informed decisions about their safety, CSU, Chico Police Department will disseminate information in the following manner:

- Provide a "timely warning" of any Clery Act crime that might represent an ongoing threat to the safety of students or employees;
- Provide access to crime logs during business hours;
- Publish an annual security report and distribute it to all current students and employees, and inform prospective students and employees about the content and availability of the report;
- Inform the campus community where to obtain information about registered sex offenders;
- Submit crime statistics to DOE through the web-based data collection system

818.3.5 CRIME STATISTICS

The Clery Act requires institutions to disclose three general categories of crime statistics based on the FBI's Uniform Crime Reporting Handbook (UCR):

1. Types of Offenses – Criminal homicide, including murder, non-negligent manslaughter, and negligent manslaughter; sex offenses, both forcible and non-forcible; robbery; aggravated assault; burglary; motor vehicle thefts; and arson.

2. Hate Crimes – Disclose whether any of the above mentioned offenses, or any other crimes involving bodily injury, were hate crimes; and

3. Arrests and Referrals for Disciplinary Action for illegal weapons' possession and violations of drug and liquor laws.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 5/10/2007

California State University Chico Police Department
General Orders

CHAPTER 8 – SUPPORT SERVICES
SECTION 820

DISPATCHER RELIEF

820.1 PURPOSE AND SCOPE
The purpose of this policy is to define the requirements for authorized dispatch relief personnel. It is the policy of this department to follow Peace Officer Standards and Training (POST) standards/regulations for all persons employed, full-time or part-time, who are assigned the duties of Police Dispatcher. The POST requirements do not apply to sworn peace officers assigned to dispatch duties.

820.2 PROCEDURE
Department requirements, POST standards, and the relevant article from the State University Police Officers' Association (SUPA) agreement are as follows:

To become a CSU, Chico Police Department full-time dispatcher, all persons will successfully complete intradepartmental training, CLETS certification, and one (1) year's probation.

All department dispatchers will satisfactorily complete the POST-certified Police Dispatcher's Basic Course as set forth in PAM, section D-1-5, before or within 12 months after the date of appointment to a police dispatcher position.

Article 14.5 of the SUPA Agreement states:

Dispatcher Duties

a. Bargaining Unit 8 members may be required to work dispatcher duties in emergency situations and to cover breaks and lunch breaks.

b. When there are absences of dispatchers, whether planned or unplanned, the Chief of Police shall endeavor to provide work coverage for the scheduled absences by using qualified non-Unit 8 employees.

c. If appropriate coverage for dispatcher duties cannot be arranged, volunteers among off-duty Unit 8 employees will be requested. If there are not enough volunteers, dispatcher duties may be assigned to Unit 8 employees.

The following are authorized procedures for relieving the on-duty dispatcher for short periods of time, i.e. breaks and meals. The department mandates compliance with the following

guidelines:

- First preference for relief assignments will be non-sworn office personnel trained and CLETS-certified as dispatchers (records, overlap dispatcher, etc., if available).
- The dispatcher will be relieved for a thirty-minute meal break.
- The dispatcher will be relieved for two (2) fifteen-minute breaks, one during the first half and one during the second half of the shift.

- Second choice will be to request one of the on-duty police officers to relieve the dispatcher. Sworn personnel for dispatcher relief can include Operations or Investigations personnel.

If circumstances dictate an emergency situation, a sworn officer will be assigned.

When it is necessary to fill in for an absent dispatcher (leave or illness), the following authorized procedures will be adhered to:

- First preference is to assign the overlap dispatcher (if available).
- Second choice is to offer overtime to off-duty dispatchers.
- Third choice is to hold over the dispatcher from the previous shift and call in the dispatcher coming on the next shift early.
- Fourth choice is to offer overtime to off-duty police officers.
- Fifth choice is to assign an on-duty police officer to dispatch for the shift.

APPROVED

JOHN M. REID
CHIEF OF POLICE

Effective: 12/16/2019

California State University Chico Police Department
General Orders

CHAPTER 8 – SUPPORT SERVICES
SECTION 821

PROTECTED INFORMATION

821.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the process, transmission, release and security of protected information by members of the Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

821.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the Department and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

821.2 POLICY

Members of the Department will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

821.3 RESPONSIBILITIES

The Chief of Police shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include, but are not limited to:

a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Department of Motor Vehicle (OMV) records and California Law Enforcement Telecommunications System (CLETS).

b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.

c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.

d) Developing procedures to ensure training and certification requirements are met.

e) Resolving specific questions that arise regarding authorized recipients of protected information.

f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

821.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Department policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

821.4.1 PENALTIES FOR MISUSE OF RECORDS

It is a misdemeanor to furnish, buy, receive or possess Department of Justice criminal history information without authorization by law (Penal Code§ 11143).

Authorized persons or agencies violating state regulations regarding the security of Criminal Offender Record Information (CORI) maintained by the California Department of Justice may lose direct access to CORI **(11** CCR 702).

821.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION

Protected information may be released only to authorized recipients who have both a right to know and a need to know.

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Records Specialist for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Records Division to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to

members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of officers, other police department members or the public is at risk.

Nothing in this policy is intended to prohibit broadcasting warrant information.

821.5.1 REVIEW OF CRIMINAL OFFENDER RECORD

Individuals requesting to review their own California criminal history information shall be referred to the Department of Justice (Penal Code § 11121).

Individuals shall be allowed to review their arrest or conviction record on file with the Department after complying with all legal requirements regarding authority and procedures in Penal Code§ 11120 through Penal Code§ 11127 (Penal Code § 13321).

821.6 SECURITY OF PROTECTED INFORMATION

The Chief of Police will select a member of the Department to oversee the security of protected information.

a) The responsibilities of this position include, but are not limited to:

b) Developing and maintaining security practices, procedures and training.

c) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.

d) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.

e) Tracking, documenting and reporting all breach of security incidents to the Chief of Police and appropriate authorities.

821.6.1 MEMBER RESPONSIBILITIES

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal).

821.7 TRAINING

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

821.8 CALIFORNIA RELIGIOUS FREEDOM ACT

Members shall not release personal information from any agency database for the purpose of investigation or enforcement of any program compiling data on

individuals based on religious belief, practice, affiliation, national origin or ethnicity (Government Code§ 8310.3).

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 5/10/2007

California State University Chico Police Department
General Orders

CHAPTER 9 – GENERAL OPERATIONS
SECTION 900

JAIL FACILITY

900.1 PURPOSE AND SCOPE

This policy provides guidelines to assist in decision making regarding the arrest, booking, and transportation of arrestees to the Butte County Jail. All personnel of the CSU, Chico Police Department having powers of arrest shall be familiar with the contents of this policy. This policy shall also apply to situations where an arrestee is brought to the CSU, Chico Police Department holding facility in preparation for a citation release, etc.

900.2 JAIL SEARCHES

Jail searches are covered in §902 of this policy manual.

900.3 HANDLING OF PRISONER'S PROPERTY

Officers shall take care in handling prisoner's property to avoid discrepancies or losses.

Any personal property belonging to the prisoner, but retained by the officer, such as a driver's license, pocketknife, wallet, and other similar property, shall be placed in a property bag and sealed. Generally, all property will be retained by an employee of the Butte County Jail when booking prisoners at that location.

Property belonging to the prisoner, but retained by the officer as evidence, shall be booked according to procedures. The prisoner shall be advised that such property will be kept as evidence, and where demanded, the officer will issue the prisoner a receipt. Such receipt may be a copy of the property booking form, written out in the officer's handwriting or typed for his/her personal signature. It should include the description of the property (but not its value), the case number, date, time, officer's badge number and signature. When a receipt is issued, it should be mentioned in the arrest report.

900.3.1 VERIFICATION OF PRISONER'S MONEY

All money belonging to the prisoner and retained by the officer shall be counted in front of the prisoner by two persons; one of them may be the dispatcher or a Community Service Officer. The arresting officer will sign the property sheet, and the other person will initial the dollar amount on the property sheet. 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. Rings and other jewelry of apparent value, or small enough to be easily lost, should also be sealed in an envelope. All envelopes should clearly indicate the contents on the front. The person sealing the envelope should place his/her

initials across the sealed flap. Should any money be withdrawn or added to the cash envelope, the officer making such change shall enter the amount below the original entry, and initial it. The total amount of money in the envelope should always be computed and written on the outside of the envelope.

900.3.2 RELEASE OF PRISONER'S PROPERTY

Release of any prisoner's property to any person requires the recipient's signature on the appropriate form. Any request for release of property by a prisoner must be made in writing.

When a prisoner is released from custody, all property will be returned to him/her and he/she will be required to sign the property sheet.

If a prisoner is released to the court or an officer of another agency, all property will be released to that officer, who will be required to verify and sign for the property. The officer transporting a prisoner to court is required to obtain the receiving officer's signature on the booking form as notice of receipt of the prisoner's property.

Any alleged shortage or discrepancy shall be brought to the attention of the on-duty Watch Commander, or Field Supervisor, who will interview the prisoner claiming the shortage prior to his/her release. The Watch Commander or Field Supervisor shall ensure that a search for the alleged missing item(s) is completed, and shall attempt to prove or disprove the claim. A written claim by the prisoner shall be requested when the discrepancy cannot be resolved.

900.4 ADDITIONAL CONSIDERATIONS

900.4.1 PRISONER INTERVIEWS

No prisoner shall be interviewed by any person, including personnel from other police agencies or the military police, without authorization of a supervisor or case investigator.

900.4.2 PHONE ACCESS FOR ARRESTED PERSONS

Each arrested person shall have the right to make at least three (3) completed telephone calls immediately upon being booked and, except where physically impossible, no later than three (3) hours after arrest. These calls may be to an attorney, a bail bondsman, and/or a relative or other person. (Penal Code §851.5)

900.4.3 ATTORNEY VISITATION

Each arrested person has the right to have access to an attorney and legal representation, barring unforeseen or special circumstances. Department employees should not, however, recommend an attorney, and there is no obligation to assist an arrestee in locating a requested attorney.

Any attorney claiming to represent an arrested person may be required to show proof of ability to practice in the California courts. Prior to any meeting between an attorney and an arrested person, where there is no impenetrable barrier between the two, the attorney may be subject to a reasonable search. Any employee who willfully refuses or neglects to allow an attorney to visit with an arrested person may be guilty of a misdemeanor. (Penal Code §825 (b))

900.4.4 PUNISHMENT OF PRISONERS

In no instance shall an officer take punitive action against a prisoner.

900.5 PRISONER RELEASES

Only the Watch Commander, Field Supervisor, or an Investigations Supervisor may authorize the release of a person booked into the Butte County Jail after an arrest.

"Holds" from other agencies which are received by telephone must be confirmed as soon as possible by written confirmation from such agency, and the person accepting the "hold" information shall so advise the requesting party. Prisoners otherwise eligible for release will not be kept in custody based on a “telephone hold” that has not been confirmed. A copy of the teletype or written hold request shall be forwarded to the jailer when received, and shall be attached to the hard copy of the booking sheet.

900.6 DEATH OF A PRISONER

In the event of a fatal injury or death of a prisoner while in the custody of this department, refer to Government Code §12525 and applicable areas of the Penal Code. In all such cases, the Lieutenant shall be notified, and he/she will make the appropriate additional notifications as covered in §358 of this policy manual.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 5/10/2007

California State University Chico Police Department
General Orders

CHAPTER 9 – GENERAL OPERATIONS
SECTION 902

CUSTODY SEARCHES

902.1 PURPOSE AND SCOPE

This policy establishes consistent department procedures which conform to §4030 of the Penal Code, regarding pat-down, clothing, and strip searches.

When a person is arrested and taken into custody, that person is subjected to a pat-down search and thorough clothing search in order to discover and retrieve concealed weapons and contraband, prior to transportation and/or booking into a holding facility.

No person arrested and held in custody shall be subjected to a strip search or visual body cavity search unless the arresting officer has determined there is reasonable suspicion, based on specific and articulable facts, to believe such person is concealing a weapon or contraband, and the strip search or visual body cavity search will result in the discovery of such items.

No strip search or visual body cavity search may be conducted without the prior written authorization of the supervising officer on duty. The supervisor's written authorization shall include (and become part of the report) all specific and articulable facts and circumstances upon which the reasonable suspicion determination was made by the supervisor.

902.2 DEFINITIONS OF SEARCHES

Normal Pat-Down Search – This is the normal type of search used by officers in the field to check an individual for weapons. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a threat to the officer, the prisoner, or other prisoners.

Booking Search – This search is used in the jail and again involves a thorough patting down of an individual's clothing. All pockets, cuffs, etc., on the clothing are checked to locate all personal property, contraband, or weapons. The prisoner's personal property is taken and inventoried.

Strip Search or Visual Body Cavity Search – This is a search that requires a person to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, or genitalia of the person.

Physical Body Cavity Search – This is a search that includes physical intrusion into a "body cavity." "Body cavity" means the stomach or rectal cavity of a person, and the vagina of a female.

902.3 PROCEDURE

All strip and visual body cavity searches shall be conducted in an area of privacy so that the search cannot be observed by persons not participating in the search.

The officer(s) conducting the strip search or visual body cavity search shall be of the same sex as the person being searched.

Whenever possible, a second officer should be present during the search, for security purposes and as a witness to the finding of any evidence or contraband.

The officer conducting a strip search or visual body cavity search shall not touch the breasts, buttocks, or genitalia of the person being searched.

902.3.1 LIMITATIONS ON SEARCHES

Strip searches or visual body cavity searches of prisoners in custody may be done if the following criteria are met:

- The offense involves weapons, controlled substances, or violence; and
- There are specific and articulable facts leading to the reasonable suspicion that the prisoner is concealing weapons or contraband, and that a strip search or visual body cavity search would result in the discovery of the weapons or contraband; and
- There is written authorization of the Watch Commander or ranking officer. The authorization shall include the specific and articulable facts and circumstances upon which the Watch Commander or ranking officer made the reasonable suspicion determination.

902.3.2 PHYSICAL BODY CAVITY SEARCH

A physical body cavity search may only be done under the authority of a search warrant.

Only a physician, nurse practitioner, registered nurse, licensed vocational nurse, or level II Emergency Medical Technician may conduct a physical body cavity search.

Except for the above mentioned licensed medical personnel, persons present must be of the same sex as the person being searched. Privacy requirements are the same as the strip search standard.

902.3.3 WRITTEN DOCUMENTATION

Written documentation is mandatory for all strip searches or visual or physical body cavity searches. This documentation includes the prior written approval of the Watch Commander or ranking officer; the identity of the person searching; the date, time and location of the search; and the results of the search. This information must be made available to the person searched, or his/her representative, upon request.

APPROVED

JOHN M. REID
CHIEF OF POLICE

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Revised: 9/2/2009
Effective: 5/18/2007

California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1000

PROFESSIONAL CONDUCT AND RESPONSIBILITIES

1000.1 PURPOSE AND SCOPE
The purpose of this policy is to establish rules and regulations for all Police Department employees that address professional conduct and responsibilities, and to adopt a Code of Ethics as a general standard of conduct for all police officers. All sworn personnel will abide by the Code of Ethics, and all Department employees will abide by the Department's General Standard of Conduct.

1000.2 POLICY
Peace officers are vested with a public trust which requires that they consistently demonstrate the highest degree of integrity and good moral character. Because society holds police officers to a high standard, it is the policy of this Department to have its officers abide by the following Code of Ethics. All Department employees will follow the Manual of Rules.

1000.3 LAW ENFORCEMENT CODE OF ETHICS
As a law enforcement officer, my fundamental duty is to serve human kind; 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 right of all people 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; and 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 secret unless revelation is necessary in the performance of my duty.

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

1000.4 PROFESSIONAL CONDUCT AND RESPONSIBILITY

General Conduct: Officers and employees shall conduct themselves at all times in such a manner as to reflect favorably upon themselves, the University, the Department and the police service. Whether on-duty or off-duty, officers and employees shall avoid any conduct which brings the Department or the University into disrepute.

Conduct Toward Others: The Police Department exists to serve the public needs of all persons within the jurisdiction of the University campus. Accordingly, it is the fundamental policy of the Department that officers and employees shall treat all persons with courtesy and respect. Officers and employees shall not allow their personal conviction, beliefs, prejudices, or biases to interfere with their official acts or decisions.

Behavior Toward Other Department Members: Members of the Department will treat co-workers with respect. In their demeanor toward their associates in the Department, they will be courteous and considerate, guard themselves against unfriendly conduct and refrain from all communication which discredits others.

Discrimination and Racism: Any officer or employee who discriminates against another officer, employee, or any citizen, or makes any derogatory remark, or commits any discriminatory act against another officer, employee, or citizen shall be subject to disciplinary action.

Courtesy: Officers and employees shall perform their duties courteously, avoiding rude, threatening, harsh, insulting, profane, insolent, or demeaning language, and they shall maintain a professional bearing regardless of provocation to do otherwise. They shall attend to requests from the public quickly and accurately, avoiding unnecessary referrals. Orders from superior to subordinate officers and employees shall be given in a civil manner without the use of profane or derogatory language.

Cooperation: All officers and employees are strictly charged with establishing and maintaining a high spirit of cooperation within the Department.

Assistance: All officers are required to take appropriate police action toward aiding a fellow police officer exposed to danger or in a situation where danger might be impending.

Officer's General Responsibilities: On-duty officers and off-duty officers in uniform shall at all times take appropriate action to:

- Protect life and property;
- Preserve the peace;
- Prevent crime;
- Arrest violators of the law; and
- Enforce federal and state laws and University directives coming within departmental jurisdiction.

Response to Orders: Officers and employees shall at all times respond to lawful orders of superior officers. Officers will handle assignments from communications dispatchers, and other proper authorities, as well as calls for police assistance from citizens. Proper police action shall be taken whenever it is required.

Officers on Special Assignment: Officers assigned to special duties are not relieved of responsibility for taking proper action outside the scope of their special assignment when necessary.

Off-Duty Officers: Off-duty officers shall at all times be subject to recall to duty by superior officers.

Insubordination: Failure or refusal of any officer or employee to obey a lawful order given by a superior officer shall be insubordination. The act of ridiculing a superior officer or his/her orders whether in or out of his/her presence is also insubordination.

Knowledge of Laws and Regulations: Every officer is required to establish and maintain a working knowledge of all laws and directives in force on the campus. Further, every officer and employee is required to establish and maintain a working knowledge of all rules, policies and procedures of the Department. In the event of improper action or breach of discipline, it will be presumed that the officer or employee was familiar with the law, rule or policy in question.

Obedience to Lawful Order: Employees will obey any lawful order of a superior, including any order relayed from a superior by an employee of the same or lesser rank.

Unlawful Orders: Command and supervisory officers shall not knowingly issue any order which is in violation of any law or ordinance or Department rule. Obedience to an unlawful order is never a defense for an unlawful action. Therefore, no officer or employee is required to obey any order which is contrary to federal law, state law, or presidential directive. Officers and employees who believe they have received an unlawful order shall promptly bring the matter to the attention of the supervisor of the person issuing the order. Responsibility for refusal to obey rests with the officer or employee. He/she shall be strictly required to justify his/her action.

Conflicting Orders: Upon receipt of an order conflicting with any previous order or instruction, the officer or employee affected will advise the person issuing the second order of this fact. Responsibility for countermanding the original instruction then rests with the individual issuing the second order. If so directed, the latter command shall be obeyed first. Orders will be countermanded, or conflicting orders will be issued, only when reasonably necessary for the good of the Department.

Gifts, Gratuities – Soliciting or Accepting: Officers and employees shall not under any circumstances solicit or accept or receive, either directly or indirectly, any gift, gratuity, loan, fee, or other thing of value arising from or offered because of police employment or any activity connected with said employment. Officers and employees shall not accept any gift, gratuity, loan, fee, or other thing of value, the acceptance of which might tend to influence, directly or indirectly, the actions of said officer or employee or any other officer or employee in any matter of police business, or which might tend to cause an adverse reflection on the Department or any officer or employee.

Other Transactions: Every officer and every employee is prohibited from buying or selling anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to his/her attention or which arose out of Department employment except as may be specifically authorized by the Chief of Police.

Rewards: Officers and employees shall not accept any gift, gratuity or reward in money or other consideration for services rendered in the line of duty to the community or to any person, business or agency, except lawful salary and that which may be authorized by the Chief of Police.

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.

Any supervisory employee or officer who fails to take corrective action with regard to such employees who may be guilty of any form of neglect of duty or misconduct, where the supervisor knows or should have known of such dereliction, shall be guilty of dereliction of duty themselves.

Officers and employees shall not leave their assigned duty post during a tour of duty unless specifically authorized by a supervisor.

Officers and employees shall remain awake while on duty. If unable to do so, they shall report this to their supervisor, who shall determine a proper course of action.

Judgment: In the performance of their duties to serve society, employees are often called upon to make difficult decisions. They must exercise discretion in situations where their rights and liabilities, and those of the Department, hinge upon their duties. They must not allow personal motives to govern their decisions and conduct.

When dealing with all members of the community, employees are expected to discharge their duties in a reasonable and logical manner. Employees must be able to reason through a situation from a general set of circumstances to a specific, proper course of action; or from a premise to a logical conclusion.

Unsatisfactory Performance: Officers and employees 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.

Unsatisfactory performance may be demonstrated by:

- A lack of knowledge of the application of laws required to be enforced;
- An unwillingness or inability to perform an assigned task;
- The failure to conform to work standards established for their rank, grade or position;
- The failure to take appropriate action on the occasion of a crime, disorder or other condition deserving police attention; or
- Absence without leave.

The following will be considered prima facie evidence of unsatisfactory performance:

- Repeated poor evaluations; or
- Written record of repeated infractions of the rules, regulations, directives or orders of the Department.

1000.5 GENERAL CONDUCT ON AND OFF DUTY

Personal Associations: Officers and employees shall avoid continuous associations or dealings with persons whom they know or should reasonably suspect as racketeers, sexual offenders, prostitutes, felons, suspected felons, persons under criminal investigation or indictment, or persons who have a reputation in the community for present involvement in felonious or criminal behavior, except as necessary in the performance of official duties.

Visiting Prohibited Establishments: Officers and employees shall not knowingly visit, enter or frequent a house of prostitution, unlawful gambling house or establishment wherein any law of the United States, state, city or county is regularly violated, except in the performance of duty or while acting under proper and specific orders from a superior officer.
Attendance: Officers and employees shall report to duty at the time and place specified, properly uniformed and equipped. They shall give careful attention to orders and instructions.

Absence from Duty: Every officer or employee who fails to appear for duty at the date, time and place specified without consent of competent authority is "absent without leave." Absences without leave must be reported in writing to the Chief of Police. 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.

Consumption of Intoxicants: Officers and employees shall not consume any intoxicating substance while off duty to the extent that evidence of such consumption is apparent when reporting for duty, or to the extent that their ability to perform their duty is impaired. Officers shall not consume any intoxicating substance while on duty unless necessary in the performance of a police task and then only with the specific permission of a commanding officer and never in uniform. Officers and employees shall not at any time be under the influence of any intoxicating substance while on duty.

Use of Drugs: No member of the Department will use any illegal drug, substance or intoxicant. No member of the Department will report for duty or use, while on duty, any drug, substance, intoxicant or chemical that detracts from the member's mental or physical ability to perform the duties of their assignment.

Address and Telephone Numbers: Officers and employees are required to have telephones in the place where they reside, and are required to have their current address and telephone numbers on file with the Department. Changes in address or telephone number will be reported as soon as possible.

1000.6 DEPARTMENT PROPERTY AND EQUIPMENT

Responsibility for Department Property: Officers and employees are responsible for the proper care of Department property and equipment assigned to or used by them. Damaged or lost property may subject the responsible individual to reimbursement charges and appropriate disciplinary charges.

Reporting Damaged or Inoperative Property or Equipment: Officers and employees shall immediately report to their supervisor any loss of or damage to Departmental property assigned to or used by them. Supervisors will also be notified of any defects or hazardous conditions existing in any Departmental equipment or property.

Presumption of Responsibility: In the event that any Department property is found bearing evidence of damage which has not been reported, it shall be "prima facie" evidence that the last person using the property or vehicle was responsible.

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 the Chief of Police. No notices of a derogatory, discriminatory, or racial nature will be posted at any time.

Use of Department Vehicles: Department vehicles will not be used for personal business. Citizens will be transported in Department vehicles only when necessary to accomplish a police purpose.

Office Furniture, Areas and Equipment: Employees will not abuse office furniture or equipment. 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.

Employees shall not use equipment or space assigned as a permanent work area to another employee without that employee's permission.

As with personally issued items, office furniture, equipment, and supplies are intended solely for official use.

1000.7 INVESTIGATION, ARREST, AND DETENTION

Identification as Police Officer: Except when impractical or unfeasible, or where identity is obvious, officers shall identify themselves by displaying the official badge or identification card before taking police action. All employees are required to identify themselves, when requested, by supplying their name and, when requested, the name of their supervisor.

Arrests: Officers shall strictly observe the laws of arrest while providing for their own safety and that of the arrested person. Responsibility for both the prisoner and his/her personal property rests with the arresting officer or a transporting officer when he/she accepts custody of an arrestee.

Use of Physical Force: The use of physical force shall be restricted to circumstances specified by law and to the degree necessary for the accomplishment of a police task. Malicious assaults or batteries committed by officers or employees constitute gross misconduct.

Custody of Prisoners: Prisoners shall be kept secure in accordance with appropriate laws and departmental procedures. They shall be treated humanely and shall not be subjected to unnecessary restraint.

Falsifying Reports and Bookings: Officers and employees shall not knowingly falsify an official report or enter or cause to be entered any inaccurate, false or improper information in the records of the Department.

Press Relations at Crime Scene: Insofar as it is consistent with sound police practices, officers at crime scenes shall refer the press to the commanding officer at the scene. Whenever an officer feels that release of information or access to a crime scene is contrary to sound police practices, he/she shall refer the press to his/her immediate supervisor for further discussion.

Security of Department Business: Officers and employees shall not reveal confidential department information outside the Department, except as provided by law or directed by competent authority. Questions regarding the disclosure of information shall be referred to the Chief of Police or his/her designee.

Assisting Criminals: Officers and employees shall not impart to any person charged with a criminal act information which might assist him/her in evading arrest or in disposing of evidence of any unlawful act.

Police Action Based on Legal Justification: No officer shall take police action without legal justification. What is reasonable in terms of appropriate police action or what constitutes probable cause varies with each situation, and different facts may justify an investigation, detention, search, arrest or no action at all. The requirement that legal justification be present imposes a limitation on a police officer’s actions. In every case, a police officer must act reasonably within the limits of judicial interpretation and Department policy, thereby ensuring that the rights of both the individual and the police are protected.

Respect of Rights: Officers shall respect and uphold the dignity, human rights, and constitutional rights of all persons.

Legal Practices: Officers shall follow legal practices in such areas as interrogation, arrest and detention, searches, seizures, use of informants, and collection and preservation of evidence.

Restriction of Freedom: Officers shall not restrict the freedom of individuals, whether by detention or arrest, except to the extent necessary to legally or reasonably apply the law.

1000.8 INVESTIGATIVE ACTIONS, APPEARANCES AND TESTIFYING

Court Appearances: Attendance at a court or judicial hearing as required by subpoena is an official duty assignment. When making such an appearance, either the official uniform or business attire shall be worn. Officers shall present a neat and clean appearance, avoiding any mannerism that might imply disrespect to the court.

Truthfulness: Integrity is essential in the police profession. Officers and employees are required to be truthful at all times, whether under oath or not. The one exception to this would be when interviewing or interrogating suspects to obtain information related to a case under review.

Refusal to Testify: Any officer or employee who appears as a witness before any competent investigative body, hearing board or person authorized to receive testimony, and who refuses to testify, shall be subject to disciplinary action.

Departmental Investigation: Officers and employees are required to answer questions by, or render material and relevant statements to, a competent authority in a departmental investigation when so directed.

Witness for the Defense: Officers and employees who may be subpoenaed or required to appear for the defense in any prosecution shall first notify their supervisor and shall also notify the district attorney.

1000.9 COMMUNICATION, CORRESPONDENCE

Restrictions: Officers and employees shall not use departmental letterhead for private correspondence.

Department Address, Private Use Of: Officers and employees shall not use the Department as a mailing address for private purposes. The Department address shall not be used on any motor vehicle registration or operator's license without the express permission of the Chief of Police.

Bulletin Boards: Department bulletin boards are for the exclusive use of posting Department notices, assignments, training opportunities, and other necessary correspondence. Employees will not mark, deface, remove or write on any posted material. Removal of obsolete materials will be the responsibility of the employee who made the original posting or as directed by the Chief of Police or his/her designee.

APPROVED

JOHN M. REID
CHIEF OF POLICE

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California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1002

DISCIPLINARY POLICY

1002.1 PURPOSE AND SCOPE
The purpose of this policy is to provide employees of this department with guidelines for their conduct in order that they may participate in meeting the goals of this department in serving the community. This policy is intended for internal use only, and shall not be construed to increase or establish an employee's civil or criminal liability. Nor shall it be construed to create or establish a higher standard of safety or care. A violation of any portion of this policy may only serve as the basis for internal disciplinary and/or administrative action.

1002.2 DISCIPLINE POLICY
The continued employment of every employee of this department shall be based on conduct which reasonably conforms to the guidelines set forth herein. Failure of any employee to meet the guidelines set forth in this policy, whether on-duty or off-duty, may be cause for disciplinary action.

An employee's off-duty conduct shall be governed by this policy to the extent that it is related to act(s) that may materially affect or arise from the employee's ability to perform official duties, or to the extent that it may be indicative of unfitness for his/her position.

1002.3 CONDUCT WHICH MAY RESULT IN DISCIPLINE
The following list of causes for disciplinary action constitutes a portion of the department's disciplinary standards. This list is not intended to cover every possible type of misconduct, and does not preclude the recommendation of disciplinary action for specific action or inaction by an employee that is detrimental to efficient department service:

1002.3.1 ATTENDANCE
- Leaving job to which assigned during duty hours without reasonable excuse and proper permission and approval;
- Unexcused or unauthorized absence on scheduled day(s) of work;
- Failure to report to work or to place of assignment at time specified and fully prepared to perform duties, without reasonable excuse.

1002.3.2 CONDUCT
- Unauthorized or unlawful fighting, threatening, or attempting to inflict unlawful bodily injury on another;
- Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment, without first notifying the Chief of Police of such action;

- Using departmental resources in association with any portion of their independent civil action; these resources include, but are not limited to, personnel, vehicles, equipment, and non-subpoenaed records;
- Engaging in potentially dangerous "horseplay", resulting in injury or property damage or the reasonable possibility thereof;
- Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering such property through unreasonable carelessness or maliciousness;
- Failure of any employee to report activities on his/her own part or the part of any other employee, where such activities may result in criminal prosecution or discipline under this policy;
- Failure of any employee to report activities which have resulted in official contact by any other law enforcement agency;
- Seeking restraining orders against individuals encountered in the line of duty without the expressed permission of the Chief of Police.

1002.3.3 DISCRIMINATION

Employees shall not discriminate against any person because of race, color, creed, religion, sex, sexual preference, national origin, ancestry, marital status, physical handicap, or medical condition.

1002.3.4 INTOXICANTS

- Reporting for work or being at work following the use of intoxicants where such use may impair the employee's ability to perform assigned duties, or where there is an immediate suspicion of ineffectiveness during public contact resulting from the use of intoxicants;
- Unauthorized possession or use of, or attempting to bring intoxicants to the work site, except as authorized in the performance of an official assignment. An employee who is authorized to consume intoxicants is not permitted to do so to such a degree that it may impair on-duty performance.
- Reporting for work or being at work following the use of a "controlled substance" or any drug (whether legally prescribed or otherwise), where such use may impair the employee's ability to perform assigned duties.
- Unauthorized possession or use of, or attempting to bring a "controlled substance" or other illegal drug to any work site.

1002.3.5 PERFORMANCE

- Unauthorized sleeping during on-duty time or assignments;
- Careless workmanship resulting in spoilage or waste of materials, or work of an unacceptable nature, as applicable to the nature of the work assigned;
- Refusal, failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or instructions of supervisors without a reasonable and bona fide excuse;
- Concealing or attempting to conceal defective work, or removing or destroying such work without permission;
- Disobedience or insubordination to constituted authorities, or deliberate refusal to carry out any proper order from any supervisor or employee;
- The wrongful or unlawful exercise of authority on the part of any employee for malicious purpose, personal gain, willful deceit, or any other improper purpose;
- Disparaging remarks or conduct concerning duly constituted authority, to the extent that such conduct disrupts the efficiency of the department or subverts the good

order, effectiveness, or discipline of the department, or which would tend to discredit any member thereof;

- Knowingly making false, misleading, or malicious statements which are reasonably calculated to harm or destroy the reputation, authority, or official standing of the department or members thereof;
- The falsification of records, the making of misleading entries or statements with the intent to deceive, or the willful and unauthorized destruction and/or mutilation of any department record, book, paper, or document;
- Wrongfully loaning, selling, giving away, or appropriating any department property for the personal use of the employee or any unauthorized person(s).
- The unauthorized use of any badge, uniform, identification card, or other department equipment or property for personal gain or any other improper purpose.
- The receipt or acceptance of a reward, fee, or gift from any person for service incident to the performance of the employee's duties (lawful subpoena fees and authorized work permits excepted).
- Any knowing or negligent violation of the provisions of the Department Manual, Operating Procedures, or other written directive from an authorized supervisor. [Employees shall familiarize themselves with, and be responsible for, compliance with each of the above, and the Department shall make each available to the employee(s).]
- Work-related dishonesty, including attempted or actual theft of Department property, services, or the property of others;
- Criminal, dishonest, infamous, or notoriously disgraceful conduct adversely affecting the employee/employer relationship (on or off duty);
- Failure to disclose material facts, or the making of any false or misleading statement on any application, examination form, or other official document, report, or form;
- Failure to take reasonable action while on-duty and when required by law, statute, resolution, or approved Department practices or procedures;
- Substantiated, active, continuing association with, or membership in, "organized crime" and/or "criminal syndicates" with knowledge thereof, except as specifically directed and authorized by the Department;
- Offer or acceptance of a bribe or gratuity;
- Misappropriation or misuse of public funds;
- Exceeding lawful peace officer powers by unreasonable, unlawful, or excessive conduct;
- Unlawful gambling or unlawful betting on Department premises or at any work site;
- Substantiated, active, continuing association on a personal (rather than official) basis with a person or persons who engage in, or are continuing to engage in, serious violations of state or federal laws, where the employee has or reasonably should have knowledge of such criminal activities, except where specifically directed and authorized by the Department;
- Solicitations, speeches, or distribution of campaign literature for or against any political candidate or position while on-duty or on Departmental property, except as expressly authorized;
- Engaging in political activities during assigned working hours, except as expressly authorized;
- Violating any misdemeanor or felony statute;
- Any other on-duty or off-duty conduct which any employee knows or reasonably should know is unbecoming to a member of the Department, or which is contrary to good order, efficiency, or morale, or which tends to reflect unfavorably upon the Department or its members;

- Any failure or refusal of an employee to properly perform the function and duties of an assigned position;
- False or misleading statements to a supervisor.

1002.3.6 SAFETY

- Failure to observe posted rules, signs, and written or oral safety instructions while on duty and/or within Department facilities or to use required protective clothing or equipment;
- Substantiated employee record of unsafe or improper driving habits or actions in the course of employment;
- Failure to maintain good physical condition sufficient to adequately perform law enforcement duties.

1002.3.7 SECURITY

- Unauthorized, intentional release of designated confidential information, materials, data, forms, or reports.

1002.3.8 SUPERVISION RESPONSIBILITY

- Failure of a supervisor to take appropriate action to ensure that employees adhere to the policies and procedures of this department, and the actions of all personnel comply with all laws;
- Failure of a supervisor to timely report known misconduct of an employee to his or her immediate supervisor, or to document such misconduct appropriately, or as required by policy;
- The unequal or disparate exercise of authority on the part of a supervisor toward any employee for malicious or other improper purpose.

1002.4 INVESTIGATION OF DISCIPLINARY ALLEGATIONS

Regardless of the source of an allegation of misconduct, all such matters will be investigated in accordance with this department's Internal Affairs Complaints and Investigations Policy in Chapter 1008 of this Section. Pursuant to Government Code §§ 3304(d) and 3508.1, the investigation should be completed within one (1) year of the discovery of the allegation unless such investigation falls within one of the exceptions delineated within those provisions.

1002.4.1 WRITTEN REPRIMANDS

Any employee wishing to formally appeal a written reprimand must submit a written request to the Chief of Police, or Designee, within five (5) days of receipt of the written reprimand. The Chief of Police, or Designee, will be responsible for reviewing the appeal.

Absent a written stipulation to the contrary, the employee will be provided with an evidentiary hearing before the Chief of Police, or Designee, within thirty (30) days. The decision to sustain, modify, or dismiss the written reprimand shall be considered final.

1002.5 POST INVESTIGATION PROCEDURES

1002.5.1 LIEUTENANT RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Lieutenant shall review the entire investigative file, the employee's personnel file, and any other relevant materials.

The Lieutenant will make a recommendation to the Chief of Police regarding the appropriateness and amount of any discipline associated with any allegation(s) that can be sustained.

Prior to forwarding recommendations to the Chief of Police, the Lieutenant may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When the recommendation has been presented to the Chief of Police, the Lieutenant shall include all relevant materials supporting the recommendation (actual copies of an employee's existing personnel file need not be provided and may be incorporated by reference.)

1002.5.2 RESPONSIBILITIES OF THE POLICE CHIEF

Upon receipt of any recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials.

Unless the Chief of Police is not satisfied with the finding(s)/recommendation(s) of the investigation, the file will be returned to the Lieutenant for implementation.

The Chief of Police may return the entire file to the Lieutenant for further investigation and/or review.

1002.5.3 WRITTEN NOTICE (SKELLY) OF DISCIPLINE

In the event that disciplinary action is recommended, the Chief of Police, or Designee, shall provide the employee with written (Skelly) notice of the following information:

- Specific charges set forth in separate counts, describing the conduct underlying each count.
- A separate recommendation of proposed discipline for each charge.
- A statement that the employee has been provided with, or given access to, all of the materials considered by the Chief of Police and/or VPB&F in recommending the proposed discipline.
- An opportunity to respond orally or in writing to the Chief of Police, or Designee, within five (5) days of receiving the Skelly notice.
    - Upon a showing of good cause by the employee, the Chief of Police, or Designee, may grant a reasonable extension of time for the employee to respond.
    - If the employee elects to respond orally, the presentation shall be recorded by the Department. Upon request, the employee shall be provided with a copy of the recording.

1002.6 EMPLOYEE RESPONSE

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police, or Designee, after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

- This Skelly response is not intended to be an adversarial or formal hearing.
- Although the employee may be represented by an uninvolved representative or legal counsel, the Skelly response is not designed to accommodate the presentation of testimony or witnesses.
- The employee may suggest that further investigation could be conducted, or the employee may offer any additional information or mitigating factors for the Chief of Police, or Designee, to consider.
- In the event that the Chief of Police, or Designee, elects to cause further investigation to be conducted, the employee shall be provided with the results of such subsequent investigation prior to the imposition of any discipline.

- The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police, or Designee, on the limited issue(s) of information raised in any subsequent materials.
- Once the employee has completed his/her Skelly response or, if the employee has elected to waive any such response, the Chief of Police and/or VPB&F shall consider all information received in regard to the recommended discipline. The Chief of Police and/or VPB&F shall thereafter render a timely written decision to the employee imposing, modifying, or rejecting the recommended discipline.
- Once the Chief of Police and/or VPB&F has issued a written decision, the discipline shall become effective.

1002.7 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that an employee tenders a written retirement or resignation prior to the imposition of discipline, it shall be noted in the file. The tender of a retirement or resignation by itself shall not serve as grounds for the termination of pending discipline.

1002.8 POST SKELLY PROCEDURE

In situations in which the imposed discipline amounts to a written reprimand or less, the employee's right to appeal shall be limited to the aforementioned Skelly process with the Chief of Police, or Designee.

In situations resulting in the imposition of a suspension, punitive transfer, demotion, or termination of a non-probationary employee, the employee shall have the right to an evidentiary appeal of the Chief's and/or VPB&F's imposition of discipline.

1002.8.1 PRE-DISCIPLINARY PROCEDURES FOR EMPLOYEES

When the decision has been made that disciplinary action might be taken against an employee, the Human Resources Director and the Vice President of Business and Finance shall be contacted so that all disciplinary procedures are followed.

A notice of Intended Disciplinary Action will be given to the employee, and shall include as attachments:

- A written copy of the charges being made;
- The grounds for such charges;
- All documents which support such action;
- The type of disciplinary action intended;
- Copies of Personnel Rules violated.

The notice shall also include a statement advising the employee that he/she may respond to the charges either verbally or in writing within a reasonable, specified time period which will not exceed five (5) calendar days starting from the date of receipt of the notice.

The Department Head, or Designee, shall make himself/herself available to hear verbal responses or answers to the proposed disciplinary actions, and/or to consider any written responses submitted by the employee.

All information supplied by the employee in response to the proposed action will be considered by the department head prior to making a final decision on what disciplinary action is appropriate. Final action must be approved in accordance with this section.

During the pre-disciplinary hearing, employees may be represented by a representative of their choice. However, the employee shall only have the right to show cause, if any, why the proposed disciplinary action should not be taken. The employee shall be allowed to see all

documents and material which are being considered to support the proposed disciplinary action.

1002.9 DISCIPLINARY ACTION AGAINST PROBATIONARY EMPLOYEES

In the event that a probationary employee is terminated solely for unsatisfactory performance or the failure to meet department standards, the employee shall have no right to appeal, and the following shall be considered:

- Termination of a probationary employee for failure to pass probation shall be so reflected in the employee's personnel file.
- In the event that a probationary employee is disciplined or terminated for misconduct, the employee shall only be entitled to appeal the decision in the same manner as set forth in the Skelly procedure described above. This appeal process may be held prior to, or within a reasonable time after, the imposition of discipline.
- At all times during any investigation of allegations of misconduct involving a probationary police officer, such officer shall be afforded all procedural rights set forth in Government Code § 3303 and applicable Department policies.
- A probationary employee's appeal of disciplinary action shall be limited to an opportunity for the employee to attempt to establish that the underlying allegations should not be sustained. Nothing in this policy or procedure, however, should be construed to establish any sort of property interest in, or right to, the employee's continuation of employment.
- The burden of proof for any probationary employee's appeal of disciplinary action shall rest with the employee, and will require proof by a preponderance of the evidence.
- In the event that a probationary employee meets his or her burden of proof in such a disciplinary appeal, the Department shall remove all reference to the underlying allegations of misconduct from the employee's personnel file.
- In the event that a probationary employee fails to meet his or her burden of proof in such a disciplinary appeal, the employee shall have no further right to appeal beyond the Chief of Police.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 6/13/2007

California State University Chico Police Department
General Orders

CHAPTER 10 – GENERAL OPERATIONS
SECTION 1004

EVALUATION OF EMPLOYEES

1004.1 PURPOSE AND SCOPE

The objective of the evaluation system is to record work performance for both the department and the employee, giving recognition for good work and providing a guide for improvement where needed. The employee performance evaluation report is a gauge in measuring performance, and is used for making personnel decisions relating to merit increase, promotion, reassignment, discipline, demotion, and termination. The report also provides a guide for mutual work planning and review, and an opportunity to convert general impressions into a more objective history of work performance based on job standards.

1004.2 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 cover a specific period, and should be based on performance during that period. The employee's immediate supervisor will complete each evaluation. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the immediate supervisor for their input. It should be noted that employees covered under the CSUEU Collective Bargaining Agreement will be subject to the specific guidelines set forth in Article 10, Employee Performance.

Each supervisor should discuss the tasks of the position, standards of performance expected, and the evaluation rating criteria with each employee at the beginning of the rating period. When an employee's job performance falls below the established standards of the job, the supervisor should, as soon as practical, advise the employee in writing in order to provide an opportunity for the employee to improve performance. The involved employee will be provided the opportunity to initial any such documentation and respond in writing within 30 days, if desired. Failure to meet established performance standards is justification for an unsatisfactory rating. Rating factors that are not observed are assumed to be performed at a standard level.

1004.3 EVALUATION FREQUENCY

Employees are evaluated based on the following chart:

POSITION	EVALUATED 3-MO	EVALUATED 6-MO	EVALUATED 11-MO	EVALUATED YEARLY	LENGTH OF PROBATION
Probationary Sworn Employees	X	X	X		12 MONTHS
Non-Probationary Sworn Employees				X	
Probationary Non-Sworn Employees	X	X	X		12 MONTHS
Non-Probationary, Non-Sworn Employees				X	

1004.4 RATING CRITERIA

Raters who are required to evaluate their personnel yearly will complete the "California State University, Chico Performance Evaluation." (See attached)

1004.4.1 CATEGORIES

- **JOB SKILLS – KNOWLEDGE:** Consider the knowledge of the job and the supervision required.
- **QUALITY:** Consider accuracy, reliability of results, and wasted time in rework.
- **QUANTITY:** Consider expected volume of work produced.
- **SERVICE ORIENTATION:** Consider overall internal and external service commitment and behavior. Clients may include customers, peers, and supervisors.
- **JUDGMENT:** Consider success in organizing work, and the ability to differentiate between decisions that should be made or deferred.
- **ADAPTABILITY:** Consider willingness to learn new practices and adjust to changes in assignments or working conditions.
- **COMMUNICATION:** Consider verbal, written, and interpersonal communication skills.
- **ATTENDANCE:** Consider punctuality and unscheduled or unapproved absences.
- **SAFETY COMPLIANCE:** Consider safety practices in the work area.

1004.4.2 OVERALL EVALUATION

- **OUTSTANDING:** Performance far exceeds expectations and requirements of the position.
- **EXCEEDS EXPECTATIONS:** Performance often exceeds expectations and requirements of the position.
- **SATISFACTORY:** Performance meets and sometimes may exceed expectations and requirements of the position. Fully competent.
- **NEEDS IMPROVEMENT:** Performance often does not meet expectations and requirements of the position. Improvement is necessary.
- **UNSATISFACTORY:** Performance consistently does not meet expectations and requirements of the position. Immediate improvement is required.

When completing the Employee Performance Evaluation, the rater will place a check mark in the column that best describes the employee's performance.

Space for written comments is provided at the end of the evaluation in the rater comments section. This section allows the rater to verbalize employee strengths, employee weaknesses, and suggestions for improvement. Any rating under any job dimension marked “unsatisfactory” or “outstanding” shall be substantiated in the rater comments section.

1004.5 EVALUATION REVIEW

After the supervisor has completed the employee’s preliminary evaluation, and prior to discussing the evaluation with the employee, it shall be forwarded to the rater’s supervisor for review. The rater’s supervisor shall review the evaluation for fairness, impartiality, uniformity, and consistency. The rater’s supervisor will look at the quality of ratings given, and then forward the evaluation to the Chief of Police (or designee) for final review. After the Chief’s review, the evaluation will be returned to the evaluating supervisor. Corrections and/or changes to the evaluation will be made at that time.

Arrangements will be made for a private discussion of the evaluation with the employee. After reviewing the evaluation, the supervisor and employee will sign and date the evaluation.

Permanent employees may seek an interview with superiors within their chain of command, up to and including the Chief of Police, to contest the performance evaluation. Permanent employees may also write comments in the EMPLOYEE’S COMMENTS section of the performance evaluation report. After the employee signs the evaluation, it will be distributed as outlined in § 1004.6 of this manual.

1004.6 EVALUATION DISTRIBUTION

The original performance evaluation shall be maintained in the employee's personnel file in the Human Resources office for the tenure of the employee's employment. A copy will be given to the employee, and a copy will be kept in the office of the Chief of Police.

APPROVED

JOHN M. REID
CHIEF OF POLICE

The California State University
CSU, Chico

☐ Draft
☐ Final

Performance Evaluation

Instructions: The employee shall be given up to five (5) days to review the draft evaluation and provide input, if any, to the evaluator. The evaluator shall consider input provided within the five-day period in preparing the final performance evaluation.

Employee Name:	**Department:**	**Evaluation Period:**	**Type of Appraisal:**
Classification:	**Working Title:**		☐ 3 Month ☐ 6 Month ☐ 11 Month ☐ Annual ☐ Other
Supervisor's Name:	**Employee Status:** ☐ Temporary ☐ Permanent		
Supervisor's Title:	☐ Probationary		

	(5) Outstanding	**(4) Exceeded Expectations**	**(3) Satisfactory**	**(2) Needs Improvement**	**(1) Unsatisfactory**
Job Skills/ Knowledge Consider the knowledge of job and the supervision required.	Shows exceptional skills and knowledge on the job. Has strong understanding of all aspects of department.	Very well informed on all phases of the position. Requires little or no supervision.	Has a good understanding of all aspects of job. Requires standard supervision.	Has minimal knowledge of the essentials. Needs close supervision.	Unacceptable job knowledge. Requires maximum supervision in most or all areas of job responsibilities.
	☐	☐	☐	☐	☐
COMMENTS:					

	5	**4**	**3**	**2**	**1**
Quality Consider accuracy and reliability of results and wasted time in rework.	Exceptionally accurate. Produces top quality and thorough results. Sets example. Work is consistently error-free.	Produces results that exceed requirements. Seldom necessary to check work.	Produces good quality work. Results are generally accurate, but may require occasional rework.	Quality of work sometimes below standards. Requires frequent review.	Produces unreliable results with frequent errors. Requires constant checking.
	☐	X	☐	☐	☐
COMMENTS:					

	5	**4**	**3**	**2**	**1**
Quantity Consider expected volume of work produced.	Consistently produces a high volume of work. Capable of performing a number of diverse tasks. Generally a top producer in unit.	Consistently produces more than expected. Capable of taking on extra work and assignments.	Meets volume requirements. Completes all assigned tasks.	Volume not always at expected level.	Does not complete work assignments. Amount of work produced is unacceptable.
	☐	☐	☐	☐	☐
COMMENTS:					

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CSU, Chico

☐ Draft
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Performance Evaluation

Service Orientation Consider overall internal and external service commitment and behavior. Clients may include customers, peers and supervisors.	5 Provides exceptional service. Initiates suggestions for overall service improvement. Feedback from clients indicates an extraordinary level of commitment to service.	4 Provides consistent top quality service. Consistently exceeds clients' service expectations.	3 Displays positive service orientation. Clients are satisfied with level of service provided.	2 Occasionally displays positive service orientation.	1 Rarely displays a positive service orientation. Immediate improvement necessary.
COMMENTS:					

Judgment Consider success in organizing work and the ability to differentiate between decisions that should be made or deferred.	5 Thinks quickly and logically. Decisions made are extremely reliable and sound. Exceptionally well-organized.	4 Shows consistently sound judgment. Very well-organized.	3 Displays sound judgment. Good organizational ability.	2 Minimum ability to organize daily work. Some improvement may be required in judgment.	1 Work is not organized. Consistently poor judgment.
COMMENTS:					

Adaptability Consider willingness to learn new practices and adjust to changes in assignments or working conditions.	5 Adapts to change rapidly and displays positive attitude. May help others adapt to change.	4 Quickly learns new practices. Has positive attitude about change.	3 Competently learns new practices and adjusts well to change.	2 Learns new practices after much instruction. Accepts change with hesitancy.	1 Does not retain instructions. Resistant to change.
COMMENTS:					

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CSU, Chico

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Performance Evaluation

Communication Consider verbal, written, and interpersonal communication skills.	**5** Exceptional communication and interpersonal skills. Interacts extraordinarily well with all levels of employees and managers. May be used as an expert service resource or act as an example for others.	**4** Very strong communication and interpersonal skills. Interacts very well with all levels of employees and managers.	**3** Fully competent communication and interpersonal skills. Interacts well with others.	**2** Communication and interpersonal skills need improvement in some areas. May interact well with some, but not all, levels of employees and managers.	**1** Interpersonal and communication skills are unacceptable. Does not interact well with others.
COMMENTS:					

Attendance Consider punctuality and unscheduled or unapproved absences.	**5** Always arrives on time. All absences are approved in advance.	**4** Consistently arrives on time. Absences are approved in advance with rare exception.	**3** Generally arrives on time. Absences are often approved in advance.	**2** Excessive amount of tardies and unscheduled or unapproved absences.	**1** Unacceptable amount of tardies and unscheduled or unapproved absences.
COMMENTS:					

Safety Compliance Consider safety practices in work area.	*Numerical value is not assigned and should not effect any statistical average analyses.*		Complies with emergency procedures and safety programs.		Does not comply with emergency procedures and safety programs
COMMENTS:					

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The California State University ☐ Draft
CSU, Chico ☐ Final

Performance Evaluation

Employee Name: _____

OVERALL PERFORMANCE EVALUATION

Using the following standards, please select the summary description that most closely describes the employee's overall performance for this entire review period:

{ } **Outstanding (5):** *Performance far exceeds expectations and requirements of the position.* Incumbent consistently integrates a wide variety of skills to outstandingly and effectively solve problems and carry out duties, responsibilities and objectives well beyond the expectations of the position. Outcomes and solutions are routinely excellent and seldom matched by others. Incumbent demonstrates the highest level of performance standards in handling all assignments. Incumbent's performance is consistent with the behavior associated with the selected critical performance factors. Overall, performance demonstrates a very high degree of expertise and serves as a model of excellence for others. Incumbent adds value to the organization well beyond what was expected. Incumbent's high level of sustained performance merits special recognition and compares with the best the CSU has seen. *Very few employees achieve this level of competency, particularly in an overall evaluation.*

{ } **Exceeded Expectations (4):** *Performance often exceeds expectations and requirements of the position.* Incumbent frequently demonstrates the ability to integrate a variety of skills to effectively solve problems and carry out duties, responsibilities and objectives beyond the expectations of the position. Incumbent's performance is consistent with the behavior associated with the selected critical performance factors. Incumbent adds value to the organization beyond what is expected and is one of the key contributors within the organization.

{ } **Satisfactory (3):** *Performance meets and sometimes may exceed expectations and requirements of the position. Fully competent.* Incumbent adds value to the organization and is a fully competent performer. Critical goals, tasks, and projects are achieved within acceptable standards. During the review period, there may have been some accomplishments that exceeded expectations, some that may have met expectations and, possibly, some areas where results may not have fully met expectations. Overall, the incumbent demonstrates the ability to handle projects or assignments within the scope of the position and demonstrates the ability to integrate a variety of skills to solve problems and carry out duties, responsibilities and objectives. Incumbent's performance is generally consistent with the behavior associated with the selected critical performance factors.

{ } **Needs Improvement (2):** *Performance often does not meet expectations and requirements of the position. Improvement is necessary.* Incumbent needs further development and/or improvement in one or more of the critical performance factors. Incumbent requires more than normal amount of guidance and follow-up to assure that assignments were progressing adequately. Performance is occasionally consistent with the behavior associated with the selected critical performance factors. Sustained progress and improvement are required in one or more of the critical performance factors.

{ } **Unsatisfactory (1):** *Performance consistently does not meet expectations and requirements of the position. Immediate improvement is required.* Performance is below the minimum needed to fulfill principal duties, responsibilities, objectives and expectations of the position. Incumbent requires an unreasonable amount of direction and guidance that is inconsistent with the position. Performance must improve or corrective action will be taken, up to and including termination.

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The California State University
CSU, Chico

☐ Draft
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Performance Evaluation

ADDITIONAL SUPERVISORY COMMENTS:
(include comments on Overall Performance Evaluation rating and future goals and objectives)

EMPLOYEE'S COMMENTS:
(may also attach a separate sheet of paper)

_____ (initial here) I have reviewed this draft evaluation and do not wish to provide any input to the evaluator. Therefore, this draft will also serve as my final evaluation.

I certify that this evaluation has been discussed with me. My signature does not necessarily indicate that I agree with the evaluation.

Employee's Signature	Date
Supervisor's Signature	Date
Dept/Organizational Head Signature	Date

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REVISED: 1/31/2018
Effective: 6/13/2007

California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1006

GRIEVANCES AND COMPLAINTS

1006.1 PURPOSE AND SCOPE

It is the policy of this department that all grievances and complaints be handled fairly, without discrimination against employees who file grievances or complaints, whether or not there is a basis for the grievance or complaint. Our agency's philosophy is to promote free verbal communication between employees and supervisors.

1006.1.1 GRIEVANCE AND COMPLAINT DEFINED

Per the agreement between the CSU and the Statewide University Police Association, the term *complaint* refers to a concern of an employee which arises from the application of a term of the agreement.

The term *grievance* refers to a written allegation by an employee that there has been a violation, misapplication, or misinterpretation of a specific term of the bargaining agreement.

Per the agreement between the CSU and the CSU Employees Union, the term *complaint* refers to a specific stated allegation by a complainant that there has been a violation, misapplication, or misinterpretation of a specific CSU policy governing working conditions or a CSU work rule.

The term *grievance* refers to the specific stated allegation by a grievant that there has been a violation, misapplication, or misinterpretation of a specific term of the bargaining agreement.

Complaints or grievances may be brought by an individual employee or by a group representative.

1006.2 PROCEDURE

If an employee feels that he or she has a complaint or a grievance as defined above, then that employee shall observe the procedures outlined in his/her bargaining agreement.

APPROVED

JOHN M. REID
CHIEF OF POLICE

Revised: January 31, 2018
Updated: October 13, 2008

California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1008

INTERNAL AFFAIRS COMPLAINTS AND INVESTIGATIONS

1008.1 PURPOSE

The purpose of this procedure is to provide guidelines for the reporting, investigation, and disposition of complaints regarding the conduct of members and employees of this department.

A relationship of trust and confidence between members of the department and the community is essential to effective law enforcement. Law enforcement officers must be free to exercise their best judgment and to initiate enforcement action in a responsible, lawful, and impartial manner without fear of reprisal. However, the Department must also have a codified process in place for investigating allegations of misconduct.

The benefits of having such a policy include the following:

- Desired behaviors are reinforced.
- Actions which constitute misconduct are addressed in an objective, uniform and timely manner.
- Officers are protected from unwarranted criticism and allegations.
- The Department's credibility with external entities is enhanced.

Penal Code Section 832.5 requires that any department that employs peace officers establish a procedure to investigate citizens' complaints against its personnel, and make a written description of the procedure available to the public. Any person has a right to file a complaint, and all alleged or suspected violations of law, ordinances, department orders, and University rules must be investigated.

CSU, Chico Police Department acknowledges its responsibility to establish a complaint system and disciplinary procedures, which not only will subject the officer to corrective action when there is improper conduct, but also will protect the officer from unwarranted criticism when official duties are properly discharged.

Non-sworn members of the department who are covered under the CSUEU Bargaining Agreement are subject to the policies set forth therein, specifically Article 12, Corrective Action.

1008.1.1 POLICY

It is the policy of this department to investigate all complaints against the department or its employees, and to provide prompt, just, open, and expeditious disposition of complaints regarding the conduct of officers and employees of this department.

1008.2 PERSONNEL COMPLAINTS DEFINED

An Internal Affairs investigation usually begins with a complaint. Complaints can be either “citizen-generated” or “internally-generated”. A personnel complaint consists of any allegation of misconduct or improper job performance against any department employee that, if true, would constitute a violation of department policy, or federal, state, or local law.

Inquiries about employee conduct which, even if true, would not qualify as "personnel complaints" may be handled informally by department supervisors, and shall not be considered "complaints."

Additionally, 832.5 PC only requires that a procedure be put in place for investigating allegations of misconduct. It does not require that a formal complaint be taken simply because a citizen decides to complain about an employee.

"Personnel Complaints" shall be classified in one of the following categories:

Informal - a matter in which the complaining party is satisfied that appropriate action has been taken by a department supervisor of rank greater than the accused employee. Informal complaints need not be documented on a Personnel Complaint form, and the responsible supervisor shall have the discretion to handle the complaint in any manner consistent with this policy.

Formal - a matter in which the complaining party requests further investigation, or a ranking department supervisor determines that further action is warranted. Such complaints should be referred to the Lieutenant.

1008.3 DEFINITIONS

Complaint – A statement made alleging that a department member (sworn or non-sworn) has engaged in an act constituting misconduct. Complaints can be made by members of the public and department personnel.

Complainant – The person who files a complaint with the department alleging the commission of a major violation or infraction by a member or members of the department, and includes any aggrieved party and any person or group who assists in filing the complaint.

Conclusions/Findings – Results of an investigation of any allegation, including observations and conclusions of the investigating officer.

Disposition – The status assigned to a case by the Chief following the conclusion of the investigation.

Infraction – A violation of department rules and regulations defining transgressions that are not major violations.

Member – Both sworn and civilian employees of the department (includes temporary and part-time positions).

Misconduct – Under these procedures, it is shown by a preponderance of the evidence that a member of the department has:

- Violated any rule, procedure, or lawful order of the department, the University, or the CSU system.
- Violated any law, whether codified by city/county statute, state or federal statute, or constitutional provision.

Removal – The termination of a member's employment with the department.

Rules and Regulations – The administrative acts promulgated by the Chief that are designed to regulate departmental standards of conduct and appearance.

Suspension – The temporary removal of a member from active employment for a definite period of time.

Witness – A person who can produce evidence relevant to an alleged major violation or infraction.

1008.4 SUBJECTS, SOURCE AND ACCEPTANCE OF COMPLAINTS

1008.4.1 SUBJECTS OF COMPLAINTS

Every person employed by the Department, whether civilian or sworn, is obligated to follow the policies and procedures set forth in the General Orders. Every person employed by the Department is also obligated to obey all municipal, State, and Federal laws, statutes and provisions, as well as all California State University regulations and executive memorandums. Therefore, any member of the Department could be a subject of an Internal Affairs investigation.

1008.4.2 SOURCE OF COMPLAINTS

Department employees becoming aware of alleged misconduct shall immediately notify a supervisor. A supervisor who receives a complaint from any source alleging misconduct of an employee which, if true, could result in disciplinary action, shall act accordingly.

Anonymous complaints will be reviewed to the extent that sufficient information is provided.

Third party complaints should be accepted and investigated to the extent that sufficient information is provided.

1008.4.3 ACCEPTANCE OF COMPLAINTS

A complaint may be filed in person, in writing, online or by telephoning the department.

- Complaints shall not be prepared unless the alleged misconduct or job performance is of a nature which, if true, would normally result in disciplinary action.
- When an uninvolved supervisor or the Lieutenant determines that the reporting person is satisfied that his/her complaint required nothing more than an explanation regarding the proper/improper implementation of department policy or procedure, a complaint need not be taken.

- When the complainant is intoxicated to the point where his/her credibility appears to be unreliable, identifying information should be obtained and the person should be provided with a Personnel Complaint form.
- Depending on the urgency and seriousness of the allegations involved, complaints from juveniles should generally be taken only with their parents or guardians present, and after the parents or guardians have been informed of the circumstances prompting the complaint.

1008.4.4 COMPLAINT DOCUMENTATION

Formal complaints of alleged misconduct shall be documented by a supervisor on the department Personnel Complaint form. The supervisor shall insure that the nature of the complaint is defined as clearly as possible.

A supervisor may elect to document informal complaints as a supervisor log entry.

When a Personnel Complaint form is completed in person, the complainant should legibly write a detailed narrative of his/her complaint. If circumstances indicate that this is not feasible, the complaint may be dictated to the receiving supervisor. Whether handwritten or dictated, the complainant's signature should be obtained at the conclusion of the statement.

1008.5 SUPERVISOR RESPONSIBILITY

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The primary responsibility for the investigation of a personnel complaint shall rest with the employee's immediate supervisor. However, the Chief of Police or authorized designee may direct another employee to investigate the complaint. The supervisor shall be responsible for the following:

- A supervisor receiving a formal complaint involving allegations of a potentially serious nature shall insure that the Lieutenants and Chief of Police are notified as soon as practicable.
- A supervisor receiving or initiating any formal complaint shall insure that a Personnel Complaint form has been completed as fully as possible. The original complaint form will then be directed to one of the Lieutenants, who will then take appropriate action.
    - During the preliminary investigation of any complaint, the supervisor should make every reasonable effort to obtain names, addresses, and telephone numbers of additional witnesses.
    - 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 Lieutenant or the Chief of Police, who will initiate appropriate action.
- A supervisor dealing with accused sworn employees shall insure that the procedural rights of the employees are followed, pursuant to Government Code § 3303, et seq.

In ALL cases, a Supervisor shall maintain the confidentiality and integrity of the investigation by not discussing the personnel complaint with any other Department employees.

1008.6 ASSIGNMENT TO ADMINISTRATIVE LEAVE

The accused employee may be assigned to administrative leave (inactive duty), pending completion of the investigation or the filing of administrative charges, when:

- A complaint of misconduct is of a serious nature;
- Circumstances practically dictate that to do otherwise would impose an unreasonable risk to the department, the employee, other employees, or the public.

1008.6.1 ADMINISTRATIVE LEAVE

An employee placed on Administrative Leave may be subject to the following guidelines:

- Under such circumstances, an employee placed on administrative leave shall continue to receive regular pay and benefits pending the imposition of any discipline.
- An employee placed on administrative leave may be required by a supervisor to relinquish any badge, departmental identification, assigned weapon(s), and any other departmental equipment.
- An employee placed on administrative leave may be ordered to refrain from taking any action as a departmental employee or in an official capacity. The employee shall be required to continue to comply with all policies and lawful orders of a supervisor.
- An employee placed on administrative leave may be temporarily reassigned to a different shift (generally normal business hours) during the duration of the investigation, and the employee may be required to remain available for contact at all times during such shift and report as ordered.
- At such time as any employee placed on administrative leave is returned to full and regular duty, the employee shall be returned to his/her regularly assigned shift with all badges, identification cards, and other equipment returned.

1008.7 ALLEGATIONS OF CRIMINAL CONDUCT

When an employee of this department is accused of potential criminal conduct, a separate supervisor or assigned detective shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

One or both of the Lieutenants and Chief of Police shall be notified as soon as practical when an employee is formally accused of criminal conduct, and in all cases prior to the end of shift. (In the event of serious criminal allegations, the Chief of Police may request a criminal investigation by an outside law enforcement agency.)

An employee accused of criminal conduct shall be provided with all rights and privileges afforded to a civilian, and the employee may not be administratively ordered to provide any information to a criminal investigator.

No information or evidence administratively coerced from an employee may be provided to a criminal investigator.

Any law enforcement agency is authorized to release information concerning the arrest or detention of a peace officer which has not led to a conviction (Labor Code § 432.7(b)). However, no disciplinary action (other than paid administrative leave) shall be taken against the accused employee based solely on an arrest or crime report. An independent administrative investigation shall be conducted based upon the allegations in the report in accordance with department policy.

1008.8 ADMINISTRATIVE INVESTIGATION OF COMPLAINT

Whether conducted by a supervisor or an assigned member by the Lieutenant, the following procedures shall be followed with regard to the accused employee(s):

- Interviews of accused employees shall be conducted during reasonable hours and, if the employee is off-duty, the employee shall be compensated. (Government Code § 3303(a)).
- No more than two interviewers may ask questions of an accused employee. (Government Code § 3303(b)).
- Prior to any interview, an employee shall be informed of the nature of the investigation. (Government Code § 3303(c)).
- All interviews shall be for a reasonable period, and the employee's personal needs shall be accommodated. (Government Code § 3303(d)).
- No employee shall be subjected to offensive or threatening language, nor shall any promises, rewards, or other inducements be used to obtain answers. However, any employee refusing to answer questions directly related to the investigation may be ordered to answer questions administratively or be subject to discipline for insubordination. Once again, nothing administratively ordered may be provided to a criminal investigator. (Government Code § 3303(e)).
- Absent circumstances preventing it, the interviewer should record all interviews of employees and witnesses. The employee may also record the interview. If the employee has been previously interviewed, a copy of that interview shall be provided to the employee prior to any subsequent interview. (Government Code § 3303(g)).
- If the allegations involve potential criminal conduct, the employee shall be advised of his/her constitutional rights pursuant to Lybarger. This admonishment shall be given administratively whether or not the employee was advised of these rights during any separate criminal investigation. (Government Code § 3303(h)).
- All employees subjected to interviews that could result in punitive action shall have the right to have an uninvolved representative present during the interview. (Government Code § 3303(i)).
- All employees shall provide complete and truthful responses to questions posed during interviews.
- No employee may be compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation. (Government Code § 3307).

1008.8.1 ADMINISTRATIVE SEARCHES

Any employee exhibiting objective symptoms of alcohol/drug intoxication or influence, and any employee involved in a shooting, death from police action, or injury/fatal traffic

collision may be administratively ordered to submit to a blood, breath, or urine test. The results of such compelled testing shall be restricted to the administrative investigation.

Any employee may be compelled to disclose personal financial information pursuant to proper legal process, if such information tends to indicate a conflict of interest with official duties, or if the employee is assigned to, or being considered for, a special assignment with a potential for bribes. (Government Code § 3308).

Employees shall have no expectation of privacy when using department telephones, computers, radios, or other communications.

Assigned lockers and storage spaces may only be administratively searched in the employee's presence, with the employee's consent, with a valid search warrant, or where the employee has been given reasonable notice that the search will take place. (Government Code § 3309).

All other departmentally assigned areas (e.g. desks, office space, assigned vehicles) may be administratively searched by a supervisor, in the presence of an uninvolved witness, for non-investigative purposes (e.g. obtaining a needed report or radio). An investigative search of such areas shall only be conducted upon a reasonable suspicion that official misconduct is involved.

1008.8.2 ADMINISTRATIVE INVESTIGATION FORMAT

Investigations of personnel complaints shall be detailed, complete, and essentially follow this format:

- INTRODUCTION - include the identity of the employee(s), the identity of the assigned investigator(s), and the initial date and source of the complaint.

- SYNOPSIS - provide a very brief summary of the facts giving rise to the investigation.

- SUMMARY OF ALLEGATIONS - list the allegations separately (including applicable policy sections) with a very brief summary of the evidence relevant to each allegation. A separate recommended FINDING should be provided for each allegation.

- EVIDENCE AS TO EACH ALLEGATION - each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of employee and witness statements. Other evidence related to each allegation should also be detailed in this section.

- CONCLUSION - a recommendation regarding further action or disposition should be provided.

- EXHIBITS - a separate list of exhibits (tapes, photos, documents, etc.) should be attached to the report.

1008.9 DISPOSITION OF PERSONNEL COMPLAINTS

Each allegation shall be classified with one of the following dispositions:

- UNFOUNDED – when the investigation discloses that the alleged act(s) did not occur or did not involve department personnel. (Complaints which are determined to be "frivolous" [See: Penal Code § 832.5 (c)] will fall within the classification of unfounded.)

- EXONERATED - when the investigation discloses that the alleged act occurred, but that the act was justified, lawful, and/or proper.

- NOT SUSTAINED - when the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the employee.

- SUSTAINED - when the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

NOTE: If an investigation discloses misconduct or improper job performance which was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1008.10 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint shall proceed with due diligence. Recognizing that factors such as witness availability and the complexity of allegations will affect each case, every effort should be made to complete each investigation within thirty (30) days of receipt. If the nature of the allegation(s) dictates that confidentiality is necessary to maintain the integrity of the investigation, the involved employee(s) need not be notified of the pending investigation unless and until the employee is interviewed or formally charged.

If the complaining party is charged with a criminal offense associated with this investigation, then the investigation may be suspended until the completion of the criminal trial.

Upon completion, the report should be forwarded to the Lieutenant for review. The Lieutenant will then forward the report and recommendation(s) to the Chief of Police for review. The Chief of Police may accept or modify the classification and recommendation for disciplinary action contained in the report.

Within thirty (30) days of the final review by the Chief of Police, written notice of the findings shall be sent to the complaining party. This notice shall indicate the findings; however, it will not disclose the amount of discipline, if any, imposed. The complaining party should also be provided with a copy of his/her own original complaint. (Penal Code § 832.7).

1008.10.1 CONFIDENTIALITY OF PERSONNEL FILES

All investigations of personnel complaints shall be considered confidential peace officer personnel files. The contents of such files shall not be revealed to anyone other than the involved employee or authorized personnel except pursuant to lawful process.

In the event that an accused employee (or the representative of such employee) knowingly makes false representations regarding any internal investigation, and such false representations are communicated to any media source, the department may

disclose sufficient information from the employee's personnel file to refute such false representations. (Penal Code § 832.5).

All formal personnel complaints shall be maintained for a period of no less than five (5) years. (Penal Code § 832.5). All non-citizen (i.e. those that originate internally) initiated complaints shall be maintained for no less than two (2) years. (Government Code § 34090 et seq.).

Sustained complaints shall be maintained in the employee's personnel file. Complaints which are unfounded, exonerated, or not sustained shall be maintained by the Chief's Administrative Assistant apart from the employee's personnel file.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 6/18/2007

California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1010

PEACE OFFICER PERSONNEL FILES

1010.1 PURPOSE AND SCOPE

This section governs the maintenance, retention, and access to peace officer personnel files in accordance with established law. It is the policy of this department to maintain the confidentiality of peace officer personnel records pursuant to Penal Code § 832.7. Official personnel files for non-sworn employees of this department shall be maintained in accordance with the CSUEU bargaining agreement Article 11.

1010.2 PERSONNEL FILES DEFINED

Pursuant to Penal Code § 832.8, peace officer personnel records shall include any file maintained under an individual officer's name relating to:

- Personal data, including marital status, family members, educational and employment history, home addresses, or similar information;
- Medical history;
- Election of employee benefits;
- Employee advancement, appraisal, or discipline;
- Complaints, or investigations of complaints, concerning an event or transaction in which the officer participated, or which the officer perceived, and pertaining to the manner in which the officer performed official duties;
- Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

1010.3 EMPLOYEE RECORD LOCATIONS

Employee records will generally be maintained in any of the following:

Department File - That file which is maintained in the office of the Police Chief's Assistant as a permanent record of a sworn officer's employment with this department.

Division File - Any file which is separately maintained internally by an employee's supervisor(s) within an assigned division for the purpose of completing timely performance evaluations.

Supervisor Log Entries - Any written comment, excluding actual performance evaluations, made by a department supervisor concerning the conduct of an employee of this department.

Training File - Any file which documents the training records of an employee.

Internal Affairs Files - Those files which contain complaints of employee misconduct and all materials relating to the investigation into such allegations, regardless of disposition.

1010.4 CONFIDENTIALITY OF ALL PERSONNEL FILES

Pursuant to Penal Code § 832.7, all of the above-defined personnel records shall be deemed confidential, and shall not be subject to disclosure except pursuant to the discovery procedures set forth in Evidence Code §§ 1043, et seq. or in accordance with applicable federal discovery laws.

1010.5 REQUESTS FOR DISCLOSURE

All requests for the disclosure of any information contained in any peace officer personnel record shall be promptly brought to the attention of the on-duty Watch Commander, the Custodian of Records, or other supervisor charged with the maintenance of such records.

Upon receipt of any such request, the responsible supervisor shall notify the affected employee(s) as soon as practicable that such a request has been made. (Evidence Code § 1043(a)).

The responsible supervisor shall further ensure that an appropriate response to the request is made in a timely manner. In many cases, this will require assistance of approved and available legal counsel.

All requests for disclosure which result in access to an employee's personnel file(s) shall be logged in the corresponding file.

1010.5.1 RELEASE OF CONFIDENTIAL INFORMATION

Except as provided by this policy or pursuant to lawful process, no information contained in any confidential peace officer personnel file shall be disclosed to any unauthorized person(s) without the expressed prior consent of the involved officer or written authorization of the Chief of Police or his or her designee.

Any person who maliciously and with the intent to obstruct justice or the due administration of the law, publishes, disseminates, or otherwise discloses the residence address or telephone number of any member of this department may be guilty of a misdemeanor. (Penal Code § 146(e)).

Pursuant to Penal Code § 832.7(e), the disposition of any citizen's complaint shall be released to the complaining party within thirty (30) days of the final disposition. This release shall be limited to the disposition and shall not include what discipline, if any, was imposed.

The department may also release any factual information concerning a disciplinary investigation if the officer who is the subject of the investigation (or the officer's representative) publicly makes a statement which is published in the media and which the officer (or representative) knew to be false. The disclosure of such information, if any, shall be limited to facts which refute any such false statement. (Penal Code § 832.7(d)).

1010.5.2 RELEASE OF PERSONNEL FILES TO DISTRICT ATTORNEY

Pursuant to Penal Code § 832.7(a), the only time the District Attorney (Attorney General or Grand Jury) is entitled to access confidential peace officer personnel files without filing a so called “Pitchess” motion (Evidence Code § 1043 et seq.) is when the District Attorney’s office is investigating the conduct of an officer or this agency. Such access shall not be considered a waiver of the confidentiality of the information contained in these files.

Absent a specific investigation of identified officer(s) or a specific investigation of this agency (or the consent of an involved officer), no confidential information from any officer’s personnel file shall be released to the District Attorney (Attorney General or Grand Jury) without full compliance with the “Pitchess” process. Should an officer’s credibility or other issues related to an officer’s personnel file arise in the context of an officer acting as a witness for the prosecution, access to that officer’s personnel file by either the District Attorney or the criminal defendant shall be limited to that which is authorized by the process set forth in Evidence Code § 1043, et seq.

1010.6 EMPLOYEE ACCESS TO OWN FILE

Any employee may request access to his/her own personnel file(s) during the normal business hours of the individual(s) responsible for maintaining such file(s). Employees may be restricted from accessing any such files under the following conditions:

- Background information, letters of recommendation, test results, and promotional assessments.
- Ongoing internal investigations pending final disposition or notice to the employee of intent to discipline.
- Internal Affairs files which have not been sustained against the employee, to the extent that such files contain confidential information.

1010.7 TYPES OF PERSONNEL FILES

Peace officer personnel files can be located in any of the following places:

1010.7.1 DEPARTMENT FILE

The Department File should contain, but is not limited to, the following:

- Performance evaluation reports regularly completed by appropriate supervisor(s) and signed by the affected employee shall be permanently maintained.
- Disciplinary action:
    - Disciplinary action resulting from sustained internally-initiated complaints or observation of misconduct shall be maintained in the individual employee's Department file for at least two (2) years. (Government Code § 34090).
    - Disciplinary action resulting from a sustained citizen's complaint shall be maintained in the individual employee's Department file for at least five (5) years. (Penal Code § 832.5).
    - Investigations of complaints which result in a finding of "not-sustained", "unfounded", or "exonerated" shall not be placed in the employee's department file, but will be separately maintained for the appropriate retention period in the Internal Affairs File.
- Adverse comments such as supervisor log entries may be retained in the department file or division file (after the employee has had the opportunity to read

and initial the comment) for a period of up to two (2) years. (Government Code § 3305).
    - Once an employee has had an opportunity to read and initial any adverse comment prior to entry into a file, the employee shall be given the opportunity to respond in writing to such adverse comment within thirty (30) days. (Government Code § 3306).
    - Any such employee response shall be attached to and retained with the original adverse comment.
    - If an employee refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment. Such a refusal, however, shall not be deemed insubordination nor shall it prohibit the entry of the adverse comment into the employee's file.
    - Commendations shall be retained in the employee's Department file with a copy provided to the involved employee.
- Personnel Action Reports reflecting assignments, promotions, and other changes in the employee's employment status.
- A photograph of the employee.
- Records of all training (original or photocopies of available certificates, transcripts, diplomas, and other documentation) and education.
    - It shall be the responsibility of the involved employee to provide the training officer or immediate supervisor with evidence of completed training/education in a timely manner.
    - The training officer or supervisor shall ensure that copies of such training records are placed in the employee's Department file.

1010.8 DIVISION FILE

The Division File should contain, but is not limited to, the following:

- Supervisor log entries, notices to correct, and other materials intended to serve as a foundation for the completion of timely Performance Evaluations.
    - All materials intended for this interim file shall be provided to the employee prior to being placed in the file in accordance with Government Code §§ 3305 and 3306.
    - Duplicate copies of items which will also be included in the employee's department file may be placed in this interim file in anticipation of completing any upcoming Performance Evaluation.
    - Once the permanent Performance Evaluation form has been made final, the underlying foundational material(s) and/or duplicate copies may be purged in accordance with this policy.
- All rules of confidentiality and disclosure shall apply equally to the Division File.

1010.8.1 INTERNAL AFFAIRS FILE

The Internal Affairs file shall be maintained under the exclusive control of the Professional Standards Unit in conjunction with the Office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the supervisor of the Professional Standards Unit. These files shall contain:

- The complete investigation of all formal complaints of employee misconduct, regardless of disposition.

  - Each investigation file shall be sequentially numbered within a calendar year (e.g. 03-001, 03-002, etc.) that can be cross-referenced for each involved employee.
  - Each investigation file arising out of a formal citizen's complaint shall be maintained for no less than five years, and investigation files arising out of internally-generated complaints shall be maintained for no less than two years.
- Investigations which result in other than a "sustained" finding shall be maintained for the minimum statutory period, but may not be used by the department to adversely affect an employee's career.

1010.9 PURGING OF FILES

Formal citizen complaints and all related files not pending litigation or other ongoing legal proceedings may be purged no sooner than five years from the underlying complaint date. (Penal Code § 832.5).

All other disciplinary files and investigations of non-citizen initiated complaints not pending litigation or other ongoing legal proceedings may be purged no sooner than two years from the underlying complaint date. (Government Code § 34090).

- Each supervisor responsible for completing the employee's Performance Evaluation shall also determine whether any prior sustained disciplinary file should be retained beyond the statutory period for reasons other than pending litigation or other ongoing legal proceedings.
- If a supervisor determines that records of prior discipline should be retained beyond the applicable statutory period, approval for such retention shall be obtained through the chain of command from the Chief of Police.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 6/18/2007

California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1012

COLLECTIVE BARGAINING

1012.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for collective bargaining between California State University, Chico and the employee groups representing members of the CSU, Chico Police Department.

The California State University system recognizes the rights of its employees to form an organized group or groups, which among other functions negotiates labor agreements with the Board of Trustees of the California State University. The CSU, Chico Police Department will abide by all legally applicable laws and rules governing the collective bargaining process.

1012.2 COLLECTIVE BARGAINING UNITS

The California State University recognizes (SUPA) Statewide University Police Association as the exclusive bargaining representative of the employees in the California State University classifications of Police Officer, Corporal, and Sergeant.

The California State University recognizes (CSUEU) California State University Employees Union as the exclusive bargaining representative of the employees in the California State University classifications of Dispatcher, Administrative Support Assistant, Administrative Support Coordinator, Administrative Analyst Specialist, Parking Officer, and Information Technology Consultant.

1012.3 BARGAINING PROCESS

The California State University Chancellor's Office, Labor Relations Unit, is designated by the University as the entity to conduct negotiations and bargaining with the labor unions.

The management of the CSU, Chico Police Department does not participate in the negotiation process; however, it may provide input and recommendations to the labor negotiation team.

The California State University Chancellor's Office, Labor Relations Unit, is committed to participating in good faith in the bargaining process with the recognized bargaining units representing its employees.

The Labor Relations Unit is committed to abide by the ground rules that arise out of the collective bargaining process.

The Chancellor's Office, the University, the department, and its employees are committed to abide, in both letter and spirit, by the negotiated labor agreement that has been signed by the Labor Relations Unit, the bargaining unit, and labor representatives.

1012.4 AGREEMENT DISTRIBUTION

When all parties ratify a negotiated labor agreement, the Chief of Police will obtain a written, signed copy of the agreement from the Chancellor's Office.

The Chief of Police will disseminate information relative to a new labor agreement to managers and supervisors of bargaining unit employees.

The Chief of Police will review and amend, if necessary, all written directives and procedures to coincide with the terms of the labor agreement.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
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California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1014

REPORTING OF EMPLOYEE CONVICTIONS

1014.1 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. If any provision within this policy conflicts with the Collective Bargaining Agreement, the Collective Bargaining Agreement shall prevail.

1014.2 DOMESTIC VIOLENCE CONVICTIONS

Pursuant to the Federal Domestic Violence Gun Control Act [18 USC §§ 921(a) and 922(d)], any person who has been convicted of a misdemeanor domestic violence offense is prohibited from possessing any firearm or ammunition.

Misdemeanor crimes of domestic violence are defined as:

(a) Misdemeanors under federal or state law, which,

(b) Have, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim.

Penal Code § 29805) prohibits any person convicted of certain offenses including, but not limited to, Penal Code §§ 273.5, 273.6 and 646.9, from lawfully possessing a firearm.

Family Code § 6389 prohibits any person from carrying a firearm if that person is currently the subject of a domestic violence restraining order (including temporary and emergency orders).

1014.3 OTHER CRIMINAL CONVICTIONS

Government Code § 1029 prohibits any person convicted of a felony from being a peace officer in the state of California.

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.

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 agency may be inherently in conflict with law enforcement duties and the public trust.

1014.4 REPORTING PROCEDURE

All employees of this department shall promptly notify their immediate supervisor, in writing, of any past or current criminal conviction, regardless of whether or not the matter is currently on appeal and regardless of the penalty or sentence, if any.

All sworn employees shall further promptly notify their immediate supervisor, in writing, if the employee becomes the subject of a domestic violence restraining order issued by a court of competent jurisdiction.

Any employee whose criminal conviction unduly restricts or prohibits that employee 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 employee failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

1014.5 PROCEDURE FOR RELIEF

Pursuant to Penal Code § 29805 a peace officer may petition the court for permission to carry a firearm following a conviction under state law. However, federal law does not provide for any such similar judicial relief and the granting of a state court petition under Penal Code § 2900(b) will not relieve a person of the restrictions imposed by federal law. Therefore, relief for any employee falling under the restrictions imposed by federal law may only be obtained by expungement of the conviction. Each employee shall seek relief from firearm restrictions on his/her own time and through his/her own resources.

Pursuant to Family Code § 6389(h), an individual may petition the court for an exemption to any restraining order, which would thereafter permit the individual to carry a firearm as a part of his/her 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 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.

APPROVED

JOHN M. REID
CHIEF OF POLICE

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California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1016

ALCOHOL & DRUG USE

1016.1 PURPOSE AND SCOPE

The intent of this policy is to deter the misuse or abuse of legal or illegal substances that create a threat to the safety and health of any CSU employee or member of the public. The CSU, Chico Police Department discourages alcohol and drug abuse, and strives to achieve a work force free from the influence of drugs and alcohol.

1016.2 GENERAL GUIDELINES

The consumption of alcohol or other intoxicants is generally prohibited by on-duty personnel, except as necessary in the performance of an official special assignment. Personnel who consume alcohol, as part of a special assignment, shall not do so to the extent of impairing on-duty performance.

Employees who have consumed an amount of an alcoholic beverage or taken any drugs that would tend to adversely affect their senses or judgment shall not report for duty.

1016.2.1 PURCHASE OR POSSESSION OF DRUGS OR ALCOHOL ON DUTY

Department employees shall not purchase or possess alcohol or other controlled substances on CSU, Chico property, at work, or while on duty, except as required in the performance of their duties (i.e. evidence collection) or in the performance of a special assignment as described in section 1016.2.

Department employees shall not illegally manufacture any alcohol or drugs while on duty, on CSU, Chico property, or at any other time.

1016.2.2 USE OF PRESCRIBED MEDICATIONS

Department employees who are medically required to take prescription medications during work hours shall not allow such medications to impair their ability to perform their work. Employees shall report the need for medication to their immediate supervisor. No employee shall be permitted to work while taking medication that could impair his/her ability to perform his/her work without a written release from his/her physician.

1016.3 EMPLOYEE ASSISTANCE PROGRAM

Employees who experience drug or alcohol problems are encouraged to seek referral for rehabilitation through the Employee Assistance Program or their insurance provider. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

1016.3.1 CONFIDENTIALITY

The CSU recognizes the confidentiality and privacy due employees, and disclosure of any information relating to chemical abuse treatment, except on a need-to-know basis, shall only be with the expressed written consent of the employee involved or pursuant to lawful process.

1016.4 COMPLIANCE

Employees must, as a condition of employment, abide by the terms of this policy, and report any conviction under a criminal drug statute for violations occurring on or off CSU, Chico premises, while conducting state business. A report of a conviction must be made as soon as possible, but in no case more than five days after the conviction.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
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California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1018

REPORTING FOR DUTY AND REQUESTS FOR TIME OFF

1018.1 PURPOSE AND SCOPE

This policy provides a standard and uniform method to be used by all personnel to request leave or utilize vacation, CTO, or sick leave. This policy also establishes a standard for handling instances of tardiness.

It is the policy of this department to accommodate all reasonable requests for time off and to accurately account for all forms of leave utilized by employees.

1018.2 REPORTING FOR DUTY

All personnel shall be punctual in reporting for duty at the time and place designated by their supervisor or by Special Order. Personnel are required to be in uniform and ready to start their shift on the hour, or at the time designated for the special event. If not, they shall be considered tardy.

All personnel who will be late for work shall advise the on-duty sergeant (or Officer in Charge) as soon as possible of their inability to report for work on time. Upon receiving the verbal notification, the supervisor will notify dispatch. It is the responsibility of the employee to complete a duty status report form to cover the actual hour(s) of absence, and report personally to the supervisor.

Depending on the circumstances and length of tardiness, the supervisor may require a memorandum from the employee, which states the nature or circumstances for the tardiness. The supervisor will forward the memorandum to the Lieutenant, along with any recommendations for discipline.

1018.3 REQUESTS FOR TIME OFF

Personnel requesting authorization for leave during scheduled work hours will submit a completed, three-part “Duty Status Report” form. The completed form will be signed and submitted to their supervisor.

Requests for leave shall be given to the assigned supervisor within the following time frame:

- Requests for compensatory time off: Requests should be submitted a minimum of forty-eight (48) hours in advance of the scheduled time requested for leave, or sooner, if practical.
- Requests for doctor’s appointments (sick leave): Requests should be submitted a minimum of twenty-four (24) hours in advance of the scheduled time requested for leave, or sooner, if practical.

No more than one individual from any operational unit or shift shall be granted a vacation at the same time. No more than six department employees (sworn and non-sworn) shall be on vacation at any one time. All requests for the same vacation period shall be approved based on the date of submission and, if submitted on the same date, by seniority within classification.

Military Leave requests shall be submitted to the Lieutenant through the employee's supervisor. Requests must be submitted a minimum of (30) days in advance of dates requested, or sooner. Military Leave requests submitted less than (30) days before dates requested will be granted only after consideration of department staffing needs and personnel availability. Military Orders supporting the requested leave must be received before the leave dates.

Emergency or exceptional leave requests shall be directed to the on-duty watch commander for approval. Watch commanders (including acting watch commanders) shall attempt to notify the employee's supervisor prior to granting such approval. All emergency requests must state the nature or circumstances for such emergency leave in the Time Off Request section of the Duty Status Report.

If a telephone request is made, the approving supervisor will immediately complete and distribute the "Duty Status Report" form, noting "Emergency Leave Request" on the form. The approving supervisor will forward this information to the Lieutenant and to the employee's supervisor.

1018.4 NOTIFICATION OF ILLNESS/ABSENCE DUE TO ILLNESS

All personnel unfit for duty because of illness shall contact the dispatcher, who will notify the on-duty supervisor of the employee's inability to report for work. Such notification should be made a minimum of two (2) hours prior to the assigned scheduled time to report for duty. The dispatcher will complete the Duty Status Report form and give it to the on-duty supervisor. Employees are required to call in each day of an illness, unless otherwise excused.

1018.5 SICK LEAVE

Employees of this department are provided with a sick leave benefit that provides continued compensation during times of personal or family illness. The specified amount of hours is detailed in each employee's Collective Bargaining Agreement. Sick time may only be used as defined in the Collective Bargaining Agreement. SUPA members should refer to Article 22; CSUEU members should refer to Article 15. Sick leave is not considered vacation, and abuse of sick leave may result in discipline.

1018.6 EXTENDED ILLNESS

Employees absent from duty due to illness in excess of three consecutive days may be required to furnish a statement from their physician upon returning to work. Nothing in this section precludes a supervisor, with cause, from requiring a physician's statement if three or less sick days are taken.

APPROVED

JOHN M. REID
CHIEF OF POLICE

CSU Chico Police Department
DUTY STATUS REPORT

Name: _____ Date of Report: _____

TIME OFF REQUEST/ABSENCE REPORT				OVERTIME			
✓	Total Hours	Reason	Date(s)	✓	Total Hours	Reason	Date/Time
❑		SL		❑		Extension of Shift	
❑		CTO		❑		Special Event*	
❑		V		❑		Call Back/Shift Coverage	
❑		PH		❑		Court/Traffic	
❑		HC		❑		Court/Trial Case No:	
❑		Other*		❑		Training*	

* List any details from above (type of *other* absence, name of special event, training class, location, travel time, etc.)

Employee Signature: _____ Date: _____

Accepting Report: _____ Date: _____

Supervisor's Signature: _____ Date: _____

SL-Sick; CTO-Comp Time Off; V-Vacation; PH-Personal Holiday; HC-Holiday Credit Approved: ❑ YES ❑ NO
DSR/Rev 6/07

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California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1020

COMMUNICABLE DISEASE

1020.1 PURPOSE AND SCOPE

This order establishes procedures relating to the response of CSU, Chico Police Department personnel in routine and emergency situations relating to exposure to communicable disease. It outlines a comprehensive infection control system which maximizes protection against communicable disease for all members and for the public they serve.

1020.2 POLICY

Exposure to a communicable disease is an occupational health hazard for all members and department employees. Members and employees should utilize established methods of self protection, decontamination of self and equipment, and report any known incidents of possible exposure to communicable diseases.

See the CSUC Exposure Control Plan, Bloodborne Pathogen Manual for additional information.

1020.3 POST-EXPOSURE ACTION

Personnel must immediately alert their supervisor if one of the following situations occurs:

- They perform CPR without a mask/shield.
- They are bitten by another human.
- The blood or body fluid of another person splashes into their eyes, nose, or mouth.
- Cuts or abrasions on their body come into contact with blood or body fluids of another person.
- They are stuck by a hypodermic needle.

1020.3.1 SUPERVISOR REPORTING REQUIREMENTS

The supervisor on duty shall investigate every exposure that occurs as soon as possible following the incident, while gathering the following information:

- Name and social security number of the employee(s) exposed;
- Date and time of incident;
- Location of incident;
- What potentially infectious materials were involved;
- Source of material or person;
- Current location of material or person;
- Work being done during exposure;

- How the incident occurred or was caused;
- Personal protective equipment (PPE) in use at the time of incident;
- Actions taken post-event (clean-up, notifications, etc.).

In addition to the Worker's Compensation Form, the supervisor shall use the above information to prepare a written summary of the incident, its causes, and recommendations for avoiding similar events. This report will be provided to the consulting physician, Environmental Health & Safety, and to the CSU, Chico Risk Manager.

Most of the information involved in the process must remain confidential. The information shall not be disclosed to anyone without the employee's written consent (except as required by law). The Risk Manager shall be responsible for maintaining the name and social security number of the employee, and copies of any information provided to the health care professional as a result of an exposure.

The supervisor will seek to identify the source individual in the exposure incident, unless this is not feasible, and contact that person to request that he/she voluntarily participate in blood testing to determine if he/she has any disease that could be transmitted to the exposed employee through the contact with blood or other potentially infectious material.

Contact with the source individual, and his/her willingness to be tested, shall be documented as part of the Supervisor's Report of Injury. Results from such testing will be provided to the medical care professional who will provide follow-up services to the exposed employee.

If the source is uncooperative, and there is believed to be an exposure, the supervisor should pursue a court petition ordering the source to be tested.

Post exposure, during normal business hours, the employee may obtain testing and treatment at the CSU, Chico Health Center or Enloe Occupational Health. After business hours and holidays, testing and treatment can be accessed at Enloe Hospital. Testing is not mandatory. The employee may choose to have blood drawn at the time of the first follow-up medical evaluation, and the medical care professional will maintain that blood sample for at least ninety (90) days so that the employee may choose at any time within that period to have tests run to determine if he/she has contracted a blood borne disease.

Confidential counseling for employees who have been exposed to possibly infectious materials will be provided on request as soon as possible after the exposure.

APPROVED

JOHN M. REID
CHIEF OF POLICE

Peace Officer's, Firefighter's or Emergency Medical Person's Petition (Health and Safety Code, § 199.97)

_____ _____ _____
(Name and Address of Court)

_____ _____
(Name and Number of Case)

To the Clerk of the Court:

I declare, under penalty of perjury, that the following is accurate and true to the best of my knowledge and belief:

1. My name is _____

   I am a _____ (identify status as peace officer)

2. On _____ (give date and time) the accused interfered with my official duties as a _____ (identify status as peace officer) by biting, scratching, spitting or transferring blood or other bodily fluids to me. During the commission of the charged offense, _____ (state type of bodily fluid) was transferred from the accused to me.
3. Briefly, the possible transfer of bodily fluid took place as the result of one or more of the following acts (please check one or more) :

   ( ) Assault or Battery
   ( ) Resisting Arrest
   ( ) Other (please describe)

   _____
   _____
   _____
   _____

4. On the basis of these facts and pursuant to Health and Safety Code Section 199.97, I request that this court grant permission for testing of the above named individual(s) for human immunodeficiency virus (HIV) and such other communicable diseases as the court deems appropriate.

_____ _____
Date Officer's Signature

ORDER TO TEST ACCUSED'S BLOOD
(Health & Safety Code, §§ 199.96, 199.97 and 199.98)

Probable cause appearing that a possible transfer of blood, saliva, semen or other bodily fluid took place as alleged in the petition, this court orders:

1. The defendant,_____, to provide two (2) specimens of blood, pursuant to Section 199.98, to test for the AIDS virus and _____ (identify and additional communicable disease tests sought like syphilis, hepatitis, etc.).

2. The blood to be transmitted to a licensed medical laboratory to test for the AIDS virus and any other communicable disease specified above as provided in Section 199.98.

3. The results of the test(s) to be sent to:

   a. The defendant of minor.
   b. The petitioner.
   c. The victim, if the prosecutor is the petitioner.
   d. The officer in charge of the facility and Chief Medical Officer if the defendant or minor is detained.
   e. The employing agency, officer or entity if petitioner is a public officer.

4. If the results of the test indicate infection with the AIDS virus or other communicable disease, the results shall be transmitted to the State Department of Health.

   IT IS SO ORDERED.

_____ _____
Date Judge's Signature

Exposure Control Plan
(Bloodborne Pathogen Manual)

California State University, Chico

The Department of Environmental Health and Safety

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1.0 INTRODUCTION

In September, 1986, California Division of Occupational Safety and Health Administration, Department of Industrial Relations (Cal/OSHA) were petitioned by various unions representing healthcare employees to develop an emergency temporary standard to protect employees from occupational exposure to bloodborne diseases. The agency decided to pursue the development of Section 6 (b) to the Act Standard and published a proposed rule on May 30, 1989.

The agency also concluded that the risk of contracting the Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV) among members of various occupations within the healthcare sector required an immediate response and, therefore, issued Cal/OSHA Instruction CPL 2-2.44 on January 19, 1988. That instruction was canceled by CPL 2-2.44A on August 15, 1988 and, subsequently, CPL 2-2.44B was issued on February 27, 1990.

On December 6, 1991, the agency issued its final regulation in occupational exposure to bloodborne pathogens (29 CFR 1910.1030). Based on a review of the information in the rule-making record, Cal/OSHA has determined that employees face a significant health risk as the result of occupational exposure to blood and Other Potential Infectious Materials (OPIM) because they may contain bloodborne pathogens. These pathogens include HBV which causes Hepatitis B, a serious liver disease, and HIV, which causes Acquired Immunodeficiency Syndrome (AIDS). The agency further concluded that this hazard can be minimized or eliminated using a combination of engineering and work practice controls, personal protective clothing and equipment, training, medical surveillance, Hepatitis B vaccinations, signs and labels, and other provisions.

This manual was developed to comply with State and Federal Regulations and to inform CSU, Chico employees about the University's bloodborne pathogen Exposure Control Plan. The primary purpose of the Plan is to assure the well-being and to protect the safety and health of CSU, Chico employees. The intent of Bloodborne Pathogen policies is to reduce the risk of on-the-job exposure to bloodborne diseases.

This manual includes the following information:

- An overview of bloodborne pathogens;
- Exposure control, including Universal Precautions, engineering and workplace controls, personal protective equipment, hand washing, sharps precautions, resuscitation equipment, housekeeping, and laundry;
- Training and education;
- Recordkeeping;
- Post-exposure evaluation and follow-up.

Employees are required to follow the guidelines and procedures set forth in this plan. Employees should read this manual carefully, and any questions regarding the contents of this plan should be brought to the attention of their immediate supervisors.

This plan will be reviewed annually and approved by the Director of Environmental Health and Safety.

2.0 OVERVIEW OF BLOODBORNE PATHOGENS

2.1 Hepatitis A

Hepatitis is categorized into several distinct forms. Hepatitis A accounted for approximately 28,500 cases in 1988. There were 23,200 cases of Hepatitis B reported in 1988, as well as 2,620 cases of Non-A/Non-B, and 2,470 cases of unspecified diagnoses. The United States Public Health Services (USPHS) believes that the actual number of infections is many times the reported number.

Hepatitis A is a viral infection caused by a picornavirus and is commonly transmitted by the fecal-oral route. Therefore, Hepatitis A will not be considered in this plan as a bloodborne pathogen.

2.2 Hepatitis B

The Hepatitis B (HBV) infection is caused by a specific virus known as a DNA virus. The incubation period can be as long as 160 days, with an average of 120 days. Symptoms and signs include anorexia, malaise, nausea, vomiting, abdominal pain, and jaundice. Chronic carriers of the disease are common, mostly in younger individuals. Carriers are capable of passing the disease to others through blood and body fluids, which are the body fluids that contain the highest concentrations of the virus. An estimated 300,000 people in the United States are infected with the virus annually, and as many as 100,000 may be carriers.

HBV is commonly transmitted through the use of contaminated needles or sexual contact. Transmission through blood transfusion is rare because of donor and blood supply screening. Transmission through close personal contact is also possible.

Workers exposed to infected blood are the most at risk. The USPHS lists those at highest risk as medical and dental employees, and staff in institutions and classrooms for the mentally retarded. Vaccines are available for prevention and post-exposure situations and they are discussed in Section 3.2.

2.3 HIV

HIV is transmitted through sexual contact or exposure to infected blood. Although the virus has been found in many body fluids, it is most commonly transmitted by contact with contaminated blood, semen, and vaginal secretions. The reservoir of infection in the United States is increasing annually. The potential risk for a healthcare worker contracting HIV is also increasing. There is currently no vaccine for HIV.

3.0 EXPOSURE CONTROL

The standard involving bloodborne pathogens requires that employers establish a written plan for the control of exposure to these pathogens. This includes a determination of campus personnel who could potentially be exposed. Also, vaccination procedures, Universal Precautions, and workplace controls are outlined and should be followed by all campus personnel.

3.1 Exposure Determination

The standard defines occupational exposure to bloodborne pathogens as "any reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties."

The University has determined that the following job classifications and responsibilities include employees with potential occupational exposure:

- Physicians
- Registered Nurses
- Nurse Practitioners
- Employees in clinical and diagnostics labs
- Custodial staff
- Personnel in laundries that serve healthcare personnel
- Employees handling medical (biohazardous) waste
- Medical or dental equipment service personnel
- Emergency response personnel (e.g., EMT, Paramedics)
- Campus Police
- Coaches
- Trainers
- Lab technicians and faculty who handle blood or infectious materials
- Employees trained in first aid and who are exposed or authorized to render first aid in an emergency situation as a part of their job duties.

Note: Exposure determination must be made without regard to the use of personal protective equipment.

3.2 Hepatitis B Vaccination Procedures

3.2.1 The University shall follow the regulations concerning the management of the vaccination and follow-up programs.

3.2.2 The requirements for vaccination and post-exposure evaluation and follow-up, including prophylaxis, are as follows:

- Available at no cost to the employee;
- Available at a reasonable time and place;
- Provided under the supervision of a licensed physician or other licensed healthcare worker;

- Provided according to the recommendation of the USPHS, and all lab tests conducted by an accredited laboratory.

3.2.3 Employees shall contact the Department of Environmental Health and Safety (EH&S) at extension 5126 for approval to receive these services. Upon receiving authorization, employees can receive the immunization from the Student Health Center. Upon your request, you will be provided with a completed copy of the Hepatitis B Vaccination Authorization Form after your vaccination. A copy will also be provided to EH&S.

3.3 Engineering and Workplace Controls

Whenever practical and feasible, engineering controls shall be used as a first line of defense against occupational exposure to bloodborne pathogens. Work practice controls reduce employee exposure in the workplace by either removing or isolating the employee from exposure.

Technology is not currently available for needleless systems. Until such time that needless systems are utilized, needles with Engineered Sharps Injury Protection shall be used.

The following engineering and workplace controls shall be used to eliminate or minimize employee exposure:

- Inspections of the workplace shall be conducted in accordance with the University's Injury Illness and Prevention Plan (IIPP). The inspection shall include the date, employee making the inspection, findings, repair verification (if needed) and signature of employee conducting the inspection. The supervisor is responsible for conducting the inspection. An inspection form may be found in Attachment 2.

- Hand washing facilities shall be readily available. Hand washing will be done as soon after hand contamination as possible. If water is not available, an antiseptic hand cleaner must be used with clean cloths, paper towels, or antiseptic towelettes.

- Shearing and breaking of contaminated needles is prohibited.

- Bending, recapping, or removal of contaminated needles by hand is prohibited.

- Reusable sharps should not be reused unless it is required by a specific procedure. If the reusable sharp is a needle, then recapping the needle cannot employ a two-handed technique. (A one-handed technique may be used.)

- Contaminated clothing and equipment must be removed before entering a food consumption area.

- Contaminated surfaces and work areas where employees eat and drink must be separated from contaminated work areas by a partition.

- Splattering or the generation of droplets or aerosols or the generation of droplets or aerosols of contaminated material must be avoided. Where such a potential exists, face and eye protection is required.

- Contaminated reusable equipment must be decontaminated to the extent possible by employees with appropriate personal protective equipment. This shall be done by following the disinfection procedures contained in the Medical Waste Manual.

- Personal protective clothing must be worn to prevent body contamination and shall be provided by the employer.

- Personal protective equipment (splash shields, clothing, gloves, etc.) must not be taken home by the employees and shall remain at work.

- Splashes on protective clothing should be inspected for liquid that has soaked through the clothing.

3.4 Universal Precautions

3.4.1 The term "Universal Precautions" refers to a system of infection control that assumes that every direct contact with body fluids is potentially infectious. This concept requires that all employees who may incur direct contact with body fluids be protected as though such body fluids were HBV or HIV infected. In this context, occupational exposure can be defined as reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood, blood-tinged body fluids, or other potentially infectious materials. Potentially infectious materials include the following:

- Blood;
- Body fluids: semen, vaginal secretions, pleural fluid, cerebrospinal fluid, synovial fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any other fluid visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids;
- Tissues and organs (prior to fixation);
- HIV and HBV cultures;
- Other body substances, including feces, urine, and vomitus are not included, unless they contain visible blood. Under the regulations, employees in any occupation where they are directly exposed to body fluids are considered to be at risk of occupational exposure to HBV and/or HIV. As such, they are required to comply with Universal Precautions and their employers must comply with all aspects of the regulations as well.

Universal Precautions include the use of personal protective equipment, hand washing, sharps precautions, resuscitation equipment, housekeeping procedures and laundry procedures.

3.4.2 Personal Protective Equipment

In those areas where there is occupational exposure, personal protective equipment (PPE) will be provided at no extra cost to the employees. Personal Protective Equipment will be considered appropriate only if it does not permit blood or other potentially infectious materials to pass through or reach the employee's clothing, undergarments, skin, eyes, mouth, or other mucous membranes under normal conditions of use and duration of time the personal protective equipment will be used. The following personal protective equipment procedures will be implemented:

* Gloves

  - Shall make personal protective gloves available to employees;
  - Because not all gloves are completely impermeable, hand washing after glove removal is required;
  - Gloves shall be inspected for wear and discarded if the integrity of the glove barrier is compromised;
  - Disposable gloves shall never be reused;
  - Each department is responsible for analyzing employee tasks and the type of exposure expected in order to select personal protective clothing and equipment which will provide adequate protection. These items may include gowns, aprons/laboratory coats, clinic jackets, surgical caps, and shoe covers. This will be accomplished in view of the fact that there is no standardized method of testing and classification of the resistance of clothing to biological hazards.

- Masks/Protective Eye Wear

  - The use of masks and protective eye wear to cover the nose, eyes and mouth is intended to reduce the risk of contaminated body fluids from coming into direct contact with the mucous membranes of either the oral cavity, the eyes, or the respiratory tract. In general, the use of masks and eye wear is necessary in any patient care setting in which the possibility of aerosolization or spattering of blood or body fluids is considered likely. Such attire **is not** required for routine patient care.

- Surgical Caps/Shoe Covers/Gowns

  - Reusable surgical caps and shoe covers must be washed as soon as feasible if contaminated with blood or body fluids;
  - Gowns and aprons must be appropriate for the procedure involved. The type and characteristics depend upon the task and degree of exposure anticipated;
  - Gowns and other protective clothing must not permit blood or body fluids to pass through and reach undergarments, skin, mouth, eyes, etc. under normal conditions of use;
  - All items of personal protective equipment must be removed prior to leaving the work area.

3.4.3 Hand Washing

Hands and other skin surfaces must be washed as soon as feasible if contaminated with blood or body fluids. The use of gloves **does not** preclude the necessity for hand washing. When hand washing facilities are not available, antiseptic hand cleaners or towelettes must be provided. Hands shall be washed with soap and running water as soon as feasible.

3.4.4 Sharps Precautions

Needles shall not be purposely bent or broken by hand. Contaminated sharps shall not be recapped unless required by a specific medical procedure. Such recapping should not employ a two-handed manual technique. Sharps containers must meet the following requirements:

- Must be located so that employees will not have to walk long distances with used syringes;
- Must be inspected regularly;
- Must be readily and easily accessible, closable, puncture resistant, and leak proof on the sides and bottom;
- Must not be overfilled;
- Must be labeled and color-coded;
- Must be closed immediately prior to removal or replacement;
- Must be placed in a biohazard bag for disposal.

3.4.5 Resuscitation Equipment

Pocket masks and resuscitation bags must be provided in strategic locations and to key personnel.

3.4.6 Housekeeping Procedures

The following general housekeeping steps shall be taken in the event of potential contamination of the work environment:

- The University shall follow the disinfection procedures contained in the Medical Waste Manual. These disinfectants shall be used whenever work surfaces or other items have become contaminated;
- Temporary protective coverings that have been contaminated shall be replaced as soon as it is feasible;
- Broken glassware, which may be contaminated, shall not be picked up with bare hands, nor shall any employee reach into a container of broken glassware;
- Medical (biohazardous) waste shall be disposed of according to the guidelines set forth in the Medical Waste Manual.

Medical waste includes the following categories and shall be referred to as biohazardous waste throughout this plan:

- Liquid blood or Other Potentially Infected Material (OPIM);

- Items contaminated with blood or OPIM that would release the blood if squeezed or shaken;
- Items caked with dried blood or OPIM that could be released if handled;
- Contaminated sharps;
- Pathological and microbiological wastes.

3.5 Laundry Procedures

3.5.1 Handling Contaminated Laundry

Laundry shall be handled as follows when garments are being sent off-site to a commercial launderer:

- Contaminated laundry shall be bagged by employees utilizing proper personal protective equipment, and bagged with consideration for outside contamination and proper labeling;
- Contaminated laundry shall be handled as little as possible with a minimum of agitation;
- Contaminated laundry shall be bagged or containerized at the location where it was used and shall not be sorted or rinsed in the location of use;
- The employer shall ensure that employees who have contact with contaminated laundry wear protective gloves and other appropriate personal protective equipment.

3.5.2 Transporting Laundry to a Commercial Launderer

Laundry shall be transported as follows:

- When contaminated laundry is transported off-site, it should be noted that the receiving facility may not practice Universal Precautions. Proper labeling should reflect this according to applicable regulations.
- Contaminated laundry shall be placed and transported in bags or containers labeled and color-coded in accordance with the Bloodborne Pathogen Standard. When a facility utilizes Universal Precautions in the handling of soiled laundry, alternative labeling and color-coding is sufficient if it permits all employees to recognize the containers as requiring compliance with Universal Precautions;
- Whenever contaminated laundry is wet and presents reasonable likelihood of soak-through or of leakage from the bag or container, the laundry shall be placed and transported in bags or containers which prevent soak-through and/or leakage of fluids to the exterior;
- When a facility ships contaminated laundry off-site to a second facility which does not utilize Universal Precautions in the handling of all laundry, the facility generating the contaminated laundry must place such laundry in bags or containers which are labeled and color-coded in accordance with the Bloodborne Pathogen Standard.

4.0 TRAINING AND EDUCATION

4.1 Training

Training and education programs are provided by EH&S to all employees who may be exposed to blood or other body fluids potentially contaminated with HIV or HBV.

Supervisors are required to notify EH&S when an employee's job classification changes to include potential exposure to bloodborne pathogens. Such determination needs to be made without regard to the use of personal protective equipment.

4.2 Conditions of Training

Training is provided under the following conditions:

- Upon initial employment, and annually thereafter; and when new tasks are introduced that affect exposure to bloodborne pathogens;
- During working hours and at no cost to the employee;
- In person by an individual knowledgeable in the subject matter being presented;
- Material must be appropriate in content and vocabulary to the educational level, literacy and language of employees.

4.3 Training Program Content

Program content of these educational offerings assures that all such employees:

- Receive training on precautionary measures, epidemiology, modes of transmission, symptoms, and prevention of HIV and HBV;
- Are informed of their right to receive an HBV vaccination;
- Are informed regarding the location and proper use of personal protective equipment (e.g., gloves, gowns, etc.);
- Understand and employ "Universal Precautions;"
- Are trained about the meaning of labeling and color-coding;
- Understand procedures to be followed pending occupational exposure to blood or body fluids;
- Are trained to properly and safely use a blood/fluid spill kit, if available;
- Understand engineering and work practice controls for bloodborne pathogens;
- Understand proper disposal of biohazardous waste;
- Have access to a copy of the regulatory text of the standard and the Exposure Control Plan;
- Have an opportunity to review the training material with their supervisor or other knowledgeable individuals.

5.0 RECORDKEEPING

Recordkeeping and documentation must assure the following:

- Records are kept by the department on Hepatitis B vaccinations and post-exposure follow-up;

- Records are confidential and maintained for the duration of employment plus 30 years. They shall include employee name, social security number, Hepatitis B vaccination status (including date), results of examinations, testing, and follow-up;

- Training records will be maintained by EH&S for three (3) years. Such records must include dates, content, identification and job titles of attendees, and identification and qualifications of facilitators.

6.0 POST EXPOSURE EVALUATION AND FOLLOW UP

Following a report of an exposure incident, the employer shall make a confidential medical evaluation and follow-up immediately available to the exposed employee, including at least the following elements:

- Documentation of the route(s) of exposure and the circumstances under which the exposure incident occurred;

- Identification and documentation of the source individual, unless the employer can establish that identification is infeasible or prohibited by State or local law;

- The source individual's blood shall be tested as soon as feasible and after consent is obtained in order to determine HBV and HIV infectivity. If consent is not obtained, the employer shall establish that legally required consent cannot be obtained. When the source individual's consent is not required by law, the source individual's blood, if available, shall be tested and the results documented;

- When the source individual is already known to be infected with HBV or HIV, testing for the source individual's known HBV or HIV status need not be repeated;

- Results of the source individual's testing shall be made available to the exposed employee, and the employee shall be informed of applicable laws and regulations concerning disclosure of the identity and infectious status of the source individual;

- Employees who refuse to receive a post-exposure medical evaluation must sign the “Post-exposure Medical Evaluation for Human Immunodeficiency and Hepatitis B Declination” form (see Attachment 3). Further, exposed employees who refuse to receive a Hepatitis B vaccine must sign the “Hepatitis B Vaccination Declination” form unless they have previously received the Hepatitis B vaccination (see Attachment 3);

- Medical evaluations and procedures (including the Hepatitis B vaccine and post-exposure prophylaxis and follow-ups) must be performed by or under the supervision of a licensed physician or by or under the supervision of another appropriately trained and licensed healthcare professional;

- Collection and testing of blood for HBV and HIV serological status shall be performed in the following manner:

    - The exposed employee's blood shall be collected as soon as feasible and tested after consent is obtained;
    - If the employee consents to baseline blood collection, but does not give consent at that time for HIV serologic testing, the sample shall be preserved for at least 90 days. If, within 90 days of the exposure incident, the employee elects to have the baseline sample tested, such testing shall be performed as soon as feasible;
    - Additional collection and testing shall be made available as recommended by the Public Health Service.

- Post-exposure prophylaxis, when medically indicated, as recommended by the U. S. Public Health Service;
- Counseling;
- Evaluation of reported illnesses.

7.0 INFORMATION PROVIDED TO THE HEALTHCARE PROFESSIONAL

The employer shall ensure that the healthcare professional responsible for the employee's Hepatitis B vaccination is provided a copy of the regulation(s). The employer shall also ensure that the healthcare professional evaluating an employee after an exposure incident is provided the following information:

- A copy of the Exposure Control Plan;
- A description of the exposed employee's duties as they relate to the exposure incident;
- Documentation of the route(s) of exposure and circumstances under which exposure occurred;
- Results of the source individual's blood testing, if available;
- All medical records relevant to the appropriate treatment of the employee, including vaccination status, are the employer's responsibility to maintain.

8.0 THE HEALTHCARE PROFESSIONAL'S WRITTEN OPINION

The healthcare professional's written opinion to the employer for a Hepatitis B vaccination shall be limited to whether the Hepatitis B vaccination is indicated for an employee, and if the employee has received such a vaccination. The healthcare professional's written opinion to the employer for post-exposure evaluation and follow-up shall be limited to the following information:

- The results of the evaluation;
- Any medical conditions resulting from exposure to blood or other potentially infectious materials that require further evaluation or treatment.

All other findings or diagnoses shall remain confidential and shall not be included in the written report.

Upon request, employees may receive a complete, confidential copy of their medical findings from the healthcare professional within 15 days of the completion of the evaluation. Records also may be made available to State and Federal Cal/OSHA, NIOSH, and anyone with the employee's written consent, but not the employer.

9.0 GLOSSARY

Biohazard Bag
A disposable red bag which is impervious to moisture and has a strength sufficient to preclude ripping, tearing, or bursting under normal conditions of usage and handling of the waste-filled bag. A biohazard bag shall be constructed of material of sufficient single thickness strength to pass the testing procedures prescribed by the American Society for Testing and Materials and certified by the bag manufacturer.

Biohazardous Waste
Liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or semi-liquid blood if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials.

Blood
Meaning human blood, human blood components, and products made from human blood.

Bloodborne Pathogens
Pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, HBV and HIV.

Contaminated
The presence or the reasonably anticipated presence, of blood or other potentially infectious materials on a surface, on an item, or in an item.

Contaminated Laundry
Soiled with blood or other potentially infectious materials or may contain sharps.

Contaminated Sharps
Any contaminated object that can penetrate the skin including, but not limited to, needles, scalpels, broken glass, broken capillary tubes, and exposed ends of dental wires.

Decontamination
The use of physical or chemical means to remove, inactivate, or destroy bloodborne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles, and the surface or item is rendered safe for handling, use, or disposal.

Emergency Response
The response by employees who are designated by their employer as emergency response personnel to fire, accident, earthquake, explosion, or other incidents.

Engineering Controls
Controls (e.g., sharps disposal containers, self-sheathing needles) that isolate or remove the bloodborne pathogen's hazard from the workplace.

Exposure Incident
A specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties.

Hand Washing Facilities
A facility providing an adequate supply of running potable water, soap and single use towels or hot air drying machines.

NIOSH
The National Institute for Occupational Safety and Health, United States. Department of Health and Human Services or designated representative.

Occupational Exposure
Reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.

One-Hand Technique
Procedure wherein the needle of a reusable syringe is capped in a sterile manner after use. The technique employed shall require the use of only the hand holding the syringe, so the free hand is not exposed to the uncapped needle.

Other Potentially Infectious Materials
The following human body fluids: semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any other body fluid that is visibly contaminated with blood such as saliva or vomitus, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids such as during an emergency response;

- Any unfixed tissue or organ (other than intact skin) from a human (living or dead);

- HIV-containing cell or tissue cultures, organ cultures, and HIV- or HBV-containing culture medium or other solutions; and blood, organs, or other tissues from experimental animals infected with HIV or HBV.

Parenteral
Piercing mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts, and abrasions.

Personal Protective Equipment (PPE)
Specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes (e.g., uniforms, pants, shirts, or blouses) not intended to function as protection against a hazard are not considered to be personal protective equipment.

Source Individual
Any individual, living or dead, whose blood or other potentially infectious materials may be a source of occupational exposure to the employee. Examples include, but are not limited to, hospital and clinic patients; clients in institutions for the developmentally disabled; trauma victims; clients of drug and alcohol treatment facilities; residents of hospices and nursing homes; human remains; and individuals who donate or sell blood or blood components.

Universal Precautions

An approach to infection control. According to the concept of Universal Precautions, all human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV, and other bloodborne pathogens.

Work Practice Controls

Controls that reduce the likelihood of exposure by altering the manner in which a task is performed (e.g., prohibiting recapping of needles by a two-handed technique.)

10.0 ATTACHMENTS

Attachment 1 Hepatitis B Vaccination Authorization Form 10-2

Attachment 2 Checklist for Compliance 10-3

Attachment 3 Hepatitis B Vaccination Declination (Mandatory)..... 10-6

Department of Environmental Health & Safety

AUTHORIZATION FOR HEPATITIS B VACCINATION

Section I: Employee Instructions

Upon receipt of the Authorization for Hepatitis B Vaccination, take the form with you to the Student Health Center located across the street from Whitney Hall. Vaccinations are given Monday through Friday before 11:00 a.m. (except Wednesday when the office opens at 9:30 a.m.) No appointment is necessary. If you have any questions, please call extension 5241. Be sure to identify yourself either as a CSU, Chico employee or student. Upon your request, you will be provided with a completed copy of the Authorization for Hepatitis B Vaccination form after your vaccination. A copy will also be provided to EHS.

Employee Name: _____

Department: _____ Position: _____

Supervisor: _____

Employee Signature: _____ Date: _____

Section II: Environmental Health and Safety Authorization

_____ Date _____

Director

Section III: Student Health Services – Vaccination Administrator

Vaccination Dates: (1) _____ (2) _____ (3) _____

Vaccination Complete? Yes___ No____ Date: _____

If "NO" please explain: _____

_____

Name and Title: _____

Signature: _____

Section IV: Employee Hepatitis B **Vaccination Declination**

"I understand that due to my occupational exposure to blood or other potentially infectious materials, I may be at risk of acquiring Hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with Hepatitis B vaccine, at no charge to myself. However, I decline Hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring Hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with Hepatitis B vaccine, I can receive the vaccination series at no charge to me."

NAME: _____

(PRINT) (SIGNATURE)

DATE:

Department of Environmental Health & Safety

CHECKLIST FOR COMPLIANCE

The following generic checklist has been developed to help employers and employees comply with the Cal/OSHA enforcement procedures for Occupational Exposure to Bloodborne Pathogens. The questions that make up this list are based upon 9 CFR Part 1910.1030, December 6, 1991. This checklist is, however, only a guide and compliance with it does not necessarily assure full compliance with all Cal/OSHA standards pertinent to this area.

EXPOSURE DETERMINATION	YES	NO
1. Is there a written list of job classifications in which all employees have occupational exposure?	____	____
2. Is there a written list of job classifications in which some employees have occasional occupational exposure?	____	____
3. Does this list specify such tasks and procedures?	____	____

UNIVERSAL PRECAUTIONS	YES	NO
1. Are gloves worn when		
* direct invasive procedures are used?	____	____
* examining non-intact skin?	____	____
* examining the oral cavity, GI or GU tracts?	____	____
* the HCW has cuts, lesions, or dermatitis?	____	____
* working directly with contaminated instruments?	____	____
* performing phlebotomy?	____	____
2. Are gloves of appropriate size, material, and quality?	____	____
3. Are patient-care gloves used only once?	____	____
4. Are masks and protective eye wear (with solid side shields) worn when spraying or spattering is anticipated?	____	____
5. Are protective gowns/aprons used when spraying or spattering is anticipated?	____	____

6.	Do protective gowns prevent strike-through for the procedure being used?	____	____
7.	Is proper hand washing employed following exposure to blood or body fluids?	____	____
8.	Are facilities available to conduct proper hand washing practices?	____	____
9.	Are sharps containers puncture resistant?	____	____
10.	Are sharps containers easily accessible in all patient care areas?	____	____
11.	Do all sharps undergo proper disposal?	____	____
12.	Are pocket masks and other resuscitation equipment strategically located and available to key personnel?	____	____
13.	Are all items of personal protective equipment removed prior to leaving the work area?	____	____

ENGINEERING AND WORK PRACTICE CONTROLS		YES	NO
1.	Are all areas maintained in a clean and sanitary condition?	____	____
2.	Does the cleanup of spills involving blood or body fluids employ an appropriate disinfectant?	____	____
3.	Is soiled linen		
	* sorted or rinsed only in appropriate care areas (not in patient care areas)?	____	____
	* contained at the site of use?	____	____
	* placed in leak-resistant bags	____	____
4.	Do biohazardous waste containers prevent leakage?	____	____
5.	Is biohazardous waste tagged or color-coded?	____	____
6.	Are employees aware of the meaning of color-codes (if used)?	____	____
7.	Is there a written schedule for cleaning and appropriate disinfection of equipment and work surfaces?	____	____

HEPATITIS B VACCINATION	YES	NO
1. Is there an HBV vaccination and post-exposure follow-up program?	____	____
2. Is a pre-exposure vaccine offered free of charge to all employees at risk of occupational exposure?	____	____
3. Is there complete and detailed documentation maintained on all exposure events?	____	____
4. Are all employees aware of the HBV vaccination program?	____	____
5. Is prescreening required before HBV vaccination is afforded?	____	____
6. Is the declination statement signed by all employees who choose to decline HBV vaccine?	____	____

EDUCATION AND TRAINING	YES	NO
1. Do all employees subject to occupational exposure		
* receive annual training on the epidemiology, transmission and prevention if HIV and HBV?	____	____
* receive annual information on the location and proper use of personal protective equipment?	____	____
* understand and employ "Universal Precautions"?	____	____
* have access to a copy of the regulatory text of the Cal/OSHA standard?	____	____
2. Does new employee orientation cover all aspects of the Exposure Control Plan?	____	____
3. Do training records include date, content, identification/ title of employee and identification/qualifications of the facilitator?	____	____

ATTACHMENT 3 SECTION 10.3

Department of Environmental Health & Safety

HEPATITIS B VACCINATION DECLINATION

This form is to be used in the event that an employee wishes to decline the Hepatitis B vaccination that has been offered to them, for any reason or due to an exposure event.

"I understand that due to my occupational exposure to blood or OPIM I may be at risk of acquiring Hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with Hepatitis B vaccine, at no charge to myself. However, I decline Hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring Hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or OPIM and I want to be vaccinated with Hepatitis B vaccine, I can receive the vaccination series at no charge to me."

Name: _____

Signature: _____

Date: _____

Department of Environmental Health & Safety

POST-EXPOSURE MEDICAL EVALUATION FOR HIV/HBV DECLINATION

This form is to be used in the event that an employee wishes to decline a post-exposure medical evaluation for HIV/HBV exposure that has been offered to them due to an exposure event.

Name: _____

Signature: _____

Date: _____

REVISED: 1/31/2018
Effective: 6/19/2007

California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1022

SMOKING/TOBACCO USE

1022.1 PURPOSE AND SCOPE
The Surgeon General has determined that second hand smoke is hazardous to health. Tobacco products may also be offensive to employees and the public.

1022.1.1 POLICY
Smoking and other use of tobacco products is not permitted inside department facilities or department vehicles. Smoking is not permitted within 25 feet of any CSU facility entry point.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 6/19/2007

California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1024

SEAT BELT POLICY

1024.1 PURPOSE AND SCOPE

Vehicle Code § 27315.5 requires law enforcement agencies to adopt a policy concerning the use of seat belts. Additionally, the use of seat belts and other safety restraints significantly reduces the chance of death or injury in case of a traffic collision.

1024.2 WEARING OF SAFETY RESTRAINTS

All department employees shall wear available safety restraints whenever operating an agency vehicle. However, under unusual circumstances, or if a potentially dangerous situation is either perceived or anticipated, safety restraints may be removed to allow for a more rapid response to the situation.

All non-employees occupying the front seat of a police vehicle shall be required to wear available safety restraints.

All persons occupying the rear seat of a police unit shall wear available safety restraints unless physical conditions would prevent such from being applied.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 6/19/2007

California State University Chico Police Department
General Orders

CHAPTER 10 – Personnel
SECTION 1026

BODY ARMOR

1026.1 PURPOSE AND SCOPE

Practical safety measures should be used to reduce the risks and hazards associated with police work. The police department provides safety vests for personnel in an effort to improve safety.

1026.2 BODY ARMOR

Soft body armor vests are issued to all sworn personnel because they have been effective in preventing deaths and serious injuries in police shootings.

1026.3 USE OF SAFETY VESTS

The department encourages all on-duty sworn personnel to wear safety vests; their use in some instances is required.

When sworn personnel are assigned to patrol, a SWAT operation, stakeout, probation searches, parole searches, service of felony arrest warrant(s), or are serving a search warrant at a location where there is reason to believe a felony suspect may be present, the wearing of a safety vest is mandatory.

The safety vest must be either department issued or department approved.

A stakeout, for purposes of this section, is a pre-planned event where time and practicality allow officers to put on a safety vest in anticipation of encountering armed or dangerous suspects or circumstances.

1026.4 REFLECTORIZED VESTS

In order to reduce the danger to employees exposed to the hazards of approaching traffic, reflectorized vests are provided to increase the visibility of employees. Although intended primarily for traffic-related use, reflectorized vests should be worn at any time increased visibility would improve the safety and/or efficiency of the employee.

1026.5 CARE AND STORAGE OF REFLECTORIZED VESTS

One reflectorized vest shall be maintained in the trunk of each patrol and investigation unit. Each vest should be stored inside a resealable plastic bag provided to protect the vest and to keep it in a serviceable condition. A supply of reflectorized vests will be maintained in the Patrol Division equipment room for replacement of damaged or unserviceable vests in any police unit. When a need exists to replenish the equipment room supply, notification should be made to the Equipment Manager. Additional vests will then be obtained for this purpose.
APPROVED
JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 6/19/2007

California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1028

EMPLOYEE COMMENDATIONS

1028.1 PURPOSE AND SCOPE

Special recognition may be in order whenever an employee performs his/her duties in an exemplary manner. This procedure provides general guidelines for the commending of exceptional employee performance.

1028.2 WHO MAY MAKE COMMENDATIONS

A written commendation may be made by any supervisor of the department regarding any other employee of the department, provided the reporting person is superior in rank or is the person-in-charge of the individual being commended. Additionally, investigating officers may commend uniformed officers for exceptional assistance in investigative functions, with approval from the investigator's supervisor. Any employee may recommend a commendation to the supervisor of the employee subject to commendation.

1028.3 COMMENDABLE ACTIONS

A meritorious or commendable act by an employee of this department may include, but is not limited to, the following:

- Superior handling of a difficult situation by an employee.
- Conspicuous bravery or outstanding performance by any employee of the department.
- Any action or performance that is above and beyond the typical duties of an employee.

1028.3.1 COMMENDATION REPORT

The "Commendation Report" shall be used to document the commendation of the employee, and shall contain the following:

- Employee's name, unit, and assignment at the date and time of the commendation.
- A brief account of the commendable action shall be documented on the form with report numbers, as appropriate.
- Signature of the commending supervisor.

Completed reports shall be forwarded to the Operations Lieutenant for his/her review. The Lieutenant will sign and forward the report to the Chief of Police for his/her review.

The Chief of Police will return the commendation to the employee for his/her signature. The report will then be returned to the Administrative Assistant for entry into the employee's personnel file.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 6/19/2007

California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1030

FITNESS FOR DUTY

1030.1 PURPOSE AND SCOPE

Government Code §1031 requires that all officers be free from any physical, emotional, or mental condition which might adversely affect the exercise of peace officer powers. The purpose of this policy is to ensure that all officers in this department remain fit for duty and able to perform their job functions.

1030.2 EMPLOYEE RESPONSIBILITIES

It shall be the responsibility of each member of this department to maintain good physical condition sufficient to safely and properly perform the duties of his/her job function.

Each member of this department shall perform his/her respective duties without physical, emotional, and/or mental constraints.

During working hours, all employees are required to be alert, attentive, and capable of performing assigned responsibilities.

Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event an employee believes that another employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

1030.3 SUPERVISOR RESPONSIBILITIES

A supervisor observing an employee or receiving a report of an employee who is perceived to be unable to perform his/her duties shall take prompt and appropriate action in an effort to resolve the situation.

Whenever feasible, the supervisor should attempt to ascertain the reason or source of the problem and, in all cases, a preliminary evaluation should be made in an effort to determine the level of inability of the employee to perform his/her duties.

In the event that the employee appears to be in need of immediate medical or psychiatric treatment, all reasonable efforts should be made to provide such care.

In conjunction with the Shift Supervisor and Lieutenant, a determination should be made whether or not the employee should be temporarily relieved from his/her duties.

The Chief of Police shall be promptly notified in the event that any employee is relieved from duty.

1030.4 NON-WORK RELATED CONDITIONS

Any employee suffering from a non-work related condition, which warrants a temporary relief from duty, may be required to use sick leave or other “paid time off” in order to obtain medical treatment or other reasonable rest period.

1030.5 WORK RELATED CONDITIONS

Any employee suffering from a work-related condition, which warrants a temporary relief from duty, shall be required to comply with CSU personnel rules and guidelines for processing such claims.

1030.6 PHYSICAL AND MENTAL EXAMINATIONS

Whenever circumstances reasonably indicate that an employee is unfit for duty, the Chief of Police may serve that employee with a written order to undergo a physical and/or psychological examination in cooperation with CSU, Chico Human Resources to determine the level of the employee’s fitness for duty. The order shall indicate the date, time, and place for the examination.

The examining physician or therapist will provide the department with a report indicating that the employee is either fit for duty or, if not, listing any functional limitations which limit the employee's ability to perform job duties, per Civil Code § 56.10(c)(8)(A). [NOTE: If the employee places his/her condition at issue in any subsequent or related administrative action/grievance, the examining physician or therapist may be required to disclose any and all information which is relevant to such proceeding, per Civil Code § 56.10 (c)(8)(A).]

In order to facilitate the examination of any employee, the department will provide all appropriate documents and available information to assist in the evaluation and/or treatment.

All reports and evaluations submitted by the treating physician or therapist shall be part of the employee’s confidential personnel file.

Any employee ordered to receive a “fitness for duty” examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist regarding any clinical interview, tests administered, or other procedures as directed. Any failure to comply with such an order and any failure to cooperate with the examining physician or therapist may be deemed insubordination, and shall be subject to discipline up to and including termination.

Once an employee has been deemed “fit for duty” by the examining physician or therapist, the employee will be notified to resume his/her duties.

APPROVED

JOHN M. REID
CHIEF OF POLICE

The California State University
Office of the Chancellor
401 Golden Shore
Long Beach, CA 90802-4210
(562) 951-4411

Date: January 30, 2003 **Code: HR 2003-02**

To: CSU Presidents

From: Jackie R. McClain
Vice Chancellor
Human Resources

Subject: **CSU Police Personnel: Fitness for Duty**

The California State University (CSU) Police Personnel Fitness for Duty policy establishes procedures to ensure compliance with California Government Code §1031(f) which mandates that all peace officers in the State of California shall be found to be free from any physical, emotional, or mental condition that might adversely affect the exercise of the peace officer powers.

All supervisory police employees are to be trained to recognize any indication(s) that a sworn officer under their command may not be physically, emotionally and/or mentally fit to carry out his or her duties as an armed peace officer. Any supervisor observing any circumstance(s) indicating a question exists as to the physical, mental and/or emotional fitness of an officer is to prepare a written report indicating all such circumstances to the campus police chief. Such indications include, but are not limited to, the following:

- One or more civilian complaints, whether generated internally or externally, particularly complaints of the use of unnecessary or excessive force and/or inappropriate verbal conduct indicating a possible inability to exercise self-control and self-discipline;
- An abrupt change in customary behavior;
- Excessive lateness and/or absenteeism;
- Sleeping on duty;
- Overeating or failing to eat;
- Apparent inattention to personal hygiene;

Distribution:

Vice Presidents, Academic Affairs
Vice Presidents, Administration
Vice Presidents, Student Services
Associate Vice Presidents/Deans, Faculty Affairs
General Counsel
Human Resources Directors
Police Chiefs
Employee Relations Designees
SOSS Director

- Inappropriate and/or excessive use of alcohol or other stimulants;
- Symptoms of use of drugs, including memory losses;
- Impatience or loss of temper;
- A pattern of conduct indicating a possible inability to defuse tense situations and/or a tendency to escalate such situations or to create and/or escalate confrontations;
- Irrational verbal or other conduct;
- Involvement in a shooting or involvement in an incident resulting in death or serious injury;
- Direct or indirect expressions by the officer of doubts concerning his or her own mental or emotional stability;
- Any other reason giving rise to a concern as to an officer's fitness to occupy the position of peace officer.

If the police chief determines, in the exercise of his or her discretion, and after consultation with the human resource director or designee, that it is appropriate to refer an officer for examination and evaluation of the officer's physical, mental, and/or emotional fitness-for-duty, the chief shall issue an order in writing to the police officer being referred. The order should indicate the date, time and place of such examination and, in brief form, the factual circumstances giving rise to the concern about the officer's fitness for duty. Any physician or psychologist to whom an officer is ordered to report for fitness for duty examination and evaluation shall meet or exceed the minimum standards prescribed by California Government Code §1031(f). The campus police chief shall work with the campus human resources director to facilitate the appropriate process for examination and follow-up, as required.

The CSU Police Department will provide the doctor the following in order to facilitate the physician's or psychologist's examination of the referred officer:

- Documents and information relating to circumstances giving rise to concern about the officer's fitness for duty;
- Information or documents from the officer's personnel records that may assist the doctor in conducting the examination and preparing an evaluation;
- Prior evaluations, if necessary;
- Medical information about the officer on file;
- Personal conversation with the physician or psychologist, if necessary;

- The officer's position description.

The physician's or psychologist's evaluation report submitted to the police chief concerning the officer's fitness for duty examination shall be part of the officer's personnel records and treated as confidential, under the provisions of California Penal Code §832.7 and 832.8. The report will be limited to notifying the department of the doctor's finding regarding the employee's fitness, fitness with restrictions, or lack of fitness without reference to any details unless the employee signs a waiver that additional information may be provided.

Any officer ordered to undergo a fitness for duty examination shall comply with the terms of the order and shall cooperate fully with the doctor and his or her staff with respect to any clinical interview conducted, any tests administered and any other procedures directed by the doctor. Any failure to comply with such an order and any failure to extend such cooperation may be deemed insubordination and be grounds for termination.

The campus president shall work with the Chancellor's Office Vice Chancellor of Human Resources on fitness for duty issues regarding a campus police chief.

Questions regarding this policy may be directed to the CSU Police Coordinator, General Counsel or systemwide Human Resources, as appropriate. This document is available on Human Resources Web site at http://www.calstate.edu/HRAdm/memos.shtml.

JRMcC/cr

REVISED: 1/31/2018
Effective: 6/19/07

California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1032

MEAL PERIODS AND BREAKS

1032.1 PURPOSE AND SCOPE

This policy regarding meals and breaks, as much as possible, shall conform to the policy governing all CSU, Chico police department employees, which has been established by the President and is addressed in the Statewide University Police Association (SUPA) labor contract and the California State University Employees Union (CSUEU) contract.

1032.1.1 MEAL PERIODS

Article 13 of the SUPA contract and Article 18 of the CSUEU contract outline time spent for meal periods.

Sworn employees and dispatchers shall remain on duty, subject to call during meal breaks.

The time spent for the meal period shall not exceed the authorized time allowed.

1032.1.2 REST PERIODS

Article 13 of the SUPA contract and Article 18 of the CSUEU contract outline time spent for rest periods.

Per CSUEU Article 18, Section 13:

"An employee shall be allowed rest periods each workday of fifteen (15) minutes for each four (4) hours worked. Rest period schedules shall be determined by the appropriate administrator in accordance with the operational needs of the department. Rest periods shall be counted towards hours worked. When an employee is required to perform duties during a scheduled rest period, the appropriate administrator shall endeavor to reschedule the rest period for that workday. Rest period time not taken shall not be cumulative."

Per SUPA Article 13, Section 6:

"Rest periods of fifteen (15) minutes once during each work period of four (4) hours or more shall be granted to employees at a time and place arranged by the Chief of Police. Employees who regularly work a four (4) day, ten (10) hour or a three (3) day, twelve (12) hours shift shall be entitled to one (1) additional rest period, not to exceed ten (10) minutes. The rest period shall not be taken at the beginning or end of a work period and

time not used for rest periods shall not be accumulated and used at a later date. Rest periods may be cancelled by the Chief of Police during emergencies."

Employees normally assigned to the police facility shall remain at the police facility for their breaks. This would not prohibit them from taking a break outside the facility if on official business or if their job tasks do not require them to remain within the facility.

Patrol officers will take their breaks subject to call, and shall monitor their radios. When field officers take their breaks away from their vehicles, they shall notify the police dispatcher.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: June 28, 2007

California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1034

PAYROLL AND ATTENDANCE POLICY

1034.1 PURPOSE AND SCOPE

Payroll is completed by CSU, Chico Administration on a monthly basis for the payment of wages.

1034.1.1 TIME REQUIREMENTS

All employees are paid on a monthly basis around the first of every month. Actual pay dates/direct deposit posting dates can be viewed on Payroll's website at: http://www.sco.ca.gov/ppsd/empinfo/payday/.

Employees are responsible for documenting their own absences and overtime on the appropriate CSU, Chico forms. Upon completion of these forms, and after the supervisor's signature has been obtained, the forms are turned in to the department's payroll administrative coordinator by the date each paycheck is issued.

APPROVED

JOHN M. REID
CHIEF OF POLICE

California State University
Chico

Absence Report and Intermittent Employee Timesheet STD 634

Chico State ID	Last Name	First Name	Middle Initial

Department Name

Pay Period (mm) (yy)

Employee Status ☐ **NON-EXEMPT -- Sick leave and vacation may be taken in tenths of an hour increments. Eligible for overtime compensation.**
☐ **EXEMPT -- Sick leave and vacation must be charged in one-day increments. Not eligible for overtime compensation.**

ABSENCE CATEGORIES	INDICATE HOUR(S) - DO NOT USE SYMBOLS																													CODES
	30-31	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	1	TOTAL	
HOURLY INTERMITTENT EMPLOYEES (TIME WORKED)																																		
SICK LEAVE Self																																		S
SICK LEAVE Family																																		SF
SICK LEAVE Death Relationship																																		SD
BEREAVEMENT/ FUNERAL LEAVE Relationship																																		FL
VACATION																																		VA
OVERTIME CREDITS																																		CT
PERSONAL HOLIDAY																																		PH
SHORT TERM MILITARY LEAVE (Attach copy of military orders)																																		ML
MATERNITY/ PATERNITY/ ADOPTION LEAVE																																		MP
UNPAID LEAVE GRANTED (DOCK)																																		L
AWOL – Unapproved Absence																																		A
OTHER ABSENCES (Indicate date and reasons)																																		
SUBPOENAED WITNESS FOR THE STATE																																		SW

Select One: ☐ I will submit my fees to the Cashier's Office: ☐ Change the time off to my vacation; ☐ Dock my pay for the time off

JURY DUTY | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | JD

Select One: ☐ I will submit my fees to the Cashier's Office: ☐ Change the time off to my vacation; ☐ Dock my pay for the time off

To the best of my knowledge and belief, the facts stated above are accurate and in full compliance with legal requirements.

Certified by Employee:

Approved by Supervisor:

Signature Date Signature Date

PAYROLL USE ONLY

Campus Zip Initials: Date:

CALIFORNIA STATE UNIVERSITY, CHICO

OVERTIME, HOLIDAY WORK TIME and EXTRA HOURS

Authorization, Certification, and Approval

Please refer to instructions on reverse.

Name:	Bargaining Unit (Circle): 2 4 5 6 7 8 9
Social Security Number:	Pay Plan (Circle): 10/12 11/12
Dept you work for:	

Date	PRE-AUTHORIZATION			CERTIFICATION / APPROVAL				DEPARTMENT USE ONLY				DESCRIBE DUTIES PERFORMED
	Time of Day		Hours	Time of Day		Hours	Call Back	Reg Shift	Work	Work	Charge to	
Mo/Day	From	To	Authorized	From	To	Worked	Y or N	N or E *	Location	Order #	Agency/Unit	
TOTAL HOURS AUTHORIZED:				TOTAL WORKED:				*Enter employee's *regular* shift (evening or night) the day the overtime was performed.				

PRE-AUTHORIZATION FOR OVERTIME	CERTIFICATION OF TIME WORKED	TOTALS
You are hereby authorized to work overtime, if required, as indicated above.	Overtime has been worked as indicated above.	Non-Call Back Totals / Call Back Totals
		Premium Hours for Pay: _____ _____
		Straight Hours for Pay: _____ _____
Authorized Signature	Employee's Signature Date	
Date	Supervisor's Signature Date	Premium Hours for CTO: _____ _____
		Straight Hours for CTO: _____ _____

OTAUTH.xls 7/10/00

REVISED: 1/31/2018
Effective: 6/20/2007

California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1036

OVERTIME PAYMENT REQUESTS

1036.1 PURPOSE AND SCOPE

It is the policy of the department to compensate non-exempt salaried employees who work authorized overtime either by payment of wages as agreed and in effect through the Collective Bargaining Agreements, or by the allowance of accrual of compensatory time off.

1036.1.1 DEPARTMENT POLICY

Because of the nature of police work, and the specific needs of the department, a degree of flexibility concerning overtime policies must be maintained.

No non-exempt employee is authorized to “volunteer” work time to the agency. All overtime worked shall be approved by a supervisor. If circumstances do not permit prior approval, then approval shall be sought as soon as practical.

The individual employee may request compensatory time in lieu of receiving overtime payment; however, the employee may not exceed the number of hours of compensatory time in his/her bank per the contract under which the employee falls.

When special events call for two or more officers, such as A.S. concerts, sporting events, etc., a sign-up sheet for overtime will be posted on the scheduling bulletin board, and employees can sign up accordingly.

1036.2 REPORTING OVERTIME HOURS WORKED

Employees shall report their overtime hours worked on the Duty Status Report, indicating the date and time, total hours, and reason for overtime. The form shall be submitted to the supervisor of the shift worked, who will authorize the overtime by signing the form. The three-part form is distributed as follows: the supervisor keeps one copy, the employee receives one copy, and the original top copy is forwarded to the department payroll technician.

1036.3 REQUEST FOR OVERTIME PAYMENT

Employees shall submit all overtime payment requests on the *CSU, Chico Overtime, Holiday Work Time, and Extra Hours Authorization, Certification, and Approval* form.

1036.3.1 SUPERVISOR’S RESPONSIBILITY

The supervisor who verifies the overtime earned shall sign the form pre-authorizing the overtime worked (bottom left box on form). The date of pre-authorization should be a

date prior to the first overtime date worked that month. Before submitting the form to the department payroll technician for processing, the supervisor shall sign the form in the "Certification of Time Worked" box, and the date should be later than the last day of overtime worked that month.

1036.4 ACCOUNTING FOR OVERTIME WORKED

Employees are to record the actual time worked in an overtime status. In some cases, the bargaining contract provides that minimum times will be paid.

1036.4.1 ACCOUNTING FOR PORTIONS OF AN HOUR

Partial hours of overtime worked are to be accounted for in quarters of an hour. One quarter of an hour is equivalent to fifteen minutes.

APPROVED

JOHN M. REID
CHIEF OF POLICE

CSU Chico Police Department
DUTY STATUS REPORT

Name: _____ Date of Report: _____

TIME OFF REQUEST/ABSENCE REPORT				OVERTIME			
✓	Total Hours	Reason	Date(s)	✓	Total Hours	Reason	Date/Time
❑		SL		❑		Extension of Shift	
❑		CTO		❑		Special Event*	
❑		V		❑		Call Back/Shift Coverage	
❑		PH		❑		Court/Traffic	
❑		HC		❑		Court/Trial Case No:	
❑		Other*		❑		Training*	
* List any details from above (type of *other* absence, name of special event, training class, location, travel time, etc.)							

Employee Signature: _____ Date: _____

Accepting Report: _____ Date: _____

Supervisor's Signature: _____ Date: _____

SL-Sick; CTO-Comp Time Off; V-Vacation; PH-Personal Holiday; HC-Holiday Credit Approved: ❑ YES ❑ NO
DSR/Rev 6/07

CALIFORNIA STATE UNIVERSITY, CHICO

OVERTIME, HOLIDAY WORK TIME and EXTRA HOURS

Authorization, Certification, and Approval

Please refer to instructions on reverse.

Name:	Bargaining Unit (Circle): 2 4 5 6 7 8 9
Social Security Number:	Pay Plan (Circle): 10/12 11/12
Dept you work for:	

Date	PRE-AUTHORIZATION			CERTIFICATION / APPROVAL				DEPARTMENT USE ONLY				DESCRIBE DUTIES PERFORMED
	Time of Day		Hours	Time of Day		Hours	Call Back	Reg Shift	Work	Work	Charge to	
Mo/Day	From	To	Authorized	From	To	Worked	Y or N	N or E *	Location	Order #	Agency/Unit	
TOTAL HOURS AUTHORIZED:				TOTAL WORKED:				*Enter employee's *regular* shift (evening or night) the day the overtime was performed.				

PRE-AUTHORIZATION FOR OVERTIME	CERTIFICATION OF TIME WORKED	TOTALS
You are hereby authorized to work overtime, if required, as indicated above.	Overtime has been worked as indicated above.	Non-Call Back Totals / Call Back Totals
		Premium Hours for Pay: _____ _____
		Straight Hours for Pay: _____ _____
Authorized Signature	Employee's Signature Date	
Date	Supervisor's Signature Date	Premium Hours for CTO: _____ _____
		Straight Hours for CTO: _____ _____

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REVISED: 1/31/2018
Effective: 6/20/2007

California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1038

ASSIGNED AND REQUIRED OVERTIME

1038.1 PURPOSE AND SCOPE

Events taking place on the CSU, Chico campus have increasingly grown in number and size. In many cases, operational plans are developed that take a variety of issues into consideration, i.e., number of attendees, type of event, prior history, safety concerns, etc.

The CSU, Chico Police Department is responsible for policing such events and having well thought out operational plans that address required staffing. Operational plans are reviewed by the Chief of Police and submitted to Risk Management for review.

To give everyone an opportunity to work an event, sign-up sheets are posted:

- In the dispatch center for Dispatchers.
- On the CSO bulletin board for CSO's.
- On the patrol schedule bulletin board for patrol officers.

1038.2 POLICY

Pursuant to article 13.8 of the SUPA contract:

- *Overtime shall be assigned by the Chief of Police. Such overtime assignments shall be offered to bargaining unit members prior to offering work to employees outside the unit on the basis of departmental and university needs. As far as practicable, overtime shall be distributed equitably and impartially among qualified employees. In emergency situations or when there are an insufficient number of qualified employees desiring to work required overtime, employees may not decline such overtime assignments.*

Pursuant to Article 19.7 of the CSUEU contract:

- *The appropriate administrator shall endeavor to equalize the overtime work among all qualified employees who have expressed interest in overtime work. Advance notice of overtime opportunities shall be provided to all qualified employees whenever possible. An employee shall be required to work overtime if no qualified volunteer is available.*

Should it become necessary for the Chief of Police, or designee acting on the Chief's behalf, to assign personnel to work an overtime event, it will be the staff member's responsibility to fill the shift.
When voluntary sign-up times have not been filled, the supervisor responsible for event operational plans will review who has not signed up to work event overtime, and will assign those dates/times so that everyone has an opportunity to work such details. If working the ordered assignment presents a conflict with previous plans or commitments, it is the staff member's responsibility to find a suitable replacement for the coverage.

1038.2.1 GUIDELINES WHEN SEEKING REPLACEMENT

Notify the supervisor responsible for the event in writing (e-mail) that a replacement has been found to cover the shift. In addition, written acceptance (e-mail is okay) will be submitted by the replacement staff member covering the assignment/shift. Notification to the supervisor is to be made as soon as possible.

The staff member who has agreed to work an assignment for another staff member is not to exceed a 16-hour work day.

The staff member covering the assignment will not be taken from a patrol shift, leaving the shift with less coverage.

1038.2.2 REQUESTED VACATION OR TIME-OFF

Employees who have requested and have been granted vacation during these events will not be subject to an overtime assignment. It is, therefore, necessary that vacation requests and approvals be submitted and recorded in a timely manner.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 6/20/2007

California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1040

OUTSIDE EMPLOYMENT

1040.1 PURPOSE AND SCOPE

The role of a peace officer is a unique one in society and, as such, some limitations and restrictions regarding off-duty activities apply to those who hold that position. Because peace officers are required to be objective and impartial when carrying out their responsibilities, and rely exclusively upon facts and information provided to them, it is imperative that there not even appear to be a conflict of interest on the part of those officers.

Since respect for law enforcement officers is paramount to their ability to perform their job, engaging in outside employment which would bring discredit, disrespect, or embarrassment to that officer and/or his or her agency would be considered incompatible and in conflict with the officer's primary role as a peace officer. Government Code §1126 sets forth factors which, in and of themselves, create conflicts of interest. The Attorney General of California has determined that these are examples, and are not to be construed as a complete list. Additionally, in 1996 the legislature required all agencies to articulate in their outside employment/conflict of interest policies those positions deemed incompatible and, therefore, not permitted.

A determination of whether outside employment constitutes a conflict of interest will be based upon the criteria set forth in Section 1040.2. Whether the outside employment brings discredit or disrepute upon the CSU will also be considered when reaching such a decision.

1040.2 DETERMINATION

Outside employment is not permitted when any of the following situations hold true:

- Involves the use for private gain or advantage of the Department's time, facilities, equipment, and supplies, (unlawful activity under Government Code Section 8314) or the badge, uniform, prestige, or influence of his or her status as a peace officer, or;
- Involves receipt or acceptance by the officer or employee of any money or other consideration from anyone other than this Department for the performance of an act which the officer, if not performing such act, would be required or expected to render in the regular course of his or her Department's employment or as a part of his or her duties as a peace officer, or;
- Involves the performance of an act in other than his or her capacity as a peace officer which may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other officer of this Department, or;

- Involves such time demands as would render performance of his or her duties as an officer less efficient.

1040.3 OUTSIDE EMPLOYMENT WHICH ARE CONFLICTS OF INTEREST

- Security Guard
- Private Investigator
- Bartender
- Bouncer
- Sales clerk position in a liquor store or gun dealership
- Process server
- Repossessor
- Debt collector
- Legal practice of criminal defense
- Card dealer, handicapper, change maker, caller, machine repair person, keno runner, pit boss, table waitress, or employment in any gaming establishment where the employment is directly related to the primary purpose of the employer
- Bodyguard
- Employment as a “keeper” (attendant, guard, or warden)
- Funeral escort where traffic control or the wearing of a uniform which resembles that of a peace officer is required

1040.4 OBTAINING APPROVAL

Employees who do not receive prior approval to engage in outside employment, or accept employment prior to receiving permission to do so, or who engage in any outside employment listed herein or determined to be a conflict of interest under this policy, may be subject to disciplinary action.

1040.5 COLLECTIVE BARGAINING AGREEMENTS

Article 16 of the Unit 8 (SUPA) Collective Bargaining Agreement states:

- 16.1: Employees shall give prior written notification to the Chief of Police of any outside employment. Such notification shall contain the name of the employer, the nature of employment participated in, and the number and scheduling of hours involved. When the Chief of Police determines that the employment can reasonably be expected to adversely affect the employee’s work performance and/or would be inconsistent with the accepted image of a University police officer, then he/she may direct the employee not to engage in such outside employment.

- 16.2: All employees engaged in outside employment upon the effective date of this Agreement shall, within two (2) weeks of such date, comply with the notice provisions of this Article.

Article 17 of the CSUEU Collective Bargaining Agreement states:

- 17.15: Outside employment shall not conflict with the responsibilities and duties of the employee to the CSU.

1040.6 APPEAL PROCESS

Any employee who has been denied the right to engage in outside employment based on the determination that his or her secondary employment falls within the prohibitions outlined in this guideline may, within five (5) days from the date of notification of the denial to engage in outside employment, file a written appeal to the Chief of Police.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 6/20/2007

California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1042

WORK RELATED INJURIES

1042.1 PURPOSE AND SCOPE

The purpose of this policy is to provide for the reporting of work-related injuries or deaths to the CSU, Chico Disability Programs Office, ensure proper medical attention is received, and document the circumstances of the incident.

1042.2 WORKER'S COMPENSATION FUND REPORTS

1042.2.1 INJURIES REQUIRING MEDICAL CARE

All work related injuries requiring medical care must be reported to the CSU, Chico Disability Programs Office. The employee's supervisor and administrator must complete all sections of the OSHA 301 form. This form shall be forwarded to the Disability Programs Office within 24 hours, or the next business day if the incident occurred on the weekend or a holiday. The supervisor shall give the employee the Employee Claim for Workers' Compensation Benefits (DWC-1) Form.

1042.2.2 "ACCIDENT" DEFINED

"Accident" is defined as any occurrence from which bodily injury or property damage may result, regardless of whether any injury or damage actually does occur, e.g. exposure where no immediate injury is apparent.

1042.2.3 EMPLOYEE'S RESPONSIBILITY

It is the responsibility of each employee to report immediately to a supervisor any work-related injury or illness.

Any employee observing or learning of a potentially hazardous condition is to promptly report the condition to his/her immediate supervisor.

Any employee sustaining a work-related injury that requires relief from duty is required to be examined and/or treated by a doctor.

When appropriate, an employee being treated for a work-related injury is to advise the attending physician that "light duty" may be available at the Police Department. Limited-service duty may be available for those employees whose injuries prevent resumption of regular duties. Request work restriction, in writing, from the attending physician.

An injured employee shall report as soon as practical to his/her immediate supervisor the extent and duration of any work restrictions, if they are known.

1042.2.4 SUPERVISOR'S RESPONSIBILITY

A supervisor learning of any work-related injury or accident shall promptly prepare the appropriate forms. Updated copies of forms, with instructions for completion provided by the Disability Programs Office, are kept in the Sergeant's Office.

For work-related accidents or injuries not requiring professional medical care, a CSU, Chico Work-Related Injury and Illness Incident Report (OSHA 301) Form shall be completed by the employee's supervisor. This form shall be forwarded to the Disability Programs Office.

Every injured employee must be offered an "Employee's Claim For Workers' Compensation Benefits Form" (DWC-1) within 24 hours, regardless of the nature of the illness or injury.

The above procedures shall be followed whether or not any work-related accident or injury requires professional medical care.

1042.3 SETTLEMENT OF INJURY CLAIMS

Occasionally, an employee's work-related injury results from the negligent or wrongful acts of another, for which the employee, the CSU, and/or other insurers may be entitled to recover civilly. To ensure that the CSU's interests are protected and that the employee has the benefit of the CSU's experience in these matters, the following procedure is to be followed:

1042.3.1 EMPLOYEE TO REPORT INITIAL CONTACTS

When an employee sustains work-related injuries caused by another person, and is then approached by such person or an agent, insurance company, or attorney, and offered a settlement of claims, that employee shall take no action other than to make a written report of this contact to his/her supervisor as soon as possible.

1042.3.2 NO SETTLEMENT WITHOUT PRIOR APPROVAL

In no case shall the employee accept a settlement without receiving prior approval from the Chief of Police. It must first be determined that the offered settlement will not affect any claim the CSU may have regarding payment for damage(s) to equipment or reimbursement for wages against the person who caused the accident or injury. The objective of this policy is to protect the CSU's right of subrogation, while ensuring that the employees' rights to receive compensation for injuries are not adversely affected.

APPROVED

JOHN M. REID
CHIEF OF POLICE

California State University, Chico

Work-Related Injury and Illness Incident Report
(OSHA 301 FORM)

Disability Programs Office Use Only:
Claim No: _____
DWC-1 Form mailed on: ____/____/____

Attention: This form contains information related to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.

INSTRUCTIONS:

1. **REPORT THE ILLNESS/INJURY IMMEDIATELY TO THE DISABILITY PROGRAMS OFFICE, (530) 898-5436.**
2. **Within 8 hours of the injury or illness:**
   a. The employee's direct supervisor (and the area administrator) must complete ALL sections of the OSHA 301. *(Under no circumstances is the injured/ill employee to complete this form.)*
   b. Fax the OSHA 301 form to the Disability Programs Office, fax number (530) 898-5755
   c. Forward the original OSHA 301 form to the Disability Programs Office (may be hand-delivered to Kendall 118 or sent via campus mail - Zip 022).
   d. If the injured/ill employee received medical care, the Disability Programs Office will mail an Employee Claim for Workers' Compensation Benefits (DWC-1 Form) to the employee's home address. Once signed by the employee, the DCW-1 Form should be returned to the DPO Office (may be hand-delivered to Kendall 118 or sent via campus mail - Zip 022).

I. INJURED/ILL EMPLOYEE

Name: _____ Job Title_____ *(DPO Use Only: Class Code: _ _ _ _ _)*

Street Address: _____ Work days: _Mon _Tues _Wed _Thu _Fri _Sat _Sun

City:_____ State: ____ Zip: _____ Work schedule: ____:____ am / pm. to ____:____am / pm

Home Phone No: (_____) _____-_____ Usually works: #___hrs per day / #___days per wk / #__0__hrs per wk

Work Phone No: (_____) _____-_____ Department Abbreviation: _____ Ext: x_____

Social Security No. _____-_____-_____ Campus Zip: 95929-0 _ _ _ _

Date of Birth: _____/_____/_____ Direct Supervisor (name): _____ Ext: x_____

Date of Hire: _____/_____/_____ Area Administrator (name):_____
(i.e., Dean, Director, Manager, Dept. Head, etc.)

Gender: Male ☐ Female ☐

II. FACTS RELATED TO WORK-RELATED INJURY/ILLNESS

Date/time of injury or onset of illness: ____/____/_____ at ____:____ am / pm Any witness(es)? ☐ No ☐ Yes*

Date/time the employee began work: ____/____/_____ at ____:____ am / pm *Witness Name(s): Phone No.

Date of supervisor's knowledge or notice of injury/illness: ____/____/____ _____ ____-_____

If employee died, date/time of death: ____/____/_____ at ____:____ am / pm _____ ____-_____

Were other CSUC employees injured? ☐ No ☐ Yes _____ ____-_____

Was an outside agency/person responsible? ☐ No ☐ Yes

Specific injury/illness and part(s) of body affected: (i.e., broken finger on right hand, tendonitis in left elbow, etc.)

What was employee doing when event occurred? (i.e., loading boxes on truck; cleaning classroom; driving tractor, etc.)

What chemicals, equipment, etc., was employee using when the event occurred?

Did injury/illness occur on employer's premises? ☐ Yes ☐ No | Location/department/building where injury/illness occurred:

Describe how injury/illness occurred (if more space is needed, please attach separate sheet of paper):

OSHA 301 Form *(02/2005)*

Page 1 of 2

III. MEDICAL TREATMENT (EMPLOYEES RECEIVING MEDICAL TREATMENT MAY NOT RETURN TO WORK WITHOUT A MEDICAL RELEASE)

A. Did injured employee receive medical evaluation/treatment for this work-related injury/illness? ☐ NO ☐ YES
If answer is "YES", where did employee receive medical evaluation/treatment?

Designated Medical Facilities:
☐ CSUC STUDENT HEALTH SERVICES *(minor injuries only)*
☐ ENLOE PROMPT CARE BRUCE RD *(non-minor injuries or any injuries occurring after Student Health Service hours or on weekends)*
☐ ENLOE EMERGENCY ROOM *(life-threatening injuries/illnesses or injuries/illnesses requiring medical care before 8 a.m. or after 8 p.m. or for life-threatening injuries)* WAS EMPLOYEE HOSPITALIZED OVERNIGHT? ☐ No ☐ Yes

Pre-Designated Personal Physician (employee pre-designated own personal physician prior to injury)
☐ No ☐ Yes (If answer is "YES", provide physician information below.)
Physician Name: _____
Street Address: _____
City: _____ State: _____ Zip: _____
Phone: ( ) _____- _____ Fax: ( ) _____- _____

IV. LOST WORK TIME (ABSENCES NOT SUPPORTED BY A SIGNED PHYSICIAN'S STATEMENT ARE NOT COVERED BY WORKERS' COMPENSATION BENEFITS.)
A. Did employee lose work time (other than on the first day of injury/illness) due to this work-related injury?
☐ NO ☐ YES (If answer is "YES", go to answer B and C):
B. When did employee first begin to lose work time? ____:____ am / pm on ____/____/____
C. Is employee still off work due to this work-related injury?
☐ YES ☐ NO (The employee returned to work at: ____:____ am / pm on ____/____/____)
(REMINDER: EMPLOYEES RECEIVING MEDICAL TREATMENT MAY NOT RETURN TO WORK WITHOUT A MEDICAL RELEASE)

V. DEPARTMENTAL REVIEW

If applicable, check one of the following:
☐ I am unable to determine if this injury is caused by current employment. A Physician's report will be necessary to verify if the injury/illness is related to employee's current employment at CSU, Chico.
☐ The facts do not indicate that this claim of injury is work-related. Please investigate.

Please provide reasons below to support why you believe this claim may or may not be work-related:

Was the employee following safety procedures when injury occurred? ☐ Yes ☐ No

Describe corrective action(s) has/have been taken to prevent a reoccurrence:

If you would like to have EMHS contact you regarding a safety evaluation of your department or safety information, check here ☐

(For DPO Use Only: EHS notified: ____/____/____ via: _____)

OSHA 301 COMPLETED BY: (Direct Supervisor or Area Administrator Only)

Print/type name	Signature	Title	Date

OSHA 301 REVIEWD BY: (Area Administrator Only)

After discussing this incident with the employee's direct supervisor, I agree with his or her perception of the injury:
☐ YES ☐ NO - Please explain below:

Print/type name	Signature	Title	Date

OSHA 301 Form *(02/2005)*

Mailed to Employee: _____
(Date)

_____

_____

_____

Re: Work-Related Injury (date of injury: _____)
Date claim form was originally provided to employee:

California State University, Chico
(Employee) Disability Programs Office

INSTRUCTIONS FOR COMPLETION OF DWC-1

The Disability Programs Office has received information that you may have suffered a work-related injury/illness. If you have received medical treatment/evaluation for this injury/illness, or if you need (or plan) to obtain medical treatment/evaluation in the future, you will need to submit a Workers' Compensation Claim Form (DWC-1) to Disability Programs Office IMMEDIATELY. [IT IS VERY IMPORTANT THAT YOU ACT PROMPTLY SO AS NOT TO RISK LOSING YOUR WORKERS' COMPENSATION BENEFITS (INCLUDING, BUT NOT LIMITED TO, PAYMENT FOR MEDICAL TREATMENT/EVALUATION AND WAGE LOSS BENEFITS) BECAUSE YOU WAITED TOO LONG.]

Employee Instructions
Please complete the "Employee" section (#1 through 8) of the Workers' Compensation Claim Form (DWC1) and return form to:

California State University, Chico
(Employee) Disability Programs Office
Kendall Hall, Room 118
400 West First Street
Chico, CA 95929-0022
530-898-5436
(Fax) 898-5755

After the Disability Programs Office completes the "Employer" section of your claim form, a copy of the completed form will be mailed to your home address.

All questions and concerns regarding the completion of the DWC-1 or Workers' compensation benefits should be directed to the (Employee) Disability Programs Office, 530-898-5436.

DWC-1 Instructions (revised May 2006)

Workers' Compensation Claim Form (DWC 1) & Notice of Potential Eligibility
Formulario de Reclamo de Compensación para Trabajadores (DWC 1) y Notificación de Posible Elegibilidad

If you are injured or become ill, either physically or mentally, because of your job, including injuries resulting from a workplace crime, you may be entitled to workers' compensation benefits. Attached is the form for filing a workers' compensation claim with your employer. **You should read all of the information below.** Keep this sheet and all other papers for your records. You may be eligible for some or all of the benefits listed depending on the nature of your claim. If required you will be notified by the claims administrator, who is responsible for handling your claim, about your eligibility for benefits.

To file a claim, complete the "Employee" section of the form, keep one copy and give the rest to your employer. Your employer will then complete the "Employer" section, give you a dated copy, keep one copy and send one to the claims administrator. Benefits can't start until the claims administrator knows of the injury, so complete the form as soon as possible.

Medical Care: Your claims administrator will pay all reasonable and necessary medical care for your work injury or illness. Medical benefits may include treatment by a doctor, hospital services, physical therapy, lab tests, x-rays, and medicines. Your claims administrator will pay the costs directly so you should never see a bill. For injuries occurring on or after 1/1/04, there is a limit on some medical services.

The Primary Treating Physician (PTP) is the doctor with the overall responsibility for treatment of your injury or illness. Generally your employer selects the PTP you will see for the first 30 days, however, in specified conditions, you may be treated by your predesignated doctor. If a doctor says you still need treatment after 30 days, you may be able to switch to the doctor of your choice. Special rules apply if your employer offers a Health Care Organization (HCO) or after 1/1/05, has a medical provider network. Contact your employer for more information. If your employer has not put up a poster describing your rights to workers' compensation, you may choose your own doctor immediately.

Within one working day after an employee files a claim form, the employer shall authorize the provision of all treatment, consistent with the applicable treating guidelines, for the alleged injury and shall continue to provide treatment until the date that liability for the claim is accepted or rejected. Until the date the claim is accepted or rejected, liability for medical treatment shall be limited to ten thousand dollars ($10,000).

Disclosure of Medical Records: After you make a claim for workers' compensation benefits, your medical records will not have the same privacy that you usually expect. If you don't agree to voluntarily release medical records, a workers' compensation judge may decide what records will be released. If you request privacy, the judge may "seal" (keep private) certain medical records.

Payment for Temporary Disability (Lost Wages): If you can't work while you are recovering from a job injury or illness, you will receive temporary disability payments. These payments may change or stop when your doctor says you are able to return to work. These benefits are tax-free. Temporary disability payments are two-thirds of your average weekly pay, within minimums and maximums set by state law. Payments are not made for the first three days you are off the job unless you are hospitalized overnight or cannot work for more than 14 days.

Si Ud. se lesiona o se enferma, ya sea física o mentalmente, debido a su trabajo, incluyendo lesiones que resulten de un crimen en el lugar de trabajo, es posible que Ud. tenga derecho a beneficios de compensación para trabajadores. Se adjunta el formulario para presentar un reclamo de compensación para trabajadores con su empleador. **Ud. debe leer toda la información a continuación.** Guarde esta hoja y todos los demás documentos para sus archivos. Es posible que usted reúna los requisitos para todos los beneficios, o parte de éstos, que se enumeran, dependiendo de la índole de su reclamo. Si se requiere, el/la administrador(a) de reclamos, quien es responsable del manejo de su reclamo, le notificará a usted, lo referente a su elegibilidad para beneficios.

Para presentar un reclamo, complete la sección del formulario designada para el "Empleado", guarde una copia, y déle el resto a su empleador. Entonces, su empleador completará la sección designada para el "Empleador", le dará a Ud. una copia fechada, guardará una copia, y enviará una al/a la administrador(a) de reclamos. Los beneficios no pueden comenzar hasta, que el/la administrador(a) de reclamos se entere de la lesión, así que complete el formulario lo antes posible.

Atención Médica: Su administrador(a) de reclamos pagará toda la atención médica razonable y necesaria, para su lesión o enfermedad relacionada con el trabajo. Es posible que los beneficios médicos incluyan el tratamiento por parte de un médico, los servicios de hospital, la terapia física, los análisis de laboratorio y las medicinas. Su administrador(a) de reclamos pagará directamente los costos, de manera que usted nunca verá un cobro. Para lesiones que ocurren en o después de 1/1/04, hay un límite de visitas para ciertos servicios médicos.

El Médico Primario que le Atiende-*Primary Treating Physician PTP* es el médico con toda la responsabilidad para dar el tratamiento para su lesión o enfermedad. Generalmente, su empleador selecciona al *PTP* que Ud. verá durante los primeros 30 días. Sin embargo, en condiciones específicas, es posible que usted pueda ser tratado por su médico pre-designado. Si el doctor dice que usted aún necesita tratamiento después de 30 días, es posible que Ud. pueda cambiar al médico de su preferencia. Hay reglas especiales que son aplicables cuando su empleador ofrece una Organización del Cuidado Médico (HCO) o depués de 1/1/05 tiene un Sistema de Proveedores de Atención Médica. Hable con su empleador para más información. Si su empleador no ha colocado un poster describiendo sus derechos para la compensación para trabajadores, Ud. puede seleccionar a su propio médico inmediatamente.

El empleador autorizará todo tratamiento médico consistente con las directivas de tratamiento applicables a la lesión o enfermedad, durante el primer día laboral después que el empleado efectúa un reclamo para beneficios de compensación, y continuará proveyendo este tratamiento hasta la fecha en que el reclamo sea aceptado o rechazado. Hasta la fecha en que el reclamo sea aceptado o rechazado, el tratamiento médico será limitado a diez mil dólares ($10,000).

Divulgación de Expedientes Médicos: Después de que Ud. presente un reclamo para beneficios de compensación para los trabajadores, sus expedientes médicos no tendrán la misma privacidad que usted normalmente espera. Si Ud. no está de acuerdo en divulgar voluntariamente los expedientes médicos, un(a) juez de compensación para trabajadores posiblemente decida qué expedientes se revelarán. Si Ud. solicita privacidad, es posible que el/la juez "selle" (mantenga privados) ciertos expedientes médicos.

Pago por Incapacidad Temporal (Sueldos Perdidos): Si Ud. no puede trabajar, mientras se está recuperando de una lesión o enfermedad relacionada con el trabajo, Ud. recibirá pagos por incapacidad temporal. Es posible que estos pagos cambien o paren, cuando su médico diga.que Ud. está en condiciones de regresar a trabajar. Estos beneficios son libres de

Workers' Compensation Claim Form (DWC 1) & Notice of Potential Eligibility
Formulario de Reclamo de Compensación para Trabajadores (DWC 1) y Notificación de Posible Elegibilidad

Return to Work: To help you to return to work as soon as possible, you should actively communicate with your treating doctor, claims administrator, and employer about the kinds of work you can do while recovering. They may coordinate efforts to return you to modified duty or other work that is medically appropriate. This modified or other duty may be temporary or may be extended depending on the nature of your injury or illness.

Payment for Permanent Disability: If a doctor says your injury or illness results in a permanent disability, you may receive additional payments. The amount will depend on the type of injury, your age, occupation, and date of injury.

Vocational Rehabilitation (VR): If a doctor says your injury or illness prevents you from returning to the same type of job and your employer doesn't offer modified or alternative work, you may qualify for VR. If you qualify, your claims administrator will pay the costs, up to a maximum set by state law. VR is a benefit for injuries that occurred prior to 2004.

Supplemental Job Displacement Benefit (SJDB): If you do not return to work within 60 days after your temporary disability ends, and your employer does not offer modified or alternative work, you may qualify for a nontransferable voucher payable to a school for retraining and/or skill enhancement. If you qualify, the claims administrator will pay the costs up to the maximum set by state law based on your percentage of permanent disability. SJDB is a benefit for injuries occurring on or after 1/1/04.

Death Benefits: If the injury or illness causes death, payments may be made to relatives or household members who were financially dependent on the deceased worker.

It is illegal for your employer to punish or fire you for having a job injury or illness, for filing a claim, or testifying in another person's workers' compensation case (Labor Code 132a). If proven, you may receive lost wages, job reinstatement, increased benefits, and costs and expenses up to limits set by the state.

You have the right to disagree with decisions affecting your claim. If you have a disagreement, contact your claims administrator first to see if you can resolve it. If you are not receiving benefits, you may be able to get State Disability Insurance (SDI) benefits. Call State Employment Development Department at (800) 480-3287.

You can obtain free information from an information and assistance officer of the State Division of Workers' Compensation, or you can hear recorded information and a list of local offices by calling **(800) 736-7401**. You may also go to the DWC web site at **www.dir.ca.gov**. Link to Workers' Compensation.

You can consult with an attorney. Most attorneys offer one free consultation. If you decide to hire an attorney, his or her fee will be taken out of some of your benefits. For names of workers' compensation attorneys, call the State Bar of California at (415) 538-2120 or go to their web site at **www.californiaspecialist.org**.

impuestos. Los pagos por incapacidad temporal son dos tercios de su pago semanal promedio, con cantidades mínimas y máximas establecidas por las leyes estatales. Los pagos no se hacen durante los primeros tres días en que Ud. no trabaje, a menos que Ud. sea hospitalizado(a) de noche, o no pueda trabajar durante más de 14 días.

Regreso al Trabajo: Para ayudarle a regresar a trabajar lo antes posible, Ud. debe comunicarse de manera activa con el médico que le atienda, el/la administrador(a) de reclamos y el empleador, con respecto a las clases de trabajo que Ud. puede hacer mientras se recupera. Es posible que ellos coordinen esfuerzos para regresarle a un trabajo modificado, o a otro trabajo, que sea apropiado desde el punto de vista médico. Este trabajo modificado, u otro trabajo, podría extenderse o no temporalmente, dependiendo de la índole de su lesión o enfermedad.

Pago por Incapacidad Permanente: Si el doctor dice que su lesión o enfermedad resulta en una incapacidad permanente, es posible que Ud. reciba pagos adicionales. La cantidad dependerá de la clase de lesión, su edad, su ocupación y la fecha de la lesión.

Rehabilitación Vocacional: Si el doctor dice que su lesión o enfermedad no le permite regresar a la misma clase de trabajo, y su empleador no le ofrece trabajo modificado o alterno, es posible que usted reúna los requisitos para rehabilitación vocacional. Si Ud. reúne los requisitos, su administrador(a) de reclamos pagará los costos, hasta un máximo establecido por las leyes estatales. Este es un beneficio para lesiones que ocurrieron antes de 2004.

Beneficio Suplementario por Desplazamiento de Trabajo: Si Ud. no vuelve al trabajo en un plazo de 60 días después que los pagos por incapacidad temporal terminan, y su empleador no ofrece un trabajo modificado o alterno, es posible que usted reúne los requisitos para recibir un vale no-transferible pagadero a una escuela para recibir un nuevo entrenamiento y/o mejorar su habilidad. Si Ud. reúne los requisitios, el administrador(a) de reclamos pagará los costos hasta un máximo establecido por las leyes estatales basado en su porcentaje del incapicidad permanente. Este es un beneficio para lesiones que ocurren en o después de 1/1/04.

Beneficios por Muerte: Si la lesión o enfermedad causa la muerte, es posible que los pagos se hagan a los parientes o a las personas que vivan en el hogar, que dependian económicamente del/de la trabajador(a) difunto(a).

Es ilegal que su empleador le castigue o despida, por sufrir una lesión o enfermedad en el trabajo, por presentar un reclamo o por atestiguar en el caso de compensación para trabajadores de otra persona. (El Codigo Laboral sección 132a). Si es probado, puede ser que usted reciba pagos por perdida de sueldos, reposición del trabajo, aumento de beneficios, y gastos hasta un límite establecido por el estado.

Ud. tiene derecho a estar en desacuerdo con las decisiones que afecten su reclamo. Si Ud. tiene un desacuerdo, primero comuníquese con su administrador(a) de reclamos, para ver si usted puede resolverlo. Si usted no está recibiendo beneficios, es posible que Ud. pueda obtener beneficios de Seguro Estatal de Incapacidad (SDI). Llame al Departamento Estatal del Desarrollo del Empleo (EDD) al (800) 480-3287.

Ud. puede obtener información gratis, de un oficial de información y asistencia, de la División estatal de Compensación al Trabajador *(Division of Workers' Compensation – DWC)*, o puede escuchar información grabada, así como una lista de oficinas locales, llamando al **(800) 736-7401**. Ud. también puede ir al sitio electrónico en el Internet de la DWC en **www.dir.ca.gov**. Enlácese a la sección de Compensación para Trabajadores.

Ud. puede consultar con un(a) abogado(a). La mayoría de los abogados ofrecen una consulta gratis. Si Ud. decide contratar a un(a) abogado(a), sus honorarios se tomarán de sus beneficios. Para obtener nombres de abogados de compensación para trabajadores, llame a la Asociación Estatal de Abogados de California *(State Bar)* al (415) 538-2120, ó vaya a su sitio electrónico en el Internet en **www.californiaspecialist.org**.

State of California
Department of Industrial Relations
DIVISION OF WORKERS' COMPENSATION

Estado de California
Departamento de Relaciones Industriales
DIVISION DE COMPENSACIÓN AL TRABAJADOR

WORKERS' COMPENSATION CLAIM FORM (DWC 1)

PETITION DEL EMPLEADO PARA DE COMPENSACIÓN DEL TRABAJADOR (DWC 1)

Employee: Complete the **"Employee"** section and give the form to your employer. Keep a copy and mark it **"Employee's Temporary Receipt"** until you receive the signed and dated copy from your employer. You may call the Division of Workers' Compensation and hear recorded information at **(800) 736-7401**. An explanation of workers' compensation benefits is included as the cover sheet of this form.

You should also have received a pamphlet from your employer describing workers' compensation benefits and the procedures to obtain them.

Empleado: *Complete la sección* ***"Empleado"*** *y entregue la forma a su empleador. Quédese con la copia designada* ***"Recibo Temporal del Empleado"*** *hasta que Ud. reciba la copia firmada y fechada de su empleador. Ud. puede llamar a la Division de Compensación al Trabajador al* ***(800) 736-7401*** *para oir información gravada. En la hoja cubierta de esta forma esta la explicatión de los beneficios de compensación al trabjador.*

Ud. también debería haber recibido de su empleador un folleto describiendo los benficios de compensación al trabajador lesionado y los procedimientos para obtenerlos.

Any person who makes or causes to be made any knowingly false or fraudulent material statement or material representation for the purpose of obtaining or denying workers' compensation benefits or payments is guilty of a felony.

Toda aquella persona que a propósito haga o cause que se produzca cualquier declaración o representación material falsa o fraudulenta con el fin de obtener o negar beneficios o pagos de compensación a trabajadores lesionados es culpable de un crimen mayor "felonia".

Employee—complete this section and see note above ***Empleado—complete esta sección y note la notación arriba.***

1. Name. *Nombre.* _____ Today's Date. *Fecha de Hoy.* _____
2. Home Address. *Dirección Residencial.* _____
3. City. *Ciudad.* _____ State. *Estado.* _____ Zip. *Código Postal.* _____
4. Date of Injury. *Fecha de la lesión (accidente).* _____ Time of Injury. *Hora en que ocurrió.* _____ a.m. _____ p.m.
5. Address and description of where injury happened. *Dirección/lugar dónde occurió el accidente.* _____
6. Describe injury and part of body affected. *Describa la lesión y parte del cuerpo afectada.* _____
7. Social Security Number. *Número de Seguro Social del Empleado.* _____
8. Signature of employee. *Firma del empleado.* _____

Employer—complete this section and see note below. ***Empleador—complete esta sección y note la notación abajo.***

9. Name of employer. *Nombre del empleador.* California State University, Chico (Human Resources/Disability Programs Office)
10. Address. *Dirección.* 400 West First Street, Chico, CA 95929-0022
11. Date employer first knew of injury. *Fecha en que el empleador supo por primera vez de la lesión o accidente.* _____
12. Date claim form was provided to employee. *Fecha en que se le entregó al empleado la petición.* _____
13. Date employer received claim form. *Fecha en que el empleado devolvió la petición al empleador.* _____
14. Name and address of insurance carrier or adjusting agency. *Nombre y dirección de la compañía de seguros o agencia adminstradora de seguros.* Octagon Risk Services, Inc., Post Office Box 3170, Rancho Cordova, CA 95741-3170, (916) 851-8024, FAX (916) 851-8079
15. Insurance Policy Number. *El número de la póliza de Seguro.* The CSU system is "legally self-insured".
16. Signature of employer representative. *Firma del representante del empleador.* _____
17. Title. *Título.* Robert Stevens, Workers' Compensation Administrator 18. Telephone. *Teléfono.* (530) 898-5436

Employer: You are required to date this form and provide copies to your insurer or claims administrator and to the employee, dependent or representative who filed the claim within **one working day** of receipt of the form from the employee.

SIGNING THIS FORM IS NOT AN ADMISSION OF LIABILITY

Empleador: *Se requiere que Ud. feche esta forma y que provéa copias a su compañia de seguros, administrador de reclamos, o dependiente/representante de reclamos y al empleado que hayan presentado esta petición dentro del plazo de* ***un día hábil*** *desde el momento de haber sido recibida la forma del empleado.*

EL FIRMAR ESTA FORMA NO SIGNIFICA ADMISION DE RESPONSABILIDAD

☐ Employer copy/*Copia del Empleador* ☐ Employee copy/ *Copia del Empleado* ☐ Claims Administrator/*Administrador de Reclamos* ☐ Temporary Receipt/*Recibo del Empleado*

7/1/04 Rev.

REVISED: 1/31/2018
Effective: 6/20/2007
Revised: 9/19/2007

California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1044

PERSONAL APPEARANCE STANDARDS

1044.1 PURPOSE AND SCOPE

Employees of this department shall maintain their personal hygiene and appearance to project a professional image appropriate for this department and for their assignment.

1044.2 PERSONAL APPEARANCE STANDARDS

Employees acting in an on-duty capacity shall ensure that their personal appearance conforms to the following standards:

1044.2.1 FEMALE EMPLOYEES (HAIR & MAKEUP)

Hair shall be clean, neat, and well-groomed. Uniformed, on-duty, female police officers shall arrange their hair such that no portion extends below the bottom edge of the uniform shirt collar, interferes with their ability to properly wear a protective helmet, or restricts their vision in any way.

Ornamentation shall not be worn in the hair, except that which is necessary to secure the hairstyle. Pins, clips, or rubber bands shall be of a natural color and shall blend with the hair.

Hair color shall be natural in appearance. Extreme color variations or shades not common to natural human hair shall not be allowed.

1044.2.2 MALE EMPLOYEES (HAIR, MUSTACHES, SIDEBURNS, BEARDS)

Hair shall be clean, neat, and well groomed. Uniformed, on-duty, male police officers shall keep their hair moderately tapered and well trimmed such that no portion extends below the top portion of the uniform shirt collar while sitting or standing in an erect position. The sides of the hair shall be trimmed so that not more than the top 1/2 inch of the ear is covered. Bulk of hair shall not exceed 1-1/2 inches (bulk is defined as the distance that the mass of the hair protrudes from the scalp when groomed, as opposed to the length of the hair).

Sideburns shall not extend below the bottom of the opening of the outer ear, and shall end with a clean-shaven horizontal line. The maximum width at the bottom of the sideburns shall not exceed 1-1/2 inches.

While varying hair styles are permitted, provided these styles meet the above standards, corn-rows, multiple braids, spikes, Mohawks, or any other faddish hair styles shall not be

worn while in uniform or on duty, unless authorized by the Chief of Police. Hair shall only be of a natural color.

Mustaches shall be worn short and neatly trimmed. A mustache shall neither extend below the edge of the upper lip nor more than one/half inch past the corner of the mouth. Waxed tips or points are not permitted.

All on-duty uniformed personnel are to be clean-shaven at all times. The wearing of beards and/or alternate hairstyles by police personnel assigned to non-uniform duties shall be at the discretion of the Chief of Police. There may be occasions when an officer regularly assigned to non-uniform duties, is assigned to a detail in which the uniform must be worn. In those instances, the wearing of beards and/or alternative hairstyles by police personnel shall be at the discretion of the Chief of Police.

1044.2.3 ALL EMPLOYEES (JEWELRY AND FINGERNAILS)

Uniformed police officers shall not wear bracelets, conspicuous rings, or any large jewelry item that either compromises the officer's safety or detracts from the appearance of the uniform. Exceptions will be made for medical alert jewelry. The number of rings worn at any time shall be limited to one per hand; wedding sets shall be considered as one ring.

The wearing of earrings by uniformed police officers is discouraged due to the danger presented to the safety and protection of the police officer. Earrings that hang below earlobes are prohibited.

Personal jewelry items and/or personal ornaments shall not be affixed to the uniform or related equipment, except those authorized by the Chief of Police.

The fingernails of all police officers shall be clean and well-trimmed at all times. Nails shall not be of such length as to interfere with the performance of any required duties. Fingernail polish worn by police officers shall be conservative in color and limited to shades that are complementary to the uniform (clear, soft pinks, or reds). Multi-colored designs and/or nail charms are not permitted.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 11/25/19
REVISED: 1/31/2018
Updated: 3/18/2010
Updated: 7/08/2009
Effective: 6/20/2007

California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1046

UNIFORM REGULATIONS

1046.1 PURPOSE AND SCOPE

The uniform policy of the CSU Chico Police Department is established to ensure that uniformed employees will be readily identifiable to the public through the proper use of wearing department uniforms. Employees should also refer to the following associated policies:

- Department Owned and Personal Property, Chapter 7 – Section 700
- Body Armor, Chapter 10 – Section 1026
- Department Badges and ID Cards, Chapter 10 – Section 1048

The Uniform and Equipment Specifications manual is maintained and periodically updated by the Chief of Police or designee. That manual should be consulted regarding authorized equipment and uniform specifications.

The 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.

1046.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

Police employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose to identify the wearer as a source of assistance in an emergency, crisis or other time of need.

a) Uniform and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean, and appear professionally pressed.
b) All peace officers of this department shall possess and maintain at all times, a serviceable uniform and the necessary equipment to perform uniformed field duty.
c) Employees shall wear only the uniform specified for their rank and assignment.
d) The uniform is to be worn in compliance with the specifications set forth in the department's uniform specifications that are maintained separately from this policy.
e) All supervisors will perform periodic inspections of their personnel to ensure conformance to these regulations.

f) Civilian attire shall not be worn in combination with any distinguishable part of the uniform.
g) Uniforms are only to be worn while on duty, while in transit to or from work, for court, or at other official department functions or events.
h) If the uniform is worn while in transit, an outer garment shall be worn over the uniform shirt so as not to bring attention to the employee while they are off duty.
i) Employees are not to purchase or drink alcoholic beverages while wearing any part of the department uniform, including the uniform pants.
j) Mirrored sunglasses will not be worn with any department uniform.
k) Visible jewelry, other than those items listed below, shall not be worn with the uniform unless specifically authorized by the Chief of Police or the authorized designee.
    1. Wrist watch
    2. Wedding ring(s), class ring, or other ring of tasteful design. A maximum of one ring/set may be worn on each hand.
    3. Medical alert bracelet

1046.3 UNIFORM CLASSES

1046.3.1 CLASS A UNIFORM

The Class A uniform is to be worn on special occasions such as funerals, graduations, ceremonies, or as directed. The Class A uniform specifications for each employee group can be found in the department's Uniform and Equipment Specifications manual.

1046.3.2 CLASS B UNIFORM

Uniformed employees will possess and maintain a serviceable Class B uniform at all times. The Class B uniform specifications for each employee group can be found in the department's Uniform and Equipment Specifications manual.

1046.3.3 SPECIALIZED UNIT UNIFORMS

The Chief of Police may authorize special uniforms to be worn by officers in specialized units such as CRU, Bicycle Patrol, Motor Officers and other specialized assignments.

1046.3.4 FOUL WEATHER GEAR

The Uniform and Equipment Specifications Manual lists the authorized uniform jacket, rain gear and cold weather hat.

1046.3.5 REFLECTORIZED VESTS

It is intended that reflectorized vests be worn at any time an officer anticipates prolonged exposure to the hazards of approaching traffic created by assignment to duties such as traffic control and collision investigation. Officers may use discretion regarding the wearing of vests during daylight hours. Use is strongly encouraged while directing traffic during hours of darkness, or when visibility is limited due to inclement weather conditions. Vests maintained in the investigation units may be used any time a plain-clothes officer might benefit from being easily identified as a police officer. Use of the vests shall also be mandatory when a supervising officer determines their use to be appropriate.

1046.4 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.
c) The regulation nameplate, or an authorized sewn on cloth nameplate, shall be worn at all times while in uniform. The nameplate shall display the employee's first and last name. if an employee's first and last name are too long to fit on the name plate, then the initial of the first name will accompany the last name. If the employee desires other than the legal first name, the employee must receive approval from the Chief of Police. The nameplate shall be worn and placed on the right pocket, just below the flap's crease, and bisected by the pressed shirt seam.
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 shirt.
e) Assignment Insignias – Assignment insignias, (CRU, FTO, Motor, etc.) may be worn as designated by the Chief of Police.
f) A flag pin may be worn, centered above the nameplate.
g) Badge – The department issued badge, or an authorized sewn on cloth replica, must be worn and visible at all times while in uniform.
h) Rank Insignia – The designated insignia indicating the employee's rank must be worn at all times while in uniform. The Chief of Police may authorize exceptions.

1046.4.1 MOURNING BAND

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 from this or an adjacent county – 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.

1046.5 CIVILIAN ATTIRE

There are assignments within the department that do not require the wearing of a uniform because recognition and authority are not essential to their function. There are also assignments in which the wearing of civilian attire is necessary.

a) All employees shall wear clothing that fits properly, is clean and free of stains, and not damaged or excessively worn.
b) All administrative, investigative and support personnel who elect to wear civilian clothing to work shall wear business appropriate clothing.

c) No form of civilian attire may be worn on duty that would adversely affect the reputation of the department or the morale of employees.

1046.6 POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS

Unless specifically authorized by the chief of Police, 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 themselves as an employee of the 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.

1046.7 OPTIONAL EQUIPMENT – MAINTENANCE, AND REPLACEMENT

a) 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:
    a. When the item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement.
    b. When the item is no longer functional because of damage I the course of the employee's duties, it shall be replaced following the procedures for the replacement of damaged personal property.

1046.9 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES

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.

Employees may not use or carry and 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.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 6/20/2007

California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1048

DEPARTMENT IDENTIFICATION CARDS AND BADGES

1048.1 PURPOSE AND SCOPE

The purpose of this policy is to inform Police Department employees of their responsibility for the proper use of department-issued badges and identification cards.

It is the policy of this department to establish proper procedures and ensure appropriate use of both sworn and non-sworn department issued badges and identification cards.

1048.2 PROPER USE OF DEPARTMENT-ISSUED IDENTIFICATION CARDS

All permanent employees of the 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.

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 on campus.

No employee shall use the Police Department employee identification card for other than official business for the Police Department and/or California State University, Chico. The ID card will not be used to cash checks, to purchase alcoholic beverages, or to enter a place serving alcoholic beverages.

No employee shall give or loan his/her identification card to any other person.

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.

At no time shall a non-sworn employee use his/her identification card to represent himself/herself as a peace officer.

Improper use of the Police Department identification card shall be cause for disciplinary action by the Chief of Police or his/her designee, and the card may be withdrawn from use.

1048.2 PROPER USE OF DEPARTMENT-ISSUED BADGES

All CSU Chico Police Department badges as well as the likeness of these items and the name of the CSU Chico Police Department are property of the Department and their use shall be restricted as set forth in this policy.

The uniform badge shall be issued to department employees as a symbol of authority and the use and display of departmental badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on or off duty or otherwise acting in an official or authorized capacity.

Any loss or theft of the employee's badge shall be reported to the employee's supervisor within twenty-four (24) hours of the occurrence.

1048.2.1 WEARING AND USE OF THE BADGE

Employees, when in uniform, shall wear the regulation badge, when applicable, on the outside of the outermost garment over the left breast pocket, and always in sight. When working a plain clothes assignment, the badge shall be carried in a badge holder. Only sworn officers may utilize duty badges as an off-duty badge.

Non-sworn employees shall not display any department badge except as a part of their uniform and while on duty, or otherwise acting in an official and authorized capacity. Non-sworn employees shall not display any department badge or represent themselves, on or off duty, in such a manner which would cause a reasonable person to believe that they are a sworn peace officer.

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 sworn police officer.

Department badges are issued to all sworn employees and non-sworn uniformed employees for official use only. The department badge 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 and department name for all material developed for department use shall be subject to approval by the Chief of Police.

Employees shall not loan their department badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

1048.2.2 FLAT BADGE

All sworn police officers will receive a flat badge which may be carried in a badge holder along with their ID card.

1048.2.3 RETIREE ID CARDS AND 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 Department. This identification is separate and distinct from the identification authorized by Penal Code Section 25455and reference 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 CSU Chico Police Department and will be revoked in the event of misuse or abuse (Penal Code Section 538d).

APPROVED

JOHN M. REID
CHIEF OF POLICE

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California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1050

COMMUNITY SERVICE OFFICERS

1050.1 PURPOSE AND SCOPE

A Community Service Officer (CSO) is a student employee, hired to work in a non-sworn capacity, for the CSU, Chico Police Department. The CSO program offers students the opportunity to gain insight into Law Enforcement. The CSO's have a wide variety of interesting and challenging duties that allow them to gain operational experience in the Law Enforcement field.

1050.2 ELIGIBILITY

A student must meet all of the following requirements to be eligible for employment as a CSO with the CSU, Chico Police Department. Failure to maintain the following requirements will result in immediate dismissal:

- Current enrollment in the University
- Carry a minimum number of units
    - Undergraduates – Not less than 6.0
    - Graduates – Not less than 3.0
- Carry a Grade Point Average of 2.0 or higher
- Have a valid California Driver's License
- Must undergo a background investigation, including submission of fingerprints and a personal history statement; must disclose any criminal convictions including traffic violations, etc. Pending the nature of the violations, each application will be decided on an individual basis.

1050.3 FIELD TRAINING OFFICERS

The Community Service Officer Field Training Officers (FTO's) are appointed by the Program Coordinator, and will assist with the following:

- Scheduling of normal work assignments, special work assignments, and outside requests to have CSO's present at special events.
- Make individual or group assignments.
- Oversee the training of new CSO's.
- May provide performance counseling.
- FTO's will act as mentors to other CSO's, and serve as a liaison to the Program Coordinator.

1050.4 ORIENTATION AND TRAINING

There will be at least one CSO meeting per semester. This meeting will usually take place at the beginning of the semester. All FTO's will be introduced. Department orientation and training will be reviewed.

Orientation and training will take place on the job and be provided by the FTO's. Training evaluations will be performed by FTO's during the initial training period.

APPROVED

JOHN M. REID
CHIEF OF POLICE

REVISED: 1/31/2018
Effective: 2/7/2008

California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1052

HONOR GUARD

1052.1 PURPOSE & SCOPE

The purpose of this order is to define the organizational structure, requirements for appointment and retention, and training of personnel serving on a departmental Honor Guard.

1052.2 POLICY

Members of the Honor Guard will perform ceremonial functions and serve as official representatives of the department at specified occasions.

1052.3 STRUCTURE OF THE HONOR GUARD

(a) The Honor Guard shall be composed of members who voluntarily seek assignment to the unit.

(b) The Honor Guard will be comprised of sworn officers.

(c) Participation in the Honor Guard by department members will be at the discretion of the Operations Lieutenant.

(d) Positions in the Honor Guard will not depend upon rank.

(e) Honor Guard leaders will be designated by the Operations Lieutenant or his/her designee.

(f) The Honor Guard Leader will be responsible for the operational and logistical concerns of the Honor Guard. He/she will coordinate the Honor Guard's activities with the Operations Lieutenant or his/her designee.

(g) The Honor Guard will consist of members who are not on probationary status.

1052.4 APPOINTMENT TO THE HONOR GUARD

(a) Members of the Honor Guard will be appointed by the Chief from a list of interested members.

(b) Members selected must exemplify an above average appearance in uniform.

(c) Volunteers shall consider the time requirements necessary and be willing to commit to at least a three (3) year term, prior to application. A yearly review of the honor guard personnel will be completed by department management.

(d) Members shall maintain at least a "satisfactory" rating on their annual Employee Evaluation Report. Failing to do so may result in the member being removed from his/her position on the Honor Guard.

(d) Members wishing to resign their position from the Honor Guard shall do so in writing to the Operations Lieutenant via the Honor Guard Leader.

1052.5 HONOR GUARD TRAINING
Training drills shall be on a regular basis to be established by the Honor Guard Leader and the Operations Lieutenant.

In order for the Honor Guard to establish and maintain a high degree of synchronization, all members of the unit are required to attend training.

Members with two (2) unexcused absences from training within a calendar year may be asked to resign their position. An unexcused absence will be any absence not approved by the Honor Guard Leader prior to the training.

1052.6 HONOR GUARD CEREMONIAL DETAILS
The duties of the Honor Guard for each detail will be determined by the Honor Guard Leader and Operations Lieutenant.

(a) The Honor Guard will follow a military protocol for all assigned details

(b) Whenever possible, shift adjustments shall be made for members to attend details.

(c) Any overtime for Honor Guard details will require prior approval by the Operations Lieutenant.

1052.7 EQUIPMENT:
All Honor Guard ceremonial uniform equipment will be purchased by the department and maintained by the Honor Guard.

All individual equipment shall be purchased by the member.

1052.7.1 HONOR GUARD UNIFORM
The Honor Guard uniform will consist of the following:

- High collar coat/MC style trim
- Matching trousers
- Campaign style felt cover
- High gloss shoes
- High gloss sam brown belt with shoulder strap
- High gloss holster
- White gloves
- Shoulder Cord

APPROVED

JOHN M. REID
CHIEF OF POLICE

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California State University Chico Police Department
General Orders

CHAPTER 10 – PERSONNEL
SECTION 1058

EMPLOYEE SPEECH, EXPRESSION AND SOCIAL NETWORKING

1058.1 Purpose and Scope

This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulations and balancing of employee speech and expression with the legitimate needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any employee's communication, speech or expression that has been clearly established as protected or privileged.

1058.1.1 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.

1058.2 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 CSU Chico 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.

1058.3 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 CSU Chico 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 or privacy of an employee, an employee's family or associates.

1058.4 Prohibited Speech, Expression and Conduct

To meet the Department's safety, performance and public-trust needs, the following is prohibited:

a. Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the CSU Chico 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 CSU Chico Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the CSU Chico Police Department or its employees.

c. Speech or expression that could reasonably be foreseen as creating 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 creating 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 CSU Chico 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 expressed authorization of the Chief of Police or his/her designee (Penal Code § 146g).

g. Posting, transmitting or dissemination any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the CSU Chico Police Department on any personal or social networking or other website or web page, without the express written permission of the Chief of Police.

h. Failure to take reasonable and prompt action to remove any content that is in violation of this policy and/or posted by others from any web page or website maintained by the employee (e.g., social or personal website).

i. Accessing websites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or department owned, for personal purposes while on-duty without the

express written permission of the Chief of Police or under the following circumstance:

1. During authorized breaks, however, such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

1058.4.1 Unauthorized Endorsements and Advertisements

Unless specifically authorized by the Chief of Police, employees may not represent the CSU Chico Police Department or identify themselves in any way as being affiliated with the CSU Chico Police Department in order 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 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 some unofficial group or organization (e.g., bargaining group), is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the CSU Chico Police Department.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions 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).

1058.5 Privacy Expectation

Employees forfeit any expectation of privacy with regard to anything published or maintained through file-sharing software or any Internet site open to public view (e.g., Facebook, MySpace).

The Department also reserves the right to access, audit and disclose for whatever reason all messages, including attachments, and any information transmitted over any technology that is issued or maintained by the Department, including the department e-mail system, computer network or any information placed into storage on any department system or device.

All messages, pictures and attachments, transmitted, accessed or received over department networks are considered department records and, therefore, are the

property of the Department. The Department reserves the right to access, audit and disclose for whatever reason all messages, including attachments that have been transmitted, accessed or received through any department system or device, or any such information placed into any department storage area or device. This includes records of all key strokes 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 user name or password will not create an expectation of privacy if it is accessed through a department computer or network.

APPROVED

JOHN M. REID
CHIEF OF POLICE