

# Long Beach Police Department

## **Policy Manual**

April 22, 2024



Wally Hebeish  
Chief of Police

## **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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# **1 GENERAL PROVISIONS**

Revised October 15, 2002

## **1.1 DEPARTMENT MANUAL**

The Department Manual describes the Police Department's organizational structure, sets the policy and procedures, and identifies Bureau responsibilities. The objectives, principles, policies, procedures, rules and regulations set forth in the Department Manual are guides to the actions of all Department employees. All employees of the Department are to conform to the rules and provisions described in the Department Manual. It is recognized that due to the fluid nature of police work, the Chief of Police may authorize policy and procedures outside of the guidelines set forth in the Department Manual. Those authorized changes shall be incorporated into the Department Manual once Manuals and Orders has been advised of the changes.

This Department Manual supersedes all existing manuals, orders, and other regulations, which are in conflict with the contents contained herein.

### **1.1.1 MANUAL REVISION**

All requests for Manual Section revisions, additions, or deletions shall be submitted through the applicable Bureau Deputy Chief of the employee initiating the request. All requests shall then be forwarded to the Office of the Chief of Police. The Office of the Chief of Police shall review and determine if the request will be forwarded to the Support Bureau.

Support Bureau shall assign the project to the Training Division, which will conduct an analysis of the Manual Section and draft a Manual Insert to submit for Bureau-level and appropriate recognized employee labor organization input.

Training Division shall ensure that all Bureau Deputy Chiefs/Managers or their designees have reviewed and signed for their respective Bureaus, either concurrence or objection, relative to the subject policy and procedures. Bureau Deputy Chiefs shall comment in writing regarding any changes or concerns they may have.

All documents subject to review by the Bureau shall accompany the final draft Manual Insert submitted to Chief of Police for review and signature. Upon approval by the Chief of Police, Support Bureau will distribute a copy of the revision to the Bureaus, which will ensure appropriate assigned personnel receive a copy of the insert.

The final, signed Manual Insert shall remain in effect as policy and will be immediately integrated with the Department Manual.

### **1.1.2 RESPONSIBILITY OF EMPLOYEES**

All employees shall be responsible for maintaining up-to-date copies of the Department Manual and other appropriate Department publications and are required to familiarize themselves with their contents.

### **1.1.3 MANUAL DISTRIBUTION**

A copy of the Long Beach Police Department Manual shall be made available to all sworn employees. Copies shall also be available to all Divisions and to offices where repeated reference to the Department Manual is required. The Manual is also available to Police Department employees on the Intranet.

The Chief of Police shall authorize the distribution of Department publications. Upon request, the following publications shall be available to the Civil Service Department for consideration in the preparation of Police promotional examinations:

- Manual of the Long Beach Police Department
- Training Bulletins



## **1.2            LEGALITY**

If any content contained in any Department publication is found to be illegal or otherwise inapplicable, such findings shall not affect the validity of the remaining portions of the publication.

The absence of a prohibitive order does not mean that the Department has approved of any act contemplated or carried out.

**1.3            DELETED**

## 1.4 POLICE DEPARTMENT PUBLICATIONS

Official publications of the Long Beach Police Department issued under authority of the Chief of Police are as follows:

- **Bureau Orders** – issued by a Bureau Chief/Manager
- **Division Manuals** - issued by a Division Commander/Administrator
- **Divisional Orders** - issued by a Division Commander
- **Legal Information Bulletins** - issued by the Training Division Commander
- **Training Bulletins** - issued by the Training Division Commander
- **Manual of the Long Beach Police Department** - issued by the Training Division Commander
- **Uniform and Equipment Specifications Manual** - issued by the Training Division Commander
- **Personnel Orders** - issued by the Personnel Division Administrator
- **Special Orders** - issued at the Division or Bureau level

## **1.5 UNIFORM & EQUIPMENT SPECIFICATIONS MANUAL**

The Uniform and Equipment Specifications Manual identifies all the uniform and equipment regulations of the Department. Only those items described shall be authorized for use by employees. The Support Bureau is responsible for the revision, update and continual maintenance of the Uniform and Equipment Specifications Manual.

## 1.6 DEFINITION OF TERMS

The definitions herein govern the terminology used in all communications and whenever reference is made to any organizational unit of the Department. These terms will provide uniformity and clarity when discussing the operation and organization of the Long Beach Police Department.

The following words and terms shall have the meanings assigned.

- **Adult** – shall mean any person 18 years of age or older
- **Beginning of Day and Week** – shall mean the workday shall begin at 0001 (12:01 A.M.) and conclude at 2400 (12:00 Midnight). The work week shall commence at 0001 (12:01 A.M.) each Saturday
- **Booking** – shall mean the process of registering in Department records the custody of persons or property
- **Business Hours** – shall mean 0800 hours to 1700 hours, Monday through Friday, excluding legal holidays
- **Call** – shall mean a response made by an employee to a station assignment, a request from a private person, a Department communication, or in the furtherance of a Department investigation or assignment
- **Charter** – shall mean the Charter of the City of Long Beach
- **Chief Officer** - shall mean a Deputy Chief or Chief
- **City** – shall mean the City of Long Beach
- **Civilian Employee** – shall mean any employee of the Department and of the City of Long Beach, other than a Police Officer
- **Command Officer** - shall mean a Commander, Deputy Chief, or Chief
- **Commanding Officer** - shall mean a Commander, Deputy Chief, or Chief
- **County** – shall mean the County of Los Angeles
- **Department** – shall mean the Long Beach Police Department
- **Department Property** – shall mean any City-owned property controlled by the Department
- **Employee/Personnel** – these terms are used interchangeably and apply to any person employed by the Department. These terms also apply to reserve officers while on-duty
- **Incident Commander** - shall mean the person of any rank who has taken charge of an emergency to deploy resources in order to manage the event. The Incident Commander shall remain in charge until relieved by a higher ranking officer
- **Intoxication** – shall mean any employee who is found under the influence of intoxicating liquor or drugs – see Under the Influence
- **Juvenile** – shall mean any person under the age of 18 years
- **Lawful Order** – shall mean any written or oral directive issued by a superior officer to any subordinate or group of subordinates in the course of police duty which is not in violation of Federal or State law, City Ordinance and/or Department rule or regulation
- **Manual, Department Manual, or Procedures Manual** - shall mean the Manual of the Long Beach Police Department

- **May** – shall mean the action is **permissive**
- **Minor** – shall mean any person under the age of 18 years
- **Exception:** A person under the age of 21 years shall be considered a minor with respect to the following:
  - Sentencing and commitment of persons to the California Youth Authority
  - Veteran's benefits
  - Alcoholic Beverage Control Act
- **Officer/Sworn Personnel** – are used interchangeably and apply to those employees of the Department, regardless of rank, who are "...sworn in, as provided by law, to perform the duties of a regular police officer of the City of Long Beach." These terms also apply to reserve officer while on-duty
- **Permanent Employee** – shall mean any person employed by the Long Beach Police Department who has completed entry level employment probation
- **Rank** – shall mean the Civil Service title of the classification held by an officer
- **Reporting District** – shall mean a predetermined geographical area designated for crime analysis. The district is based on population density, urban development, recorded criminal history and calls for service (CFS)
- **Right** – shall mean, in reference to conditions of employment, conditions specifically outlined by State or Federal law, the City Charter, City Ordinances, Civil Service Rules and regulations, and the Memorandum of Understandings of recognized representative employee labor organizations
- **Rules/Regulations** – shall mean the Manual of the Long Beach Police Department and other Department documents consisting of detailed directives and/or orders binding employees of all ranks in terms of authority, responsibility, and conduct
- **Seniority Definitions** – Seniority is established as the employee's most recent hire date. Time in grade for seniority purposes shall be date of promotion. Application – Seniority and/or time in grade shall be considered as pertaining to the following:
  - Vacation
  - Days off
  - Shift
  - Holidays
- **Shall/Will** – means that the action required is mandatory
- **Under the Influence** – If there is at any time 0.08% by weight of alcohol in the person's blood, it shall be presumed that the person **is** under the influence of intoxicating liquor
  - If there is at any time 0.05% or more but less than 0.08% by weight of alcohol in the person's blood, such fact shall not give rise to any presumption that the person is or is not under the influence of intoxicating liquor, but such fact may be considered with other competent evidence in determining whether the person was under the influence of intoxicating liquor at the time of any alleged offence
  - If there is at any time 0.08% or more by weight of alcohol in the person's blood, it shall be presumed that the person **is** under the influence of intoxicating liquor
- **Watch Report** - shall mean a communication consisting of memoranda of interest to all personnel or multiple Divisions

- **Watch/Shift** – shall mean a designated span of time within a 24-hour period during which personnel are engaged in the performance of their assigned duties
- **Work Day** – shall mean the day in which the employee is directed to perform his/her duties. In situations where an employee works eight to ten consecutive hours and the hours cover portions of two successive days, the following rule will apply:
  - If the majority of the hours worked are prior to twelve midnight, the day commencing work shall be considered the “Work Day”.
  - If the majority of the hours-worked are after twelve midnight, the day of ending work shall be considered the “Work Day”.

## 1.7 ORDERS - TYPES OF

- **SPECIAL ORDERS** - Special Orders affect the entire Department but are by nature self-canceling due to time constraints, special situations, or objectives. Special Orders indicate the Office of Origin and require the signature of the Chief of Police. Special Orders may be issued in the format of a Watch Report.
- **BUREAU ORDERS** - Bureau Orders are orders governing the operations and procedures specific to a particular Bureau. Bureau Orders are intended to be included in Bureau Manuals. Bureau Orders shall be signed by the Bureau Chief and shall be approved by the Chief of Police.
- **DIVISIONAL ORDERS** - Divisional Orders are orders governing the operations and procedures specific to a particular Division or portion of a Division. Divisional Orders are intended to be included in Division Manuals. Divisional Orders shall be signed by the Commander of that Division and shall be approved by the Bureau Chief.
- **PERSONNEL ORDERS** - Assignment, reassignment, or special detail of personnel to or within the Department is accomplished by Department Personnel Orders authorized by the Chief of Police and issued by the Administrator of the Personnel Division.



## **1.8 CORRESPONDENCE REFERENCE NUMBER DESIGNATIONS**

Reference number designations, as indicated in Training Bulletin #1, shall be used on all outgoing correspondence to indicate the point of origination. The designation is intended to simplify identification and distribution of any replies received.

## **1.9            FLAGS - DISPLAY OF**

Display of the United States flag at Department facilities and by individuals representing the Department shall be in accordance with the provisions of the National Flag Law. See Protocol Manual for further.

## **2 STRUCTURE, RANK & RESPONSIBILITIES**

### **2.1 ORGANIZATIONAL STRUCTURE**

#### **Office of the Chief of Police**

- Administrative Investigations Detail
- Department Psychologist
- Employee Relations
- Internal Affairs Division

#### **Administration Bureau**

- Community Relations Division
- Fiscal Division
- Personnel Division
- Records Division

#### **Investigations Bureau**

- Detective Division
- Special Investigations Division (SID)
- Youth Services Division

#### **Patrol Bureau**

- East Division
- North Division
- South Division
- West Division
- Field Support Division

#### **Support Bureau**

- Jail Division
- Port Police Division
- Security Services Division
- Training Division

## **2.2 RANK**

As peace officers, sworn members of the Department have a special responsibility to act or take command in situations calling for law enforcement action. These situations may be regular operations such as the command of a patrol shift or might be an emergency situation such as a disaster.

Sworn police personnel are distinguished by rank, which is assigned in terms of level of responsibility within the chain of command. The descending order of rank in the Department is as follows:

- **Chief of Police**
- **Assistant Chief**
- **Deputy Chief**
- **Police Commander**
- **Police Lieutenant**
- **Police Sergeant**
- **Police Corporal**
- **Police Officer**

### **Civilian Chain of Command**

- **Manager**
- **Administrator**
- **Supervisor**

### **2.2.1 COMMAND AUTHORITY – WATCH COMMANDER**

Revised March 2, 2015

In the absence of the Chief of Police and/or sworn command staff, the on-duty Watch Commander shall be the ranking authority of the Department. This authority includes, functional responsibility and supervision for all on-duty personnel in the Department and incidents citywide. The on-duty Watch Commander will remain on-duty until relieved by a subsequent Watch Commander, who shall carry the same authority and responsibility.

### **2.2.2 COMMAND OF SCENE – INCIDENT COMMAND**

At the start of any police incident, the senior patrol officer or ranking patrol officer present shall assume command and direction of police personnel in a manner to assure the most orderly and efficient accomplishment of the police task. When two or more share the highest rank and no one has been designated as in command, the officer having seniority in rank shall be in command. This officer shall remain in command until relieved by a supervisory or command officer of higher rank. The mere presence of a ranking or senior officer at the scene shall not indicate his/her assumption of command. The ranking or senior officer shall remain in an advisory capacity unless he/she specifically assumes command. Supervisory or command officers should consider assuming the role of incident commander when any of the following circumstances exist:

- Multiple crime scenes or related incidents
- Significant deployment of resources
- When the current incident commander could be better used in a different capacity, e.g., operations officer
- When the ranking supervisor or command officer determines that their expertise would be better served as incident commander
- When other agencies are involved
- When significant political circumstances exist
- When he/she has begun to give direction and/or orders

Careful consideration should always be given prior to assuming the role of incident commander to ensure a smooth transition of incident leadership.

### **Assumption of Command**

The senior or ranking officer assuming command at the scene must advise the officer in command at the time he/she is being relieved. When an officer assumes command, he/she also assumes all responsibility for the successful completion of the operation.

At the conclusion of the tactical phase of the incident, command may be relinquished to the ranking officer from the investigative detail that will conduct any required follow up investigation.

### **2.2.3 DUTY CHIEF ON CALL**

Unusual or emergency situations may require the attention of the Department's senior command staff. In order to facilitate the handling of unusual situations that occur, an On-Call Duty Chief will be designated as the first senior level command officer to be notified. The Duty Chief will be a resource to the Watch Commander via pager or telephone on a daily basis during the hours of 1700 to 0800 Monday through Friday and 24 hours on weekends and holidays. The Watch Commander shall refer to the Critical Incident Notification Guide for mandatory notifications to the Duty Chief.

The Office of the Chief of Police will compile the Duty Chief roster from the ranks of Deputy Chief and Commander. The Duty Chief roster will be distributed to all command personnel, patrol lieutenants, the Communications Division, and the headquarters business desk four weeks in advance of the assignment dates.

### **Duty Chief Responsibilities**

- Assist the Watch Commander in evaluating the situation and ensure the necessary procedures are being taken to resolve the problem
- Make the necessary notifications as outlined in the Duty Chief Notification Guide

- May use the Watch Commander or Communications supervisor to help make the notifications. Some of the notifications may be made by other means at a later time based upon the circumstances of the event as determined by the Duty Chief.
- Must respond to particular situations to assist the Watch Commander as identified on the Duty Chief Notification Guide
- Shall call the Chief's Office each morning, prior to 0800 hours, to verify that appropriate notifications have been made

Select this link for the most current [\*\*CRITICAL INCIDENT NOTIFICATION GUIDE\*\*](#).

## **2.3 THE CHIEF OF POLICE**

Revised July 22, 2021

The Office of the Chief of Police shall review this policy on a three-year review cycle.

Reviewed July 22, 2021

The Chief of Police is the Chief Executive Officer of the Department and the final Department authority relative to policy, budget, operations, and discipline. The Chief exercises all lawful powers of the office and issues such lawful orders as are necessary to assure the effective operation of the Department.

### **General Responsibilities**

In addition to those responsibilities identified in Government Code §41601-41612, the Chief of Police is required to manage and lead the Department, which includes enforcing all laws and ordinances within the City's legal jurisdiction; planning, directing, coordinating, and staffing all operations of the Department; enforcing all rules and regulations within the Department; completing and forwarding such reports as may be required by proper authority; and maintaining the Department's relationships and lines of communication.

## **2.4 ASSISTANT CHIEF OF POLICE**

Revised July 22, 2021

The Office of the Chief of Police shall review this policy on a three-year review cycle.

Reviewed July 22, 2021

The Assistant Chief of Police is appointed by the Chief of Police after the appointment is confirmed by the City Manager. The Assistant Chief is responsible for Department operations and other responsibilities as assigned by the Chief of Police. Subject to the authority of the Chief of Police, the Assistant Chief of Police shall issue such orders as may be required to promote the effective performance of all Department operations.

In the absence of the Chief, the Assistant Chief of Police assumes the duties of the Office of the Chief with the authority to act in accordance with City and Department policy.

### **General Responsibilities**

The Assistant Chief of Police is required to manage and lead, which includes enforcing all laws and ordinances within the City's legal jurisdiction; planning, directing, coordinating, and staffing all operations of the Department; enforcing all rules and regulations within the Department; completing and forwarding such reports as may be required by proper authority; and maintaining the Department's relationships and lines of communication.



## **2.5 DEPUTY CHIEF OF POLICE OR BUREAU MANAGER**

Revised July 22, 2021

The Office of the Chief of Police shall review this policy on a three-year review cycle.

Reviewed July 22, 2021

A Deputy Chief of Police or Bureau Manager is appointed by the Chief of Police after the appointment is confirmed by the City Manager. A Deputy Chief of Police or Bureau Manager provides administrative and executive assistance to the Assistant Chief of Police or the Chief of Police. Subject to the authority of the Assistant Chief of Police or the Chief of Police, a Deputy Chief of Police or Bureau Manager shall issue such orders as may be required to promote the effective performance of all operations within their Bureau.

A Deputy Chief of Police may be assigned to act as the Assistant Chief of Police in the absence of the Assistant Chief of Police.

### **General Responsibilities**

A Deputy Chief of Police or Bureau Manager at the direction of the Assistant Chief of Police or the Chief of Police, is required to manage and lead, which includes planning, directing, controlling, and coordinating all operations within their Bureau. A Deputy Chief of Police or Bureau Manager shall report directly to the Assistant Chief of Police.

A Deputy Chief of Police or Bureau Manager may be assigned additional duties by the Assistant Chief of Police or the Chief of Police.

## **2.6 POLICE COMMANDER OR ADMINISTRATOR**

Revised July 22, 2021

The Office of the Chief of Police shall review this policy on a three-year review cycle.

Reviewed July 22, 2021

A Police Commander or Administrator is appointed by the Chief of Police after the appointment is confirmed by the City Manager. Subject to the authority of their assigned Bureau Deputy Chief of Police or Bureau Manager, Police Commanders and Administrators ensure the effective utilization of police resources in an efficient manner within their respective divisions while ensuring that City, Department, and Divisional goals and objectives are achieved.

Police Commanders may be assigned to act as a Deputy Chief of Police in the absence of a Deputy Chief. Administrators may be assigned to act as a Bureau Manager in the absence of a Bureau Manager.

### **General Responsibilities**

A Police Commander or Administrator may be assigned additional duties by their Bureau Deputy Chief of Police/Bureau Manager.

Police Commanders and Administrators are required to manage and lead which includes planning, directing, supervising, and coordinating operations within their assigned Divisions. A Police Commander or Administrator shall report directly to their Bureau Deputy Chief of Police/Bureau Manager.

## 2.7 POLICE LIEUTENANT

Lieutenants are appointed by the Chief from a certified promotional eligibility list provided by the Civil Service Department in rank order, per Article IV Section 29 of the Civil Service Rules and Regulations. Under direction, a lieutenant will command or assist in the command of a functional unit of the Police Department. A lieutenant directs, supervises, and inspects and coordinates the activities of all law enforcement and support personnel in a functional or specialized unit or unit watch.

### General Responsibilities

- **Command**

Direction and control of personnel under their command, typically a watch or section, to assure the proper performance of duties and adherence to established rules, regulations, policies, and procedures. Schedules, assigns, supervise, and reviews the work of assigned personnel. Provides for continuation of command and/or supervision in their absence.

- **Discipline & Morale**

Enforces rules, regulations, and orders; recommends and carries out disciplinary actions. Maintains discipline and morale within their command and is responsible for the investigation of personnel complaints not assigned elsewhere.

- **Inter-Divisional Action**

Promotion of team effort and cooperation with other Divisions and units within the Department. Initiation of action in cases not regularly assigned to their command when a delay to inform the proper unit may result in a failure to perform. Confers with commanding officers and acts for them in their absence and performs other related duties as required.

### Specialized Responsibilities

- **Patrol - Squad Meeting** - Conducts roll calls and communicates all orders or other information at roll call. Inspection and correction of their command as necessary
- **Reports & Records** - Preparation of correspondence and reports. Maintenance of records relating to the activities of their command
- **Investigations** - Performs specialized work in law enforcement investigations, communications, training, community relations and related police assignments
- **Training** – Coordinates the activities or regular and special police training programs, including safety and the use of emergency vehicles
- **Maintenance** - Assurance that offices, equipment, supplies and material assigned to their command are correctly used and maintained

## **2.8 POLICE SERGEANT**

Revised October 24, 2014

Sergeants are appointed by the Chief from a certified promotional eligibility list provided by the Civil Service Department in rank order per [Article IV, Section 29](#) of the Civil Service Rules and Regulations. Where assigned, sergeants work under the direction of a Lieutenant, Commander, Administrator, Manager, Deputy Chief or Chief of Police. Sergeants supervise one or more employees. In addition to the routine and individual responsibilities of all employees, each sergeant is specifically responsible for the following:

### **2.8.1 GENERAL RESPONSIBILITIES**

Revised October 24, 2014

A sergeant may be assigned to either field or station duties. They shall closely supervise the activities of their subordinates, making corrections when necessary and commending when appropriate. The field sergeant shall monitor his/her radio **at all times**. The field sergeant shall log all significant dispatches and dispositions on the Patrol Bureau's Sergeant's Daily Log.

See also section 7.1.9.1 – Field Situations Requiring Field Sergeant Response

### **2.8.2 DIRECTION**

Revised October 24, 2014

Sergeants shall exercise direct command to assure order, conduct, discipline and efficiency. Exercise of command may extend to subordinates outside the usual sphere of supervision if the objective or reputation of the Department requires. If a sergeant requires a subordinate other than their own to leave a regular assignment, the directing sergeant shall inform the subordinate's own sergeant or supervisor as soon as possible.

### **2.8.3 ENFORCEMENT OF RULES**

Revised October 24, 2014

Sergeants must enforce Department rules, regulations and orders and ensure compliance with Department policies and procedures.

## **2.8.4 INSPECTION**

Revised October 24, 2014

Sergeants are responsible for the inspection of activities, personnel, facilities and equipment under their supervision. They are responsible to initiate appropriate action in the event of failure, error, violation, misconduct, or neglect of duty by a subordinate.

## **2.8.5 TRAINING SUBORDINATES**

Revised October 24, 2014

A sergeant shall have a working knowledge of the duties and responsibilities of their subordinates. They shall observe public contacts made by subordinates and be readily available to provide assistance or instruction as required. The sergeant shall observe the conduct of assigned personnel and take pro-active command as necessary.

## **2.9 MISCONDUCT OBSERVED BY SUPERVISOR**

Whenever any command or supervisory officer observes or is informed of misconduct of another employee that indicates the need for disciplinary action, they shall take authorized and necessary action and render a complete report of the incident and their actions. The report will be directed to their Commanding Officer, who shall forward it as provided in 4.2.5.4 entitled "Reports Enforcement & Forwarding."

### 3 PERSONAL CONDUCT

#### 3.1 PROFESSIONAL CONDUCT & RESPONSIBILITIES

##### Knowledge of Laws & Regulations

Employees are required to establish and maintain a working knowledge of all appropriate State laws, all laws and regulations of the Department, all Orders and Directives of the Department and Divisions thereof, and the City of Long Beach Civil Service Rules and Regulations. In the event of improper action or breach of discipline, it shall be assumed that the employee was familiar with the law, rule, or policy in question.

##### Obedience to Laws & Regulations

Employees are required to obey all State laws, all laws and regulations of the Department, all Orders and Directives of the Department and Divisions thereof, and the City of Long Beach Civil Service Rules and Regulations. Employees shall have all the duties, obligations, responsibilities, and rights assigned to them by law, including the Memorandum of Understanding.

##### Authority for Enforcing Obedience

Pertaining to the knowledge of and obedience to laws and regulations, the disciplinary process is influenced by, and the authority for the enforcement of the preceding, is found specifically in Article III, Section 302, of the Long Beach City Charter, and Article VIII, Sections 75 and 76 of the Civil Service Rules and Regulations, which states in part as follows:

- **Powers and Duties of the City Manager**

**Article III, Section 302, Long Beach City Charter:** "The City Manager shall have the following powers and duties: (b) To appoint, suspend and remove all City employees in both the classified and unclassified service; except for the classified service, such powers shall be pursuant to the Civil Service provisions of this Charter, Civil Service rules, regulations and ordinances; and except the City Clerk's Department and the elective officers and their appointees and such officers and employees as shall be subject to appointment by the City Council."

- **Specific Charges**

**Article VII, Section 75, Civil Service Rules and Regulations:** "Prior to suspending, dismissing or demoting a permanent classified employee for disciplinary reasons, the appointing authority or his/her designated representative shall afford the employee an opportunity to respond to the allegations that caused the disciplinary action to be considered. Should the employee fail to provide sufficient reasons to cause a reconsideration of the contemplated discipline, a written letter of charges, which shall set forth the acts or omissions with which the employee is charged, shall be served upon the employee by, or on behalf of, the appointing authority. The letter of charges



shall cite the rules and/or regulations the employee is alleged to have violated. Service of the letter of charges may be accomplished by either personally delivering a copy to the employee or by mailing a copy via certified United States Mail with a return receipt. The letter of charges shall inform the employee of his or her right to appeal the disciplinary action to the Civil Service Commission and shall advise the employee that a written notice of appeal must be filed with the Commission: (1) no later than 10 days after the date the letter of charges was personally delivered; or (2) no later than 10 days after the date of delivery recorded on the certified mail return receipt; or (3) not later than 25 days after the date of mailing if the certified mail return receipt is not returned and the letter of charges was mailed to the employee's address on file."

- **Employee Appeal of Discipline Imposition**

**Article VII, Section 76, Civil Service Rules and Regulations:** "With the exception of summary suspensions under Section 87, any permanent employee who is suspended, dismissed, or demoted for disciplinary reasons or pursuant to Section 40, shall be entitled to an appeal under Section 1103 of the City Charter and/or these Rules. If an employee desires to appeal, he/she must file a written notice of appeal and request for a hearing: (1) no later than a 10 days after the date the letter of charges was personally delivered; or (2) no later than 10 days after the date of delivery recorded on the certified mail return receipt; or (3) no later than 25 days after the date of mailing if the certified mail return receipt is not returned and the letter of charges was mailed to the employee's address on file. The Commission may, for good cause, grant an additional five days in which to file an appeal. In the absence of a timely appeal, the order of suspension, dismissal or demotion shall be final without any action of the Commission."

**Article XI Section 1103: City Charter Disciplinary Appeals:** "No employee in the classified service shall be suspended, discharged or reduced in classification for disciplinary reasons until the employee has been presented with the reasons for such action specifically stated in writing. The employee shall have the right to appeal such action to the Commission in accordance with the procedures specified in its rules. The reasons for such action and any reply thereto by the employee, shall be filed in writing with the Commission."

- **Establishing Elements of Violation**

Existence of facts establishing a violation of the law, ordinance or rule, is all that is necessary to support any allegation of such a violation as a basis for a charge under this section. It is not necessary that a formal criminal complaint be filed or sustained.

### 3.2 GENERAL RESPONSIBILITIES - EMPLOYEES

Revised 12/21/2007

While on-duty, employees shall take appropriate action at all times to:

- Treat all persons equally and with fairness, regardless of race, ethnicity, creed, sexual orientation, disability or social status
- Be responsible for the protection of life and property from criminal attack and in emergency situations when the welfare of the community is threatened
- Enforce all State and local laws in a reasonable and prudent manner
- Enforce local ordinances relating to the control of crime and regulation of conduct
- Take such action as may be necessary and operate in such a manner as to assure the citizens of the City that orderly activities of the community may proceed without disruption from criminal and irresponsible elements
- Cooperate with and assist citizens of the community and units of the City, County, State and Federal Government with such problems and in such situations as customs and traditions dictate, in matters both criminal and non-criminal
- Be responsible for the care, handling, security and proper disposition of property obtained during the performance of their duties. The arresting officer is responsible for the security of all personal property in the possession or under the control of the arrestee at the time of arrest. With the exception of vehicles, this responsibility is transferred to Booking Desk personnel or transporting officers when they accept custody of the arrestee
- Unless otherwise directed, employees shall report to their daily assignment at the time and place specified and shall be properly uniformed and equipped. They shall give careful attention to orders and instructions, avoiding unnecessary talking or movement

### **3.3 TRUTHFULNESS**

Employees are required to be truthful at all times. Employees shall not knowingly falsify any official report or enter or cause to be entered any inaccurate, false or improper information on the books, records or registers of the Department.

### **3.4 CONDUCT TOWARD THE PUBLIC**

Employees shall be courteous and orderly when working with the public. Employees shall perform their duties quietly, avoiding harsh, violent, profane or insolent language, and shall always remain in control of their behavior regardless of provocation. On request, employees are required to supply their names and Departmental ID Number (DID #) or the names and DID # of other employees. Employees shall respond to requests from the public quickly, efficiently and in a courteous and professional manner, avoiding unnecessary referral to other parts of the Department.

#### **Impartial Attitude**

Employees shall remain impartial toward all individuals with whom they come in contact. **All** citizens are guaranteed equal protection under the law. Exhibiting partiality for or against a person because of race, sex, national or ethnic origins, age, influence, or for any other reason, is considered conduct unbecoming an officer. Similarly, unwarranted interference in the private business of others when not in the interests of justice is also considered conduct unbecoming an officer.

### 3.5 CONDUCT ON-DUTY - PROHIBITED ACTIVITY

Employees are prohibited from engaging in the following activities while on-duty:

- Consumption of alcohol/intoxicants by Departmental personnel **unless consumed to further a police purpose.** (Also see 3.24, 3.25)
- Sleeping
- Recreational reading (excluding lunch hour)
- Conducting personal business (excluding lunch hour)
- Gambling (unless to further a police purpose)
- Loafing (failure to be attentive to police business)

### **3.6 PERSONAL CONDUCT**

Employees shall be courteous and civil at all times in their relationship with one another. On-duty, and particularly in the presence of other officers, employees or the public, officers shall be referred to by rank. (Also see 3.11)

### **3.7 STANDARD OF CONDUCT**

Employees shall conduct their private and professional lives in such a manner as not to harm the integrity or reputation of the Department.

#### **3.7.1 PROHIBITED CONDUCT – PARTICIPATION IN A LAW ENFORCEMENT GANG**

Revised February 23, 2023

The Office of the Chief of Police will have review responsibility.

A “Law enforcement gang” means a group of peace officers within a law enforcement agency who may identify themselves by a name, may be associated with an identifying symbol, and engage in a pattern of on-duty behavior that intentionally violates the law or fundamental principles of professional policing [Penal Code §13670 (a)(2)].

Whether on or off-duty, employees shall not participate in a law enforcement gang. A violation of this section shall constitute grounds for termination.

### **3.8 COOPERATION**

Cooperation between the ranks and units of the Department is essential to effective law enforcement. Therefore, all members are strictly charged with establishing and maintaining a high spirit of cooperation with the Department.

#### **3.8.1 COOPERATING IN DEPARTMENTAL INVESTIGATIONS**

Employees are required to answer questions or provide material and relevant statements to the proper authority in a Departmental personnel investigation, when directed. Failure to comply may result in the employee being found insubordinate and subject to disciplinary action.

#### **3.8.2 ADMINISTRATIVE LEAVE**

The Chief of Police retains the discretion to assign any employee to Administrative Leave during the course of an investigation into allegations of serious misconduct. Investigations involving an assignment to Administrative Leave will be completed as quickly as possible. While assigned to Administrative Leave an employee will continue to receive pay and benefits.

When assigned to Administrative Leave, employees must remain at their residence (or other location approved by the Internal Affairs Division Commander or his or her designee), during a set schedule as determined by the Internal Affairs Division Commander or his or her designee. An employee on Administrative Leave is required to perform any work they are assigned, to remain on call at the assigned location of Administrative Leave and report in to the assigned Department representative at the directed times. Additionally, an employee assigned to Administrative Leave is required to physically report to any work location as directed by the Internal Affairs Division Commander or his or her designee.

Employees on Administrative Leave may request the use of holiday time, vacation time or banked overtime by contacting their assigned Department representative and obtaining prior approval. Employees assigned to Administrative Leave who become ill and are unable to fulfill their work duties may use sick time by notifying their assigned Department representative. Employees assigned to Administrative Leave are not permitted to engage in collateral employment during their scheduled hours.

While assigned to Administrative Leave, employees are prohibited from acting in an official capacity. Employees are prohibited from representing themselves as a law enforcement officer, and from donning any department uniform or equipment. Employees who are directed to do so must return department issued equipment, uniforms, badges and identification to the Department.



### **3.9 RELATIONSHIPS BETWEEN EMPLOYEES**

Camaraderie among employees is healthy for the employing organization and a necessary ingredient in a successful, productive and fulfilling occupation. However, public trust requires that employees avoid a conflict between their professional responsibilities and their personal relationships with other employees.

Corrected 05/26/04

### 3.10 UNLAWFUL HARASSMENT COMPLAINTS

(2.2 Human Relations Personnel Policies & Procedures)

It is the policy of the City of Long Beach to actively promote employment opportunities to all persons on all matters affecting City employment. The City of Long Beach reaffirms that no person shall be harassed on the basis of race, religion, color, national origin, ancestry, physical or mental disability, medical condition, marital status, age, sex, sexual orientation, or on any other basis inconsistent with federal or state statutes, the City Charter, or City ordinances, resolutions, rules, or regulations.

**Unlawful Harassment** - Harassment that creates a hostile, intimidating, or offensive work environment, and occurs because of an employee's protected status (i.e. race, religion, national origin, ancestry, physical or mental disability, medical condition, marital status, age, sex, or sexual orientation), is unlawful.

**Sexual Harassment** - Sexual harassment is a form of sex discrimination. It is conduct of a sexual nature that is unwelcome, not asked for, and not returned.

Sexual harassment may consist of any form or combination of verbal, non-verbal, visual, or physical conduct. It need not be explicit, nor even specifically directed at an individual. Such behavior includes, but is not limited to: Sexually offensive comments, offers, slurs, innuendoes, leering, ogling, posters, cartoons, or drawings; physical contact such as touching, pinching, or brushing against another's body; or demands for sexual favors.

Unwelcome sexual conduct which is sufficiently severe and pervasive as to create a hostile, intimidating, or offensive work environment, or when an employment decision is based on whether an employee submitted or refused to submit to some form of sexual conduct, is considered harassment.

The following are three criteria that shall be utilized as guidelines for determining whether or not certain conduct constitutes unlawful sexual harassment:

- Submission to the conduct is made either as an explicit or implicit condition of employment; or,
- Submission to or rejection of such conduct is the basis for employment decisions affecting an individual, such as, continued employment or decisions affecting pay, benefits, and/or advancement opportunities, or other terms and conditions of employment; or,
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment

**Retaliation** - Retaliation against an individual for having initiated a complaint of harassment or discrimination is considered unlawful harassment. To discipline, transfer, shun, or deny a promotional opportunity, training, or assignment to an employee, after he/she has filed a complaint, may be viewed as retaliation.

### 3.10.1 COMPLAINT RESOLUTION PROCESS

The following procedures are intended to facilitate the timely resolution of complaints of unlawful harassment. They are designed to administratively resolve complaints in a timely manner, ensure that appropriate action is taken, and minimize the financial impact upon both the complainant and the City.

A City employee, job applicant, or third party, such as a member of the public, has several administrative processes available to him/her for resolution of a complaint. An individual may present a complaint either to an appropriate supervisor/manager, a designee, or the City's Equal Employment Opportunity Office.

Each Department head designates an Equal Opportunity Counselor who acts as liaison between management and the Department's employees. The Administrator of the Personnel Division is the Police Department's Counselor. The counselor serves as the Department's primary contact person on equal employment opportunity issues, and assists employees in the resolution of problems and concerns related to equal employment opportunity matters.

Upon request, employees shall be permitted to use scheduled work hours in order to meet with their Equal Opportunity Counselor, appropriate supervisor/manager, or the City's Equal Employment Opportunity Office. No employee shall fear reprisal or retaliation because of reporting an alleged act of harassment.

It is important that complainants be apprised of their rights to file a complaint with an external regulatory agency. They should, however, be encouraged to first utilize the City's internal procedure to seek resolution.

### 3.10.2 PROCEDURES

Any employee, who believes he/she has experienced any type of unlawful harassment, should immediately notify the appropriate supervisor/manager, Department Equal Employment Counselor, or the City's Equal Employment Opportunity Office.

#### Departmental Investigation

- Upon being made aware that an issue exists regarding harassment, the Department shall immediately contact the City's Equal Employment Opportunity Office for direction, **prior** to proceeding with any investigation, and before taking **ANY** action. This will help verify that the policy is being correctly interpreted and the procedures are properly followed. It will also provide uniformity in the City's response to allegations regarding unlawful harassment and ensure that immediate and appropriate action is taken
- In the event a complaint is filed with the Equal Employment Opportunity Commission (EEOC) or the Department of Fair Employment and Housing (DFEH), by following this

procedure, the Equal Employment Opportunity Office will be fully informed and in agreement with all prior action taken

- With the concurrence of the Equal Employment Opportunity Office, the Department shall proceed with an investigation

During this entire process, it is critical that, to the extent possible, strict confidentiality be maintained. Any individual contacted during an investigation is to be instructed to maintain confidentiality regarding all matters related to the complaint. All records pertaining to the complaint are strictly confidential and are to be maintained apart from any personnel file

As part of the investigation, the complainant must advise the Department what he/she would consider a resolution of the complaint

- Upon completion of an investigation and prior to drawing any conclusion, the Department shall again contact the Equal Employment Opportunity Office. In cooperation with the Equal Employment Opportunity Office, the course of action will be determined, including any corrective action, if appropriate
- Upon completion of the corrective action, the Department shall notify the complainant, complete records, then report the action taken to the Equal Employment Opportunity Office

### **3.10.3 EQUAL EMPLOYMENT OFFICE INVESTIGATION**

The Equal Employment Opportunity Office acts as a neutral third party in a complaint, and is responsible for investigating, examining the facts, and determining whether unlawful harassment did occur. The role of the Equal Employment Opportunity Office is not to serve as an advocate of either the City or the complainant, but to determine the truth of the matter and protect the City against needless liability.

- An employee or job applicant always has the option of filing a complaint directly with the City's Equal Employment Opportunity Office
- An employee shall be allowed to use scheduled work hours for meeting with the Equal Employment Opportunity Officer/designee
- The Equal Employment Opportunity Office shall contact and advise the Department head that an employee/applicant has filed an unlawful harassment complaint. Then, following discussion with the Department, the Equal Employment Opportunity Office will decide whether the Department or the Equal Employment Opportunity Office will proceed with an investigation. The Department head will be notified of the course of action
- In order to seek resolution, any person(s) having knowledge of the incident(s) may be contacted directly by the Equal Employment Opportunity Office/designee. When this occurs, and when it is appropriate, the Equal Employment Opportunity Office will notify the appropriate Department Manager of the contact and the information received from the employee(s)

Because an investigation may ultimately be conducted by an outside regulatory agency, it is imperative that the Equal Employment Opportunity Office receive all comments uncensored and as stated by the employee(s). Under no circumstances will information be altered or withheld. This could impede the City's ability to properly respond to the charges and ultimately result in additional liability to the City.

- Upon completion of the investigation, the Equal Employment Opportunity Office shall contact and advise the Department of the results and the appropriate corrective action that will be recommended to the City Manager/designee
- Following the completion of any corrective action, the Department is to advise the Equal Employment Opportunity Office of the action taken. The Equal Employment Opportunity Office shall then inform the complainant of the resolution and closure of the complaint. The complainant shall also be advised of his/her right to file a complaint with an external regulatory agency

### **Outside Regulatory Agencies**

An individual may elect to file a complaint with an outside regulatory agency. The state agency is the Department of Fair Employment and Housing (DFEH) and the federal agency is the Equal Employment Opportunity Commission (EEOC).

- The City's Equal Employment Opportunity Office is responsible for handling and responding to all complaints filed with outside regulatory agencies. Should the Department receive a complaint, it is to be immediately forwarded to the Equal Employment Opportunity Office
- Once a complaint is received from an outside agency, communication with the individual/ complainant ceases and all further communication takes place between the Equal Employment Opportunity Office and the regulatory agency. It then becomes the responsibility of the Equal Employment Opportunity Office, on behalf of the City, to prepare a response to the complaint
- Upon receipt of a complaint, the Equal Employment Opportunity Office shall provide the Department head with a copy of the complaint. The Department then assigns an individual to respond to the allegations contained in the complaint, provides any additional information that might assist in preparing the City's response, and returns it to the Equal Employment Opportunity Office within the time specified
- Upon receipt of the Department's response, the Equal Employment Opportunity Office prepares the City's response to the regulatory agency. As with internal investigations, this often requires that individuals, who may be able to provide additional information or clarification, will be contacted directly, following notification of appropriate Department management
- Once the City's response is completed, it is forwarded to the City Attorney's Office for review. When concurrence is obtained, the response is forwarded to the appropriate agency and a copy of the City's response is forwarded to the Department
- Prior to the resolution of a complaint, agencies often contact the Equal Employment Opportunity Office and request additional information and/or meetings with specific individuals. This will be coordinated through the Equal Employment Opportunity Office. There should not be any contact between the Department and an agency,

without the prior knowledge of the Equal Employment Opportunity Office and the approval of the City Attorney's Office

Should an agency, attorney, or union representing a complainant contact the Department or individual, they are to be referred to the Equal Employment Opportunity Office.

### **3.11 WORKPLACE THREATS AND VIOLENCE (Also see 3.6)**

The City of Long Beach is committed to providing a safe work environment that is free of violence or the threat of violence. Threats, threatening behavior, or acts of violence against employees, visitors, or other individuals by anyone on City property will not be tolerated. Violations of this policy by City employees will lead to disciplinary action, up to and including termination, and may include arrest and prosecution. Violations by non-City employees may result in arrest and prosecution as well.

This policy is applicable to all City departments and offices reporting to the City Manager, and to all City locations under the City Manager's authority. It is further requested that elective offices and other City departments comply with the provisions of the policy.

#### **Responsibility**

The City has formed a Threat Management Team to implement this policy and monitor issues dealing with workplace threats and violence. This team is responsible for implementing this policy, managing violence prevention programs, and crisis intervention. The Police Department's management representative to the Threat Management Team is the Personnel Administrator.

All Department managers, supervisors and employees are responsible for reporting threats or incidents of violence to their management representative.

#### **Definitions of Threats and Violent Behavior**

- The actual or implied threat of harm to an individual, group of individuals, or relatives of those individuals. These threats may be made in person, over the telephone, through the mails, or by electronic communication
- The possession, on City property, of weapons of any kind, unless specifically authorized by the Police Department or appointing authority, or the brandishing of any object that could reasonably be construed as a weapon
- Loud, disruptive or angry behavior or language that is clearly not part of the typical work environment
- Blatant or intentional disregard for the safety or wellbeing of others
- Willful destruction of City or personal property
- Commission of a violent felony or misdemeanor on City property
- Any other act that a reasonable person would perceive as constituting a threat of violence

#### **Procedures**

**Emergency Incidents** – Any employee who is subjected to, witnesses, or has knowledge of actions that pose immediate danger to themselves or others must report these acts to appropriate authorities at once. When the incident constitutes an emergency, the employee should immediately notify a supervisor and/ or the Watch Commander.

The primary objective in dealing with an incident in-progress is to stabilize the situation, de-escalate the potential for violence, and ensure that there is no harm to person or property. Once the emergency has passed, the designated management representative shall be responsible for conducting a thorough investigation of the incident, and reporting findings to the department head and the City Safety Officer, using the Threat Incident Report as a guide.

**Non-emergency Incidents** – When an employee becomes aware of a potential violation of the policy which does pose an immediate threat of violence, he/she is responsible for notifying their immediate supervisor and the designated management representative.

No employee who, acting in good faith, initiates a complaint or reports an incident under this policy will be subject to retaliation or harassment. Any employee reported to be in violation of this policy will be entitled to due process.



**3.12 ORDERS - MANNER OF ISSUING**

Revised May 2, 2013

The Office of the Chief of Police will have audit responsibility.

Orders from supervisors to subordinates shall be in clear and understandable language, civil in tone, and shall be used only in regard to Department business. Orders may be written or oral and in the form of a directive or instruction.

**3.12.1 ORDERS – CRITICISM OF**

Revised May 2, 2013

Employees shall not publicly criticize orders from supervisors.

**3.12.2 ORDERS - UNLAWFUL**

Revised May 2, 2013

No command or supervisory officer shall knowingly issue an order that is in violation of a law, ordinance or Department policy.

**3.12.2.1 OBEDIENCE TO UNLAWFUL ORDERS**

Revised May 2, 2013

Employees issued orders that they feel are unjust or contrary to policies and regulations must first obey the order to the best of their ability except when ordinary and prudent knowledge would indicate that the order would be detrimental to the Department, the City, or physical well-being of an employee or a private citizen.

**3.12.3 ORDERS – CONFLICT OF**

Revised May 2, 2013

In the event of a conflict of orders, employees shall respectfully call such conflict to the attention of the supervisor giving the last order. Should the latter not change his/her order, the order shall be obeyed. The employee shall not be held responsible for disobedience of any former order or for any violation of the rules in obeying the last order given.

**3.12.4 ORDERS, FAILURE TO OBEY - INSUBORDINATION**

Revised May 2, 2013

Failure or deliberate refusal of any employee to obey a lawful order given by a supervisor shall be considered insubordination. Ridiculing a supervisor or the orders given by a supervisor, in or out of their presence is also considered insubordination. Employees in doubt as to the nature of their assignment shall seek clarification from their supervisor by going through the chain of command.

Employees assigned to the Internal Affairs Division and investigating potential acts of misconduct shall be considered to be acting at the direction of the Chief of Police. Employees shall follow orders given by employees assigned to the Internal Affairs

Division as if the orders were given by the Chief of Police. Failure to do so shall be deemed insubordination.

### **3.13 DUTY RESPONSIBILITIES**

Employees of the Department are always subject to duty. Employees shall, at all times, respond to the lawful orders of superior officers and other proper authorities. Appropriate police action must be taken whenever required. Employees assigned to special duties are not relieved from taking proper action outside the scope of their specialized assignment when necessary.

### **3.14 LOYALTY**

Loyalty to the Department and to associates is an important factor in Departmental morale and efficiency. Employees shall maintain loyalty to the Department and their associates consistent with the law and personal ethics.

### **3.15 ASSISTANCE IN THE FACE OF DANGER**

Officers are required to take appropriate police action toward aiding fellow police officers exposed to danger or in situations where danger may be impending.

### **3.16 ASSISTING CRIMINALS**

Employees shall not communicate directly or indirectly information that may assist persons guilty of criminal or quasi-criminal acts in avoiding arrest or punishment. Employees shall not use information systems for the purpose of assisting persons accused of crimes without legal justification.

### **3.17 PERSONAL PREFERMENT**

Employees shall not, unless within the scope of their assignment, seek the influence or intervention of individuals outside the Department for purposes of personal preferment, advantage, transfer or advancement.

#### **Private Gain**

Employees shall not participate in activities that involve the use, for private gain or advantage, of the Department's time, facilities, equipment or supplies; nor shall employees in any way use the badge, uniform, prestige or influence of the Department for private gain or advantage.

### **3.18 AVAILABILITY ON-DUTY**

Employee's on-duty shall not conceal themselves except as required in a specific police function. Employees shall be immediately available to the public during duty hours.



### **3.19 CALLS FOR SERVICE**

While on-duty, employees of the Department shall respond without unnecessary delay to all calls for police assistance from citizens or other police employees. Emergency calls shall take precedence; however, all calls shall be answered as soon as possible consistent with normal safety precautions and California vehicle laws. Failure to respond to a call for police assistance promptly, without justification, is considered **misconduct**. Except under the most extraordinary circumstances or when otherwise directed by competent authority, employees shall not fail to answer any telephone or radio call directed to them.

### **3.20 CARING FOR NEEDY PERSONS**

Employees shall always be alert to assist lost, helpless, injured or ill individuals.

### **3.21 IDENTIFICATION AS POLICE OFFICER/SECURITY OFFICER**

Officers shall identify themselves by displaying the official badge and/or identification card, if requested to do so, before taking action except when impractical, not feasible, or where the identity is obvious.

### **3.22 GENERAL UNIFORM REQUIREMENTS**

#### [See Special Order – Bullet Resistant Vests 5-4-17](#)

All police employees of the Department, except non-uniformed civilian employees, shall maintain a regulation uniform in good order. Officers in uniform shall wear badge and nameplate identification at all times.

All articles of uniform shall conform to the Long Beach Police Department Uniform and Equipment Specifications Manual. Civilian clothing will not be worn with any distinguishable part of the uniform. Employees shall not wear the uniform off-duty without the permission of a commanding officer, with the exception of traveling to and from work.

#### **Wearing the Uniform**

Uniforms shall be kept neat, clean and well pressed at all times; leather and shoes polished, badges and metal shined.

#### **3.22.1 Minimum On-Duty Uniform/Equipment Requirements**

The Chief's Office has Audit Responsibility  
Effective date: April 16, 2007

##### **Patrol Officer**

- Uniform – Badge – Nametag
- Body Armor/Protective Vest (in the event of a medical condition that temporarily precludes an officer from wearing a vest, exceptions will be made on a case by case basis)
- Sam Browne
- Lethal Weapon
- Impact Weapon
- Taser if issued
- Flashlight
- Handcuffs

##### **Field Detective**

- Uniform – Approved for the specific assignment worked – Badge – Nametag
- Body Armor/Protective Vest
- Sam Browne/Utility/Tactical belt
- Lethal Weapon
- Impact Weapon
- Taser if issued
- Flashlight
- Handcuffs

##### **Investigative Detective**

- Suit and tie or approved soft uniform and
- Badge or Department ID
- Lethal Weapon (when away from desk and outside Public Safety Building)
- Handcuffs
- Undercover officers are not required to comply

### 3.23 CLOTHING, APPEARANCE AND GROOMING

Revised February 7, 2019  
The Office of the Chief of Police has audit responsibility.

#### 3.23.1 DEFINITIONS

Revised February 7, 2019

- 1) **Tattoo** – The act or practice of marking the skin with indelible designs, forms, figures, art, etc., by making punctures in the skin and inserting pigment. Tattoo also includes the act or practice of marking the skin with non-permanent ink, designs, forms, figures, art, etc. (e.g., airbrush, henna, temporary tattoo, etc.).
- 2) **Scarification** – The act of intentional cutting of the skin for the purpose of creating a design, form, figure, or art.
- 3) **Branding** – The act of intentional burning of the skin for the purpose of creating a design, form, figure, or art.
- 4) **Piercing** – The act of creating a hole in any part of the body for the purpose of inserting an object, jewelry, or ornamentation.

#### 3.23.2 FINAL AUTHORITY AND POLICY EXCEPTIONS

Revised February 7, 2019

The final authority for interpretation and compliance with all provisions contained within LBPD Manual § 3.23 regarding clothing, appearance, tattoos, body piercing and grooming will rest with the Office of the Chief of Police, or appointed designee.

Sworn personnel in undercover assignments may deviate from the established clothing, grooming, and appearance standards otherwise mandated by this policy with the approval of their division commander, or designee.

Pregnant women or employees with medical restrictions, as documented by a medical professional, may deviate from the dress code with the approval of their division commander, administrator, or designee.

##### 3.23.2.1 GROOMING AND APPEARANCE STANDARD

Revised February 7, 2019

The following grooming standards apply to all Department personnel:

- 1) Employees will present a neat and clean appearance;
- 2) Hair will be neat, clean, and trimmed;
- 3) Hair coloring is permitted in natural hair colors only;
- 4) Any employee required to use respirators shall not have facial hair that interferes with the proper functioning of the respirator;
- 5) Makeup may be worn in moderation and shall be consistent with a professional and businesslike appearance.

Determination of hairstyle within the following criteria is an individual decision. The following grooming standards apply to all sworn and uniformed civilian personnel:

- 1) Head hair shall be neat and clean, and shall not interfere with the proper wearing of the uniform, hat, or use of protective equipment (i.e., mobile field force helmet, gas mask, or Class A cover, etc.).
- 2) Head hair shall not be worn, or arranged in a way that would be advantageous for a suspect to grab and constitute a safety hazard for the employee.
- 3) Wigs or hairpieces may be worn. The wig or hairpiece shall conform to the Department's general hair standards.
- 4) Sunglasses shall be conservative in style, and professional in appearance.
- 5) Male employees
  - a. Head hair shall be neatly trimmed and may be worn full at the sides and back, but shall not extend over the shirt collar of the uniform.
  - b. Sideburns shall not extend below the bottom of the earlobe, will be of even width, not flared, and will end with a clean-shaven horizontal line.
  - c. Mustaches shall not extend below the natural smile line.
  - d. Beards shall be permitted only for non-uniformed civilian personnel, or for a bonafide medical condition.
- 6) Female employees
  - a. Hair may be worn full at the sides and back, but shall not extend over the shirt collar of the uniform;
    - i. While dressed in civilian attire, hair may extend over the collar of civilian clothing, as long as it presents a well-groomed appearance.
  - b. Women's hair control devices shall be in neutral colors only.

### **3.23.3 BODY PIERCING OR ALTERATION**

Revised February 7, 2019

Males are not permitted to wear any visible piercings. Females with pierced ears are permitted to wear one (1) small stud-type earring per earlobe. With the exception of the earlobe for female employees, body piercing shall not be visible while an employee is on duty or representing the Department in any official capacity.

Alteration to any visible area of the body, while in any authorized uniform or attire that is a deviation from normal anatomical features, and is not the result of an accident, a medical condition or medically required, is prohibited. Such body alterations include, but are not limited to:

- 1) Tongue piercing or splitting; or,
- 2) Abnormal shaping of the ears, eyes, nose or teeth.

### **3.23.4 Tattoos, Brands, Scarifications**

Revised February 7, 2019

All Department personnel, while on-duty, shall not display any tattoo, brand, or scarification. Visible tattoos on the neck, face, head, tongue, lips, scalp, or hands are not authorized. A single-band tattooed ring, on one finger, on one hand, is authorized and does not require covering.

The display of any tattoo, scarification or brand considered offensive, regardless of its location, by any member of the Department, while in any Department facility, is not permitted and shall be covered with a Department approved uniform or authorized cover at all times. Examples of offensive tattoos, scarifications, or brands prohibited by this policy include, but are not limited to, the following:

- 1) Those that exhibit or advocate discrimination against gender, race, religion, ethnicity, or national origin;
- 2) Those that exhibit gang, supremacist, or extremist group affiliation; or
- 3) Those that exhibit or depict drug use, sexually explicit acts, or other obscene material.

#### **3.23.4.1 TATTOOS, BRANDS, SCARIFICATIONS – AUTHORIZED COVERS**

Revised February 7, 2019

Employees shall cover all tattoos, brands, and scarifications by wearing an authorized long-sleeved uniform shirt or appropriate business attire. The following additional coverings are approved:

- 1) Employees with visible tattoos, brands or scarifications that extend below the elbow may wear a compression sleeve in black for sworn officers, tan for special service officers, or in a color similar to the specific uniform shirt worn.
- 2) If an employee has tattoos, brands or scarifications covering a three-inch square area or less, that is visible on the arm or leg; the employee may opt to cover the area with one adhesive patch, of a color as close to the employee's skin color as reasonably available. Only one patch per arm or leg is authorized and may not exceed three-inches by three-inches in size.

#### **3.23.4.2 TATTOOS, BRANDS, SCARIFICATIONS – EXCEPTIONS**

Revised February 7, 2019

Employees hired prior to January 4, 2007, shall be exempt from the restriction in LBPD Manual § 3.23.4 TATTOOS, BRANDS, SCARIFICATIONS on tattoos, scarifications, or brands already in existence as of July 5, 2007. Any member of the Department who, after July 5, 2007, obtained a visible tattoo, scarification, or brand shall:

- 1) Lose their previously held grandfather exemption; and,
- 2) Cover all visible tattoos, scarifications, or brands with a Department approved cover; or,
- 3) Remove the tattoo, scarification, or brand at their own expense.

#### **3.23.5 Clothing Standard**

Revised February 7, 2019

##### **3.23.5.1 CLOTHING STANDARD – NON-UNIFORMED SWORN PERSONNEL**

Revised February 7, 2019

Male employees, who are not working undercover assignments and who are permitted to wear civilian clothes on duty, shall wear either a business suit or sports coat and trousers, with a dress shirt and tie, or a Department approved uniform for that assignment. Cargo



pants, sweatpants, athletic shoes, or sandals shall not be worn. All shoes shall be secured at the heel of the foot or have a support strap.

Female employees, who are not working undercover assignments and who are permitted to wear civilian clothing, shall conform to the standards normally worn by office personnel in the private business sector, or a Department approved uniform for that assignment. Cargo pants, sweatpants, shorts, t-shirts, bare midriffs, blouses, and shirts that are see-through or have revealing necklines, athletic shoes, or beach-type sandals shall not be worn. All shoes shall secure at the heel of the foot or have a support strap.

### **3.23.5.2 CLOTHING STANDARD – NON-UNIFORMED CIVILIAN PERSONNEL**

Revised February 7, 2019

Civilian employees shall conform to the standards normally worn by office personnel in the private business sector unless otherwise directed by the division commander, administrator, or designee. Cargo pants, sweatpants, jeans, shorts, t-shirts, tank tops, bare midriffs, blouses, and shirts that are see-through or have revealing necklines, athletic shoes or beach type sandals shall not be worn.

### **3.23.5.3 CLOTHING STANDARD – MANNER OF DRESS IN COURT**

Revised February 7, 2019

Appearance in court is a duty assignment; when appearing in court, employees must wear a Department approved uniform, specific to the employee's duty assignment, or a coat, with a dress shirt and tie for male employees and business attire for female employees. Employees must not appear in undercover attire unless so directed by the District Attorney or City Prosecutor. Weapons shall not be displayed unless the uniform is worn.

### **3.23.5.4 CLOTHING STANDARD – MANNER OF DRESS AT TRAINING**

Revised February 7, 2019

Attendance at training is a duty assignment; employees are required to comply with the stated dress code appropriate to the specific training. If not specified, employees shall dress in a manner that presents a professional image. The following shall not be worn while attending training:

- 1) Tank tops,
- 2) T-shirts with inappropriate logos or images,
- 3) Shorts,
- 4) Sandals or bare feet, or
- 5) Any attire deemed inappropriate by the division commander, administrator, or designee.

Personnel who report to training inappropriately attired or groomed will be ordered to leave and make a suitable change. Any time incurred as absent from training for this purpose will not be reflected as scheduled hours on the Employee Time Record.

### **3.23.6 REQUEST FOR MEDICAL OR RELIGIOUS EXEMPTION**

Revised February 7, 2019

To request a medical or religious exemption from this policy, an employee shall contact the Personnel Administrator to schedule a meeting to discuss the need for an exemption.

The Personnel Administrator will review the issues, and possible accommodations. A recommendation will be provided to the Chief of Police, or his/her designee, for final approval.

**3.24            INTOXICANTS - DEPARTMENT PREMISES**

(Also see Definitions "Under the Influence")

Employees shall not bring into or keep **intoxicating liquor** on Department premises except:

- When necessary in the performance of a police task
- Packaged goods for temporary storage in locker space when the seals are unbroken

Liquor brought into Department premises in the furtherance of a police task shall be properly identified and stored according to current policy.

### 3.25 ALCOHOL AND DRUG USE

(Also see 3.5)

The Department has a zero tolerance for illegal drug use, or any other substance that would interfere with the employee's safe and effective job performance. Employees shall not ingest illegal drugs. The possession of illegal drugs by employees shall be limited to legitimate and previously sanctioned police purposes.

Employees shall not be intoxicated while on-duty.

In accordance with the Department of Human Resources, [Personnel Policies & Procedures, Alcohol and Drug Use, Number 1.10](#):

- Employees shall not consume alcohol, be under the influence of alcohol, or possess an open container of alcohol, or unlawfully manufacture, distribute, dispense, possess, or use illegal drugs while at City work locations or elsewhere during work hours, during meal and rest periods, while in or operating City vehicles or equipment, while wearing clothing that identifies the individual as a City employee, while foreseeably subject to being called to duty, or at any time that would foreseeably interfere with the employee's safe and effective job performance. Exceptions pertaining to alcohol may be allowed while performing an approved police task.
- Employees may be required to take a drug and/or alcohol test if there is a reasonable suspicion of violation of this policy.

#### Definitions

- **Foreseeably Subject to Being Called to Duty** - When an employee has been placed on standby status, or placed on call to appear in court, or given notice to return to work the same day
- **Foreseeably Interfere** - When any reasonable person should have known that using a drug, medication, alcohol, or any other substance could cause drowsiness, potentially hazardous side effects, or have mind or mood altering properties that could interfere with the employee's safe and effective job performance or operation of City vehicles or equipment
- **Illegal Drug** - Any controlled substance, drug, narcotic or immediate precursor specified or referenced in any provision of the California Uniform Controlled Substance Act (Division 10 of the Health and Safety Code) which may subject an individual to criminal penalties, or a legal drug that has not been legally obtained or is being used by an individual for whom it was not prescribed, or is not being used in a manner, combination, or quantity for which it was manufactured, prescribed, or intended
- **Reasonable Suspicion** - A suspicion based on objective facts and reasonable inference drawn from those facts, that an employee is under the influence of drugs and/or alcohol so that the employee's ability to perform the functions of the job is impaired or so that the employee's ability to safely perform his/her job is reduced
- **Workplace** - At City work locations or other assigned locations during work hours, or

while in or operating City vehicles or equipment

### **3.26 LOITERING**

#### **On-Duty**

Officers on-duty or in uniform shall not enter taverns, theaters or other public places except to perform a police task. Loitering and unnecessary conversation in such locations is forbidden.

#### **Off-Duty**

Employees off-duty and not on official standby shall not loiter in Department areas other than those normally designated for use as recreation areas.

### **3.27 GIFTS, GRATUITIES & REWARDS**

#### **Soliciting**

Employees shall not under any circumstance solicit any gift, gratuity, loan, or fee where there is a direct or indirect connection between the solicitation and their Departmental employment.

#### **Acceptance**

Employees shall not accept either directly or indirectly any gift, gratuity, loan, fee or any other thing of value arising from or offered because of Police employment or any activity connected with their employment. 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 employee or any other employee in any matter of Police business; or which might tend to cast an adverse reflection on the Department or its employees. No employee of the Department shall receive any gift or gratuity from other employees junior in rank without the express permission of the Chief of Police.

#### **Disposition**

Any unauthorized gift, gratuity, loan, fee, reward or other thing of value falling into any of these categories and coming into the possession of any employee shall be forwarded to the office of the Chief of Police with a written report detailing the circumstances.

#### **Free Admissions & Passes**

Employees shall not solicit or accept free admission to theaters or other places of amusement for themselves or others, except in the line of duty.

#### **Other Transactions**

Employees are 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 their attention or which has arisen out of their Departmental employment, except as may be specifically authorized by the Chief of Police.

### **3.28            PHYSICAL FITNESS FOR DUTY**

Revised May 20, 2004

All sworn employees of the Department shall maintain good physical condition so they can handle the strenuous physical contacts often required of a law enforcement officer.



### 3.29 SMOKING AND SMOKELESS TOBACCO

Revised July 11, 2013

The Office of the Chief of Police has audit responsibility.

#### DEFINITIONS

**Smoking** is defined as the combustion of any cigar, cigarette, pipe, or other similar article, using any form of tobacco or other combustible substance, whether through inhalation or taste.

**Smokeless Tobacco** refers to tobacco products that are used orally but are not burned or smoked. These products include, but are not limited to, snuff and chewing tobacco. Smokeless tobacco is unhygienic and raises health concerns caused by the expectoration of saliva mixed with tobacco onto the ground or into "spit cups."

#### POLICY

Employees shall not smoke or use smokeless tobacco on-duty, while in direct contact with the public, or in any City owned or operated facility or vehicle.

Employees who smoke or use smokeless tobacco products shall dispose of related waste products in a lawful, healthy, clean and safe manner.

### 3.30 MEMBERSHIP IN ORGANIZATIONS

Except for the Armed Forces Reserve components enumerated in the California Veterans Code, employees shall not affiliate themselves with any organization or group, the constitution or bylaws of which in any way exacts prior consideration or which would prevent its members from rendering proper and efficient service to the Department.

- **Trade Unions** - Employees shall not affiliate themselves with a labor union, trade association or federation which would in any way exact an allegiance which would conflict with the loyalty owed to the Department or City or would prevent them from performing their full and complete police duties
- **Subversive Organizations** - Employees shall not knowingly become a member of or be connected with any subversive organization, except when necessary in the performance of a police duty and then only under the direction of the Chief of Police

### **3.31 PROFESSIONAL JOURNAL PUBLICATION POLICY**

It is the policy of this Department to encourage employees to share their professional knowledge and experiences by publishing articles in professional journals.

Written material proposed for publication in professional journals may be submitted to the Office of the Chief of Police for assistance in language usage, accuracy of facts and possible legal ramifications. The author may have the article reviewed by qualified individuals in or out of the Department. The Office of the Chief of Police shall make all reasonable attempts to arrange for a review, and to maintain the anonymity of all parties concerned. If the article contains material which falls within any of the restrictions, the author will be apprised and have the opportunity to make appropriate corrections.

The Office of the Chief of Police shall offer the author assistance in achieving publication but cannot guarantee the acceptance of any article that has not previously been contracted for by a journal.

It is not required to submit written material for review. However, in maintaining the Department's obligation to the community and in order to preserve the Department's efficiency and integrity, employees may not publish material or make such material available to unauthorized individuals which:

- Impairs, in any manner, the efficiency of the Department or the administration of the Department
- Breaches the right of privacy of either private citizens or employees of the Department
- Impairs or impedes pending Department investigations
- Violates any official rule, regulation, or policy of the Department

The only exception shall be articles that are an assignment made by the Department and intended for Department use. All such articles must be submitted first to the Chief of Police for authorization to publish.

#### **Publicity**

Employees shall not seek personal publicity by any means other than through publication in professional journals.

### **3.32 TESTIFYING**

#### **Process Service - Departmental Responsibilities**

In its capacity as employer, the Police Department is the legal agency of last resort in the serving of civil or criminal processes on employees. Therefore, if all reasonable attempts on the part of the process server have failed, the process may legally be served on the Administrator of the Personnel Division, who then **must** serve the named employee.

#### **Civil Depositions & Affidavits**

Employees shall consult with the City Attorney, before giving a deposition or affidavit on a civil case arising out of police business.

#### **Civil Cases**

Employees shall not serve processes or assist in civil cases, except as legally required, particularly those where they may be personally involved. Employees shall avoid entering into civil disputes, particularly while performing their police duties, but shall prevent or abate a breach of the peace or crime in such situations.

#### **3.32.1 TESTIFYING FOR THE DEFENSE**

An employee subpoenaed to testify for the defense in any trial or hearing, or against the City or Department in any trial or hearing, shall notify his/her Bureau Chief and Court Affairs upon receipt of the subpoena. The employee shall also notify the District Attorney, City Prosecutor, or City Attorney's Office, whichever is appropriate.

### **3.33 COMMERCIAL TESTIMONIALS**

Employees shall not permit use of their names or photographs to endorse products or services that are in any way connected with law enforcement without prior authorization by the Chief of Police. Employees shall not allow use of their names or photographs in any commercial testimonial that alludes to their position or employment with the Department without prior approval by the Chief of Police.

### **3.34 CORRESPONDENCE RESTRICTIONS**

Employees shall not use Departmental letterhead or stationery for private purposes or for sending correspondence out of the Department over their signatures with the exception of official Departmental business and with the permission of the Chief of Police.

Department correspondence to the City Manager and City Council members shall be sent only over the signature of the Chief of Police or Acting Chief of Police.

**3.35 CITY COUNCIL - EMPLOYEE ON-DUTY APPEARANCE**

An on-duty employee who desires to appear at a City Council meeting, sub-committee and/or hearing shall request permission by memorandum to the Chief of Police. The memorandum shall contain the employee's name, rank/job classification, current assignment and a brief description of their reason for appearance.

The memorandum shall be forwarded to and received in the Office of the Chief of Police 24 hours prior to the requested appearance. After a determination by the Chief of Police, the employee shall be notified that the request has been approved or denied.

An on-duty employee shall **NOT** appear at a City Council meeting, sub-committee and/or hearing without prior approval of the Chief of Police except in an emergency response.

### **3.36            TELEPHONES**

Department telephone equipment shall be used for conducting City and police related business. The use of Department telephone equipment for personal use shall be limited to essential communications and used in moderation.



### **3.37 DEPARTMENTAL BUSINESS - SECURITY OF**

Employees shall not release police information outside the Department or assist any relative, friend, or acquaintance to obtain unauthorized information, except as provided in this Manual or as required by law or competent authority. Specifically, information contained in police records ordinarily accessible only to employees, and names of informants, complainants, witnesses and other persons known to the police, are considered confidential.

### **3.38            FILING OF REPORTS**

Employees are required to file the following reports prior to end of Watch:

- Arrest Reports and related Incident Reports
- Incident Reports with named suspects

Other reports may be carried over until the next scheduled work shift with the permission of a supervisor.

**3.39**

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### **3.40 CHAIN OF COMMAND**

The chain of command shall be respected in all matters. Information and communications shall move up and down through channels, or horizontally with prior approval. It shall be the responsibility of each level to forward information and communications to the next higher or lower level together with approval, disapproval, recommendation or action taken.

#### **3.40.1 FORWARDING OF COMMUNICATIONS TO HIGHER COMMANDS**

Any employee receiving a written communication for transmission to a higher command shall in every case forward such communication. An employee receiving a communication from a subordinate directed to a higher command shall endorse it indicating approval, disapproval, or acknowledgement.

### **3.41 RELIEF FROM ASSIGNMENT**

Employees are to remain at their assignment and on-duty until properly relieved by another employee or until dismissed by proper authority.

### **3.42 ORAL BOARDS - APPEARANCE ON**

An employee receiving a request to participate on any type of personnel or oral interview board shall instruct the requesting party to forward a written request to the Office of the Chief of Police. The Personnel Division shall process such request, where a permanent record will be maintained, and necessary notifications will be made to the Long Beach Civil Service and City Human Resources Director.

The Administrator of the Personnel Division with the approval of the Chief of Police will assign employees in response to such requests.

### **3.43 EMPLOYMENT - COLLATERAL**

An employee may engage in collateral employment or business activity with the approval of the employee's department head and the appointing authority.

#### **Procedure**

- Permanent full time or part time employees must request approval to engage in collateral employment or business activity
- An approved "Collateral Employment/Business Activity Authorization Request" form is required prior to engaging in any collateral employment or business activity. A memorandum describing the nature of the collateral employment or business activity, and the duties, acts, and functions to be performed shall be attached to the request
- Each collateral employment or business activity requires a separate form. The total hours to be worked for all requests by an employee must be provided in the "Hours/Week" section on each separate form
- Previously approved collateral employment or business activity requests must be renewed on later than April 1 each year

#### **Conditions and Limitations**

- An employee shall not engage in any employment, activity, or enterprise for money or other personal gain which is inconsistent, incompatible, inimical, or in conflict with the employee's duties and responsibilities of employment with the City
- An employee will not be permitted to accept off duty employment in any capacity when such employment is by an establishment where the primary purpose is the selling or serving of alcoholic beverages, unless specifically authorized by the Chief of Police
- The employment shall not exceed 20 hours per week
- The employment shall not in any way conflict with the objectives of the Department, impair the reputation of the Department, or abuse the City's police power
- The police uniform shall not be worn, nor shall police equipment be used, unless so authorized by the Chief of Police
- An employee, who is absent because of an on the job injury or illness, must obtain written permission from the department head or designee to engage or to continue in collateral employment or business activity during such an absence

#### **Issuance of Permit**

The decision of the Chief of Police and City Manager to issue or deny a permit to work outside of the Department is final.

### **3.44 BUSINESS CARDS - DEPARTMENT**

Personalized business cards shall be issued to employees with the rank of Lieutenant and above, and to civilian employees in comparable positions. Cards shall be printed with the individual's name, rank and organization unit.

The Department shall furnish utility business cards for use by employees assigned to any organizational units authorized by the Chief of Police. The card will contain spaces for entering the employee's name and telephone extension.

The Chief of Police may authorize issuance of personalized business cards to employees whose duties require continual contact with other law enforcement agencies, government officials, media, or private vendors, and to any other member of the Department at his discretion.

Notations shall not be made to any Department business card to confer or suggest special consideration to the recipient. Employees coming into possession of such cards shall forward the card to the Office of the Chief of Police with a report detailing the circumstances under which the card was obtained.

All business cards authorized by the Department shall state on the reverse side (in small print):

"This card was issued in the course of official Police Department business. No special consideration is intended or implied. Misuse of this card may result in the violation of Penal Code section 146(d), a misdemeanor."



### **3.45 DEPARTMENT ADDRESS - PRIVATE USE OF**

Employees shall not use the Department as a mailing address for private purposes. However, the Department shall recognize Section 1808.4 of the State of California Vehicle Code as it relates to the confidentiality of public officers' addresses.

### **3.46 ADDRESS & TELEPHONE NUMBERS – EMPLOYEES**

Immediately upon reporting for duty at the Police Department, employees shall record their correct address of residence and telephone number with the Personnel Office. Should the employee have a second permanent address and telephone number, they shall provide this information to the Personnel Office as well. Changes in address or telephone number shall be reported to the Personnel Office within 24 hours of the change. This shall be done in writing on the appropriate form and within the specified time whether the employee is working or on leave.

### **3.47 NOTIFICATION – CONTACT WITH OTHER AGENCIES**

There are certain instances when a Department employee shall be required to notify the Police Department regarding contact with another law enforcement agency.

#### **PROCEDURE**

A Department employee shall notify the Watch Commander, as soon as possible, when any of the following conditions exist:

- When a Department employee is arrested by another law enforcement agency; this includes being issued a misdemeanor citation and released; or
- When a Department employee becomes aware that he/she is a subject of any criminal investigation by any law enforcement agency or government body; or
- When a Department employee becomes aware that he/she is served with any restraining order or protective order

#### **WATCH COMMANDER RESPONSIBILITY**

The Watch Commander who receives notification regarding a Department employee's involvement in any of the above situations shall immediately notify the Duty Chief and the commanding officer of the Internal Affairs Division.

#### **INTERNAL AFFAIRS RESPONSIBILITY**

At the direction of the commanding officer of the Internal Affairs Division, Internal Affairs investigators shall conduct a preliminary investigation, and may respond to the arrest location. Internal Affairs shall also notify the Bureau Chief and Commander of the involved employee.

### **3.48 INTERNET USAGE**

It is the policy of the City of Long Beach as well as the Long Beach Police Department to make every effort to provide employees with the best technology to conduct official business. In this regard, the city has installed hardware and advanced technology systems, which include the Internet. This policy is created to ensure proper use and advise all employees regarding access to and disclosure of information created, transmitted, received, and stored via the Internet.

All employees shall comply with the following conditions of Internet usage.

- All Long Beach Police Department computers and technology systems are formal communication tools
- The Internet shall only be used for city related business purposes
- All Internet usage shall be conducted in a professional and courteous manner
- All data, including any that is stored or printed as a document, and Internet usage is subject to audit and review. There is no expectation of personal privacy. The personal computers and software allowing access to the Internet are the sole and exclusive property of the City of Long Beach and shall be monitored
- Employees are strictly accountable for the Internet E-mail password issued to them as it provides an audit trail for Internet E-mail activity. This password shall not be shared with anyone
- All employees with Internet access shall sign the Long Beach Police Department Internet Policy Statement for inclusion in their personnel file

#### **Restricted Activities**

- Data that discloses sensitive, personal, confidential or proprietary information shall not be sent, provided, or accessed without appropriate supervisory authorization
- The Internet shall not be used for the following without prior written authorization from the Chief of Police:
  - Personal or recreational activities
  - Commercial activities
  - Bargaining unit activities
  - Political activities outside an employee's job scope
- Employees shall not use city technology to transmit, download, forward, store, or view obscene or pornographic material of any kind unless in the course of an investigation and then only with supervisory approval. Employees shall notify their supervisor in the event obscene or pornographic material is unintentionally accessed or has been received
- Employees shall not transmit or forward defamatory, unprofessional, threatening, offensive, or harassing messages of any kind unless in the course of an investigation and then only with supervisory approval
- Employees shall not create or forward chain letter E-mails unless in the course of an investigation
- Employees shall not use the Internet for illegal activities

### 3.49 FAIR AND BIAS-FREE POLICING

Revised March 25, 2021

The Office of the Chief of Police shall review this policy on a three-year review cycle.

Reviewed March 25, 2021

The purpose of this policy is to memorialize the Long Beach Police Department's commitment to professional, fair and bias-free treatment of all people and to clarify the circumstances in which personnel may consider specified characteristics when carrying out duties.

Fair and bias-free policing enhances legitimate law enforcement efforts and promotes trust within the community.

#### 3.49.1 DEFINITIONS

Revised March 25, 2021

**Biased Policing** – Discrimination in the performance of law enforcement duties or delivery of police services, based on personal prejudices or partiality of an employee toward classes of individuals based on specified characteristics.

**Fair and Bias-Free Treatment** – Conduct of an employee wherein all people are treated in the same manner under the same or similar circumstances irrespective of specified characteristics.

**Police Services** – Enforcement of the law and other actions and activities that contribute to the overall well-being of the public.

These include, but are not limited to, welfare checks, death notification, public assistance to persons who may be lost, confused or affected by mental or physical illness, traffic control, medical emergencies, lifesaving services, crime prevention, public information, and community engagement.

**Racial Profiling** – The practice of detaining a subject based on specified characteristics that casts suspicion on an entire class of people without any individualized suspicion on the particular person being stopped.

**Specified Characteristics** – Real or perceived personal characteristics, to include but not limited to race, ethnic background, national origin, immigration status, gender, gender identity/expression, sexual orientation, religion, socioeconomic status, age, disability, or affiliation with any political or non-criminal group (protected characteristics).

#### 3.49.2 BIASED POLICING AND RACIAL PROFILING

Revised March 25, 2021

Biased policing and racial profiling are prohibited both in the enforcement of the law and the delivery of other police services.

Employees who are authorized to take enforcement action must be able to articulate specific facts, circumstances, and conclusions that support probable cause or reasonable suspicion for any non-consensual detention and/or search or seizure, as applicable. The articulable facts may include descriptors such as gender, age, race or ethnicity if it supports individualized probable cause or suspicion on that particular person. Nothing in this order shall limit an employee's ability to interview witnesses nor discourage routine conversations or consensual contacts with the public.

The employees shall inform the subject regarding the reason for the contact if it will not compromise the safety of employees or other persons or an investigation. The employee should inform the subject preferably at the point of contact or by the conclusion of every interaction. This is important to avoid misunderstandings as to the reason for the contact.

### **3.49.3 SUPERVISOR RESPONSIBILITIES**

Revised March 25, 2021

Supervisors are responsible for ensuring compliance and shall initiate an investigation of any alleged violation of this order. For further refer to LBPD Manual § [4.1.1.2 Complaint Procedure – Watch Commander/Any Supervisor](#).

Supervisors shall ensure that employees who report instances of biased policing are not subject to retaliation. Supervisors shall take prompt and reasonable steps to address any retaliatory action taken against any member of this Department who discloses information concerning biased policing.

### **3.50 EARLY INTERVENTION PROGRAM (EIP)**

Revised July 22, 2021

The Office of Constitutional Policing shall review this policy on a three-year review cycle.

Reviewed July 22, 2021

The Early Intervention Program (EIP) is designed to assist supervisors with early recognition of employees who have been involved in a higher than average number of performance indicators as compared to other members of the employees' peer group. Identifying those employees will give supervisors an opportunity to conduct a detailed review of the employee's actions to see if any performance trends exist that should be modified and improved.

The EIP represents the Department's commitment to provide mentorship to its employees and hold the entire chain of command accountable for addressing employee performance and to manage risk to officers.

The EIP also represents the Department's goal to deliver maximum performance in servicing the community and builds public trust.

EIP employs a management strategy that is neither punitive nor disciplinary in nature. EIP is separate from and does not replace the existing disciplinary processes as outlined in the Department Manual.

The Department's EIP applies to all sworn employees and Special Services Officers of the Long Beach Police Department.

All data recorded and related to EIP is considered a confidential personnel record.

#### **3.50.1 EARLY INTERVENTION PROGRAM COMPONENTS**

Revised July 22, 2021

The Department will utilize peer-based purview monitoring within EIP which entails the comparison of one employee to their peers in the same Division, Section or Detail. This will be achieved through the software application EIPro that is programmed to highlight certain performance indicators of employee activity that appear higher in number than the average of their peer group. The supervisor will be alerted to employees whose activities have been highlighted by EIPro when they log into the program. These performance indicators are listed below.

EIP will consist of the following components:

- Performance Indicators
- Inspection Guidelines
- Employee Mentoring Process
- EIP Documentation

##### **3.50.1.1 PERFORMANCE INDICATORS**

Revised July 22, 2021

Performance indicators are data that represent the categories of employee performance activity that will be monitored. These indicators include:

- Use of Force
- Firearm Discharges
- In Custody Deaths
- Vehicle Pursuits
- Citizen Complaints
- Administrative Complaints
- Vehicle Accidents
- Forced Entries
- Civil Litigation
- EEO complaints

### **3.50.1.2 EIP INSPECTION GUIDELINES**

Revised July 22, 2021

#### **Quarterly Review:**

Supervisors will conduct a “Peer Analysis” review, using the attached [EIP REVIEW FORM](#), of their employees and identify those whose performance indicators are higher than the average of their peer group.

EIPRO utilizes color coding in each performance indicator category to highlight a higher than average number. Employees who are shaded in either yellow or red in any specific performance indicator have a higher than average number of reported incidents in that category. The color coding DOES NOT indicate the quality of the employee’s performance on any given incident or in total. It is only a visual cue to show the relationship of the number of incidents in relationship to a given peer average.

#### **Supervisor Review:**

Supervisors will conduct a thorough review of any employee whose critical performance indicators are above the peer average as indicated by EIPRO’s color coding. The review process should include:

- Obtain relevant documentation or information regarding the specified performance indicator.
- Identify factual circumstances surrounding the initiation, progression, and conclusion of those incidents.
- Consider mitigating factors surrounding those incidents.
- Determine if there are any relevant repeated issues or trends.
- Consider any additional factors that may be relevant to identified issues that may potentially impact work performance including:
  - An employee’s work history within the Department, outside employment, or any prior interventions or mentoring plans.



- The outcome of prior incidents that have already gone through separate EIP reviews and consider whether the employee has followed through with any training recommendations or is scheduled to do so.

### **3.50.1.3 EMPLOYEE MENTORING PROCESS**

Revised July 22, 2021

After the supervisor performs the above review, he/she will meet with the employee and inform them of their findings, sharing any concerns that were identified from the review and offer mentoring, guidance and/or training options.

Prior to the meeting with the employee, the employee's Supervisor shall be responsible for identifying topics to be reviewed and include specific examples of any areas of concern, along with performance expectations and areas in need of development.

During the meeting with the employee, the supervisor should:

- Discuss goals and objectives.
- Discuss training needs and requirements.
- Discuss performance trends and provide guidance.
- If necessary, supervisors should identify the activities, support systems, and resources that are available to assist the employee.
- Employees are encouraged to provide input on any identified performance improvement assistance; however, supervisors are never permitted to ask questions related to an employee's medical information.
- Supervisors shall be mindful of the provisions of the Public Safety Officers Procedural Bill of Rights Act (POBR) and shall not question employees on matters that are potentially pending disciplinary review. The purpose of the meeting is only to discuss performance related concerns and not allegations of misconduct.

If an employee only has one incident type outside of the peer group average, the supervisor may, but is not required to, conduct the employee review process. If the supervisor decides that a review is not necessary, this decision must still be documented in the Review Form.

Division Commanders will be responsible for ensuring that employee reviews take place and are documented on the EIP Review form.

Options the supervisor should consider offering the employee include:

- Refresher Training options:
  - Defensive Tactics
  - Legal Updates
  - Report Writing
  - Anger Management
  - Cultural Diversity
  - Tactical Communication
  - Driver/Pursuit Training

- Physical Fitness Training
- Field Training Program
- De-escalation Techniques
- Support options available:
  - Supervisor Coaching or Counseling
  - Peer Support
  - Employee Assistance Program or other counseling options
- Recommended Departmental change options:
  - Review/Modify Training
  - Review/Modify Policy
  - Equipment Purchase

#### **3.50.1.4 EIP DOCUMENTATION**

Revised July 22, 2021

Each supervisor who conducts an EIP review shall complete an EIP Review form.

After reviewing an employee's EIP record and if a determination is made that no action is required (i.e., the employee only had one incident in any one group), the supervisor will complete the form and submit it through their chain of command. The employee is not required to sign the form.

When the supervisor meets with the employee and provides resources, or together the employee and supervisor agree on a course of action, the supervisor will complete the form and have the employee sign to acknowledge the review. The supervisor will then forward the form to the employee's chain of command for signatures.

Once the form has been signed off by the Division Commander, an entry will be completed in EIPro. The form will be uploaded to BlueTeam and attached to the corresponding incident. The employee will have program access to view this incident type.

#### **3.50.2 EIP SYSTEM ACCESS**

Revised July 22, 2021

EIP contains performance indicators that relate to confidential information. Department employees may only access EIP in accordance with their assigned access levels. Misuse of the EIP, including the unauthorized sharing of information from EIP, may result in disciplinary action.

The Internal Affairs Division will only be responsible for granting access to the application and setting employee purviews on what they can see/view.

The peer analysis data and review form shall not be used for performance evaluations. It also shall not be accessed, used, or considered when the Department makes determinations on promotions, transfers or requests by employees for transfer or special assignments.

**3.51 SOCIAL MEDIA**

Revised July 22, 2021

The Administration Bureau shall review this policy on a three-year review cycle.

Reviewed July 22, 2021

**3.51.1 SOCIAL MEDIA – PURPOSE**

Revised July 22, 2021

The City of Long Beach Administrative Regulation (AR8-34) establishes guidelines for the use of social media by the City as a means of conveying information about the City and its events and activities to the public, for further refer to [AR8-34 – City Social Media Policy](#). This policy is supplemental to AR8-34 and establishes the Department's position on the use of social media when referencing matters related to the Long Beach Police Department.

The intent of this policy is to ensure employees use appropriate discretion when posting photographs or speech that does not jeopardize investigations or discredit the Department. It is not the intent of this policy to prohibit employees from engaging in conduct that constitutes protected speech under state or federal constitutions, as well as labor or other applicable laws.

**3.51.2 SOCIAL MEDIA – POLICY**

Revised July 22, 2021

Authorized Department members may use social media to communicate with the public about investigations, public services, or other relevant events. Authorized Department members shall ensure their use of social media is professional and protects the constitutional rights of all.

**3.51.3 SOCIAL MEDIA – SAFETY**

Revised July 22, 2021

Employees shall not disseminate or post information on social media or networking sites that could compromise the safety of others. Employees shall take necessary precautions not to disclose confidential information or jeopardize the privacy rights of others.

**3.51.4 SOCIAL MEDIA – ON-DUTY DEPARTMENT APPROVED USAGE AND GUIDELINES**

Revised July 22, 2021

The Department encourages the use of electronic communication technology and social media networking sites to share and gather information in support of its organizational mission and for work-related purposes.

**3.51.4.1 INVESTIGATIVE ACCOUNTS**

Revised July 22, 2021

An employee shall only create and use a social media account for investigative purposes with authorization from their Division Commander.

All employees who create social media accounts for investigative purposes shall provide the account username and password to their supervisor. The supervisor shall maintain a list of all social media accounts and passwords.

The Deputy Chief of each bureau authorizing the use of social media accounts for investigative purposes shall ensure that an annual review is conducted.

#### **3.51.4.2 PUBLIC-FACING ACCOUNTS**

Revised July 22, 2021

For public-facing accounts, authorization shall be requested through the Media Relations Detail prior to the creation of the account. A public-facing account is a social media profile that is created to be available to the general public and represents or depicts on-duty personnel, police facilities, and Department sanctioned activities.

Authorized employees who use social networking platforms to conduct Department business as part of their normal duty assignment, shall use a public-facing social networking account and not their private personal account.

The following shall apply to the use of public-facing social media:

- Authorized employees shall ensure social media content posted serves the public in a civil and unbiased manner.
- All content placed on a public-facing social networking platform shall reflect the mission and core values of the organization and conform to all policies regarding the release of information per LBPD Manual § 6.1.1 *Media Relations Policy and Procedures*.
- The Media Relations Detail has administrative oversight on all public-facing social media accounts and will track all usernames and passwords.
- The Media Relations Detail reserves the right to remove without notice any comments or submissions that meet the standards set forth, by the City's [Social Media Terms and Conditions](#).
- The removal of any content on public-facing social media accounts must be requested through the Media Relations Office, prior to the removal of the content.

#### **3.51.5 SOCIAL MEDIA – PROHIBITED ACTIVITY AND GUIDELINES**

Revised July 22, 2021

Employees who choose to participate in public-facing social media or social networking platforms shall conduct themselves in a manner that aligns with City standards of appropriateness, style and decorum.

Employees are prohibited from posting confidential or sensitive work activities or assignments, employee work schedules, inmate transportation schedules, or other operationally sensitive information.

Employees shall not post, transmit, reproduce, or disseminate information or links that are inappropriate or harmful to the City, the Department or its operations.

### **3.51.6           PRIVACY EXPECTATION**

Revised July 22, 2021

Employees have no reasonable expectation of privacy with regards to anything published or maintained on an internet site open to public view. Employees forfeit any expectation of privacy with e-mails, texts, or anything published, or maintained through file-sharing software or any internet site that is accessed, transmitted, received, or reviewed on any Department technology system.

The Department reserves the right to access, review, and disclose, for any reason, all 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.

Access to a database, service, or website that requires a username or password does not create an expectation of privacy if an employee accesses the database, service, or website through a Department computer or network. However, the Department may not require an employee to disclose a personal username or password or open a personal social website, except when access is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (Labor Code Sec. 980).

**4 CHIEF OF POLICE****4.1 INTERNAL AFFAIRS DIVISION****4.1.1 PERSONNEL COMPLAINTS****4.1.1.1 PERSONNEL COMPLAINTS - EMPLOYEE RESPONSIBILITY**

Citizen complaints may be filed with any supervisor or directly with the Internal Affairs Division. Any employee who becomes aware of an allegation of misconduct or is personally aware of another employee's misconduct shall immediately notify his/her supervisor, or in that supervisor's absence, the Watch Commander. Failure to make such notification(s) constitutes **misconduct**. The "Personnel Complaint Form," PD Form 1010.008(a), is the computerized personnel complaint form that shall be utilized for the receipt of all citizen complaints taken in person. Complaints received telephonically and/or anonymously **shall** be taken. (California Penal Code Section 832.5)

**4.1.1.2 COMPLAINT PROCEDURE – WATCH COMMANDER/ANY SUPERVISOR**

The Watch Commander/Supervisor shall recognize that the employee's immediate supervisor shall have the primary responsibility for investigating complaints in most instances.

The Watch Commander/Supervisor has the primary responsibility for assisting the citizen and resolving the complaint when possible. Doubt about the legitimacy of a complaint shall be resolved by accepting the complaint for further investigation.

- The Supervisor receiving the information or discovering acts of misconduct shall immediately notify his or her supervisor and complete the Personnel Complaint Form (PD Form 1010.008(a))
  - Explain the admonishment to the complainant and obtain their signature
- The Watch Commander/Supervisor, after receiving a complaint from a citizen, shall complete the Personnel Complaint Form. The first page of the Personnel Complaint Form is designed to briefly and clearly record the citizen's complaint along with other necessary information about the complaint. Some cases may require additional pages for the citizen's complaint. In those cases, the supervisor shall use blank paper for supplemental pages. (Do not write on the reverse side of the personnel complaint forms.)

**NOTE:** A copy of the complaint (page 1) shall be sent to the complainant via US Mail, after a case number is assigned, when the complaint is not received in person (telephonically or in writing). The supervisor taking the complaint is responsible for ensuring the copy of the complaint is mailed to the complainant.

- The personnel Complaint Follow-up portion of the form shall be used by the supervisor to document the details of the preliminary investigations. The follow-up portions of the form shall not be copied or given to the citizen
- Both portions of the Personnel Complaint Form and any other related documents shall be immediately forwarded to Internal Affairs Division.
- The Watch Commander/Supervisor shall note on his/her respective log that a personnel complaint has been received. The notation shall include the complainant's name, address, telephone number, nature of the complaint and accused employee's name(s), if known

The Watch Commander/Supervisor may determine that because of the nature and urgency of a complaint, the Internal Affairs Division should investigate it. If so, the Watch Commander/Supervisor shall complete the Personnel Complaint Form and implement the Internal Affairs call-out procedure.

All applicable Arrest Reports, Incident Reports, Evidence Reports, investigative memoranda, statements, CAD printouts, or other relevant information shall be attached to the complaint form.

#### **4.1.1.3 COMPLAINT PROCEDURE – INTERNAL AFFAIRS**

The Internal Affairs Division shall be responsible for the daily tabulation of all citizen complaints and shall forward an annual report to the State of California, Department of Justice.

All citizen complaints received by the Department shall be forwarded immediately to the Internal Affairs Division. Internal Affairs will assign a number to each complaint for control and assignment purposes.

The Chief of Police, a Bureau Chief or the Commanding Officer of the Internal Affairs Division may initiate an Internal Affairs investigation.

Internal Affairs shall apprise the employee's Bureau Chief and Division Commander whenever a unit other than the accused employee's Bureau initiates an investigation.

The Commanding Officer of Internal Affairs may determine that because of the nature of a complaint, the most appropriate means of investigation would be at the Bureau-level. In these instances, the Internal Affairs Division shall assign the complaint to the accused employee's Bureau for investigation.

Investigations shall be completed within 30 days from the date the Department received the complaint. The Internal Affairs Commander must approve all extensions.

All investigations of alleged employee misconduct shall be maintained in the Internal Affairs Office. All records of investigations shall be maintained pursuant to the Department's approved records retention schedule.

#### **4.1.2 INVESTIGATIONS OF ALLEGED MISCONDUCT**

##### **4.1.2.1 EMPLOYEE INTERVIEW**

The Supervisor of a sworn employee, against whom allegations have been made, may counsel that employee for the purpose of correcting unacceptable behavior. If during a counseling interview, a supervisor determines that the interview may lead to disciplinary action, the Police Officers' Bill of Rights (3300 C.G.C.) admonitions shall be given.

Adherence to the Police Officers' Bill of Rights applies only to interviews that may lead to the imposition of discipline.

##### **Additional Supervisory Responsibilities**

A Supervisor at the scene of an incident that may involve employee misconduct shall:

- Evaluate the need for emergency suspension and assume responsibility for making that determination
- Apprise his/her supervisor of the incident as soon as possible
- Obtain names, addresses and telephone numbers of complainants and witnesses
- Collect & file appropriate physical evidence
- Determine the need to implement the Internal Affairs call-out procedure
- Assist Internal Affairs investigators until relieved
- File a complete and accurate report regarding the incident

##### **4.1.2.2 COOPERATING IN DEPARTMENTAL INVESTIGATIONS**

Employees are required to answer questions or provide material and relevant statements to the proper authority in a Department personnel investigation, when directed. Failure to comply may result in the employee being found insubordinate and subject to disciplinary action.

##### **4.1.2.3 INVESTIGATIONS – EMPLOYEE REPRESENTATIVES**

- Personnel assigned to investigate complaints of misconduct shall not be a subject of the same investigation
- During the course of the investigation, personnel assigned to investigate complaints of misconduct shall not act as an employee representative for any personnel involved in the investigation

##### **4.1.2.4 INTERNAL AFFAIRS INVESTIGATIONS CALL-OUT PROCEDURES**

The Internal Affairs Division is responsible for the investigation of complaints alleging misconduct, whether the incident occurs on-duty or off-duty, on the part of any employee of this Department.



Internal Affairs Division personnel shall be notified at any time of the day or night including weekends and holidays, in any of the following circumstances:

- Whenever an employee of this Department is arrested or an arrest is pending by this Department or any other agency
- Whenever there is an implication of any serious criminal conduct alleged against any employee of this Department
- Whenever an officer is served a Domestic Violence Restraining Order that will affect the officer's ability to possess a firearm
- Whenever an incident occurs which is of such serious nature and magnitude that, in the opinion of the Field and/or Station Commander, it will require an immediate Internal Affairs investigation

The Internal Affairs investigator, upon being notified, will evaluate the incident and determine if response to the scene is necessary. In order for the Internal Affairs investigator to evaluate the incident, the following information will be required:

- A brief summary of the incident
- The location and time of occurrence of the incident
- The location of the involved employee

The Internal Affairs investigator who responds to the scene shall assume the responsibility of directing and coordinating an Administrative investigation. Internal Affairs personnel will not interfere in an ongoing criminal investigation. Officers shall give information, however, which the Internal Affairs investigator determines is necessary, to the Administrative investigation.

The Watch Commander shall call the on-call Internal Affairs Investigator. A current roster of Internal Affairs Investigators shall be located in the Communications center.

#### **4.1.2.5 FINDINGS – ALLEGED MISCONDUCT**

Revised August 3, 2023

One of the findings listed below shall be included in the report of investigation of an alleged act of misconduct. The standard of proof used in reaching these findings is by a preponderance of the evidence.

**Unfounded** means that the investigation clearly established that the allegation is not true, per CPC § 13012(a)(5)(B)(iv).

**Exonerated** means that the investigation clearly established that the actions of the personnel that formed the basis of the complaint are not a violation of law or agency policy, per CPC § 13012(a)(5)(B)(ii).

**Not-Sustained** means that the investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation in the complaint, per CPC § 13012(a)(5)(B)(iii).

**Sustained** means that the investigation disclosed sufficient evidence to prove the truth of the allegation in the complaint by preponderance of the evidence, per CPC § 13012(a)(5)(B)(i).

**Other** - The investigation reveals that the alleged act was not misconduct, service; employee was a witness only, or other statement by the Chief of Police.

**Not PD Employee** means the allegation is not regarding an LBPD employee and the allegation is forwarded to the relevant agency if possible.

**Policy and Procedure** means the allegation is directed against Department policy or procedure and is not directed against the actions of an employee of the Long Beach Police Department.

#### **4.1.2.6 REPORTS BY INTERNAL AFFAIRS DIVISION**

Reports of investigations by the Internal Affairs Division shall contain basically the same information as those submitted by other units, except that **NO** recommendation for or against disciplinary action shall be made.

Investigations by the Personnel and Training Divisions are limited to fact finding and evaluation of the complaint.

#### **4.1.2.7 REPORTS BY OTHER DIVISIONS/SECTIONS**

Whenever any Division or Section other than Internal Affairs opens, investigates and concludes a disciplinary matter on an employee of that Division or Section, and especially whenever discipline is imposed as a result, a full set of reports and findings shall be forwarded to the Internal Affairs Division for storage in official files.

#### **4.1.3 DISCLOSURE OF INFORMATION OF PEACE OFFICERS DETAINED FOR CRIMINAL OFFENSES**

California Labor Code Section 432.7 allows limited disclosure of arrest information pertaining to peace officers. The Watch Commander or Commanding Officer of the Internal Affairs Division shall be authorized to notify other law enforcement agencies when a peace officer from that agency has been detained for a criminal offense by members of this Department. In incidents that do not result in an arrest, the Watch Commander may use his/her discretion whether or not to contact that officer's agency. In incidents that result in a misdemeanor citation, an arrest, or would normally lead to an arrest for a misdemeanor or felony, the arresting officer shall notify the Watch Commander who in turn shall notify the other agency.

- **Custodial** - When it is learned that members of this Department have detained a peace officer from another agency for a criminal offense, the Watch Commander shall

be notified. The Watch Commander shall be responsible for notifying the appropriate agency of the incident and logging the incident in the Watch Commander log

- **Non-Custodial** - When it is learned that a peace officer from another agency has been identified as a suspect in a criminal investigation, which was conducted by members of this Department, the Commanding Officer of Internal Affairs shall be notified. The Commanding Officer of Internal Affairs Division shall give advice and provide liaison assistance between Department investigators and the other agency

#### **4.1.4 DELETED**

#### **4.1.5 DISCIPLINE**

##### **Disciplinary Action**

Employees who violate their oath and trust by committing an offense punishable under the laws or statutes of the United States, the State of California or the ordinances of the City of Long Beach, or who violate any provision of the Rules and Regulations of the Long Beach Police Department or of the Civil Service Rules and Regulations, or who disobey a lawful order, or who are incompetent to perform their duties, are subject to appropriate disciplinary action.

##### **Departmental Authority to Discipline**

Final Departmental discipline, authority and responsibility rests with the Chief of Police or his/her designee. Except for emergency suspensions, the Chief of Police shall approve all Department discipline.

#### **4.1.5.1 DISCIPLINE - PENALTIES**

Subject to the provisions of the Long Beach City Charter, the Civil Service Rules and Regulations and, where necessary, the approval of the City Manager, the following penalties may be assessed against any employee of the Department as disciplinary action:

- Written reprimand
- Suspension
- Demotion
- Dismissal from service

**Acts of gross misconduct shall be subject to severe discipline including dismissal from service.**

Employees suspended from employment shall be required to surrender their Department issued badge, weapon and identification to their commanding officer. The commanding officer will secure the property until the employee is returned to duty.

An employee who resigns or is terminated from the Department shall deliver all City owned property in his/her possession to the Personnel Division.

#### 4.1.5.2 DISCIPLINE - INTER-UNIT ACTION

When the improper conduct of an employee of one unit is of such a nature that immediate or emergency disciplinary action is required of a Supervisor or Command Officer of another unit, such action may be taken at once within the following limitations:

- Emergency suspension until the next business day

##### **Inter-Unit Admonition**

When a Supervisor or Command Officer of one unit finds it necessary to admonish or adversely criticize in any manner an employee of another unit, he/she shall notify that employee's supervisor as soon as possible. He/she shall also submit a written report detailing the reasons for this action to his/her Commanding Officer and to the Commanding Officer of the employee.

#### 4.1.5.3 REVIEW DISCIPLINARY RECOMMENDATIONS

The letter of transmittal shall be prepared by the officer recommending disciplinary action and placed in the case file for review through the chain of command.

#### 4.1.5.4 REPORTS - ENFORCEMENT & FORWARDING

Each level in the chain of command must endorse and forward reports received bearing on disciplinary matters. Such endorsement may be one of approval, disapproval or recommended modification. **No employee shall alter or cause to be altered or withdrawn any disciplinary report.** Disciplinary reports in transit through the chain of command shall not be delayed but must be reviewed, endorsed, and forwarded as soon as possible. Disciplinary reports shall be filed in accordance with current Department orders.

#### 4.1.5.5 DISCIPLINARY ACTION – INFORMING EMPLOYEE

An employee who is accused of misconduct shall be informed of the charges when they are filed. The employee shall have the benefit of responding to proposed discipline in a Skelly Hearing before discipline is imposed and shall be informed in writing of the charges and penalties when actually imposed.

**Exception:** An employee receiving a written reprimand as the form of discipline is not entitled to a Skelly Hearing, but shall have the right to respond in writing and have the response attached to the reprimand in the employee's personnel file. Sworn personnel may appeal a letter of reprimand to Human Relations.

#### 4.1.5.6 DISCIPLINE - APPEALS

Appeals from penalties imposed as disciplinary measures may be taken as provided in the Long Beach City Charter and in accordance with the Civil Service Rules and Regulations.

#### 4.1.5.7 ALTERNATIVE DISCIPLINE PROGRAM

The Alternative Discipline Program provides employees the opportunity to participate in the determination and administration of their corrective-action discipline when deemed appropriate by the Chief of Police. The Chief of Police has the ultimate authority to determine and administer corrective action. **Employees may either decline participation in the program and accept the imposed discipline, or appeal in accordance with the procedures set forth in the Civil Service Rules and Regulations.**

The Administration recognizes that in some instances where an employee has failed to perform his/her work in an appropriate manner, the interests of both employee and Department are better served by allowing the employee to participate in counseling, training, or other means of self-help, rather than endure a suspension. Employee involvement in the structuring of alternative discipline provides a positive approach toward correcting inappropriate behavior.

In situations where alternative discipline is utilized, the employee's record will reflect the misconduct and the term of suspension, along with a notation that Alternative discipline was implemented. At the end of a six-month period, a follow-up letter, which includes a statement that the program was successfully (or unsuccessfully) completed for that period, will be included in the employee's Personnel and Internal Affairs files.

##### **Procedures**

- The decision to allow the alternative discipline shall be made subsequent to the decision of a recommendation penalty (i.e., suspension). A Commander or Bureau Chief may recommend the program; however, the final decision rests with the Chief of Police
- If the program is not suggested, or the employee decides not to participate, the traditional system of administrative discipline will be followed
- A Corrective Action Questionnaire will accompany a Skelly letter, if alternative discipline is available to the employee
- Employees who enter the Alternative Discipline Program may choose training, counseling, or other means of self-help. To obtain assistance in designing their discipline/corrective action, employees should contact the Department Organizational Psychologist, Department Training Coordinator, Employee Assistance Program or other professional
- An employee who selects the program shall, at the Skelly hearing, be in possession of a completed Corrective Action Questionnaire. The employee and his/her Bureau Chief will discuss the questionnaire and proposed corrective action. An employee may accept the program within five calendar days after the Skelly hearing
- In most situations, personnel within either the Police Department or the Department of Health and Human Services will conduct alternative discipline. Payment by the Department of any costs that result from an Alternative Discipline Program must be approved by the Chief of Police

- Implementation of the alternative discipline system begins when the Chief or designee agrees on the contents of the Corrective Action Questionnaire. In the event there is no agreement, the traditional system of administrative discipline shall be followed
- Upon implementation of alternative discipline, the employee's full suspension will not be imposed. An Alternative Discipline Disposition Letter shall be prepared and served. The length of the proposed suspension and the employee's participation in the program shall be included in the disposition letter and on the employee's Internal Affairs History Card
- At the end of a six-month period, the Bureau Chief will make a determination as to the employee's successful completion of their Corrective Action Plan (alternative discipline) for that period. A letter of successful, or unsuccessful, completion will be prepared by the employee's Bureau Chief and entered into the employee's Personnel and Internal Affairs files
- If, prior to completing the program, it is determined the employee has failed to comply with the terms and conditions agreed upon, the Bureau Chief will notify the Internal Affairs Division. The employee will be notified that he/she must complete the original discipline, or portion thereof, at the discretion of the Chief of Police. Whenever formal discipline is imposed, the employee is entitled to the Civil Service Appeal process
- Circumstances under which employees **may not** be given the option of volunteering for the program include, but are not limited to, the following:
  - Failure to perform satisfactorily during probationary period
  - Job abandonment
  - Failure to abide by the Employee Assistance Program rules and regulations when made as a condition of continued employment
  - Serious criminal offenses or immoral act
  - Blatant offenses of discrimination
  - Drug abuse
  - Previous failure to conform to alternative discipline
  - Misconduct compounded by lying or insubordination

#### **4.1.5.8 ADMINISTRATIVE APPEAL PROCEDURE / WRITTEN REPRIMAND**

##### **Chief of Police or Designee - Step One**

The written reprimand shall include the following statement:

- "You may, if you so desire, within five working days after service upon you of this written reprimand, appeal on the standard appeal form to the Chief of Police, otherwise, the written reprimand shall stand"

The officer may submit a completed appeal form to the Chief of Police within five working days of receipt of the written reprimand.

The Chief of Police or designee shall meet with the officer within 10 working days from the receipt of the completed appeal form.

A representative may accompany the officer at his/her request.

Parties shall agree that every attempt will be made in good faith to resolve the matter and all known information relevant to the matter shall be made known to the Chief of Police or designee.

A decision shall be made, in writing, within 30 calendar days.

### **City Manager or Designee - Step Two**

If the Chief of Police does not resolve the appeal regarding the written reprimand to the satisfaction of the officer, the officer may request a hearing with the City Manager or designee within five working days of the decision of the Chief of Police.

The City Manager or designee shall hear the matter within 10 working days from the receipt of the notification of the appeal, and affirm, reverse or modify the decision of the Chief of Police.

A decision shall be made, in writing, within 30 calendar days.

If the decision is to affirm, the officer shall have 30 calendar days within which to file a written response to any adverse comment entered into his/her personnel file. Such written response shall be attached to, and shall accompany, the adverse comment.

### **Presentation of Appeal**

Officers shall have the right to present their own appeal or do so with the assistance of their Police Officers Association (POA) representative. The POA shall not be allowed to appeal any written reprimand on behalf of the officer without written approval by the officer. The officer receiving the written reprimand shall be present during Steps One and Two of these procedures.

### **Appeal Forms**

The appeal shall be processed on the "Administrative Appeal Form," (PD Form 2000.012), provided by the Police Department and shall contain information which:

- Identifies the officer;
- Contains the specific reason for appeal;
- Identifies witnesses, if applicable, and;
- States the corrective action desired. These may include revising or removing the written reprimand

### **Time-Off for Processing Appeal**

The preparation for an appeal hearing shall not be considered City business. The time spent by the officer and the City shall not compensate representative.

The officer shall receive time-off from regularly scheduled duty hours to participate in the appeal hearing at Steps One and Two, without loss of pay.

If the officer's representative is also a City employee, the representative shall receive time-off from regularly scheduled duty hours to participate in the appeal hearing at Steps One and Two, without loss of pay.

Participation in any appeal hearing by the officer or representative during off-duty hours will not be compensated.

### **Cost of Appeal Presentation**

Each party shall bear the expense of presenting their own case.

### **Tape-Recording of the Appeal Hearing**

If any tape recordings are made, the party who elects to tape-record these proceedings shall allow the other party access to the tapes upon request.

### **Cost of Witnesses at Appeal Hearing**

The cost of the witnesses called by either party shall be borne by the party who requests the witnesses.

The cost of the witnesses called by both parties shall be shared equally by both parties. City employees called as witnesses, on-duty at the time, shall receive time-off from duty to participate in the appeal hearing, without loss of pay for the time so spent.

City employees called as witnesses, not on-duty at the time, may receive compensation by the party or parties who request the witnesses.

### **Number of Witnesses at Appeal Hearing**

Calling of witnesses by either party shall be accomplished with a reasonable amount of constraint.

Each party may call approximately three or four witnesses.

In the event that either party desires more witnesses, the Chief of Police/City Manager or designee, shall determine the number of witnesses permitted.

### **Extension of Time Limits**

All time periods specified in this procedure may be extended by mutual, written consent of the aggrieved officer and the Chief of Police/City Manager or designee.



## **4.2 ADMINISTRATIVE SECURITY SECTION**

The Administrative Security Section provides information to the Chief of Police enabling him to make informed judgments and decisions necessary to counter and control the activities of organized crime. The Administrative Investigations Section also maintains liaison with State, Federal and local agencies having similar purposes.

The Administrative Security Section includes the Organized Crime Detail.

### **4.2.1 ORGANIZED CRIME DETAIL**

- Collect, evaluate and analyze data pertaining to organized criminal activity within the City of Long Beach
- Keep the Chief of Police apprised of this data and disseminate it at his discretion
- Conduct special investigations as directed by the Chief of Police

Information regarding organized crime gathered by Department personnel shall be forwarded to the Administrative Security Section.

### 4.3 DEPARTMENT PSYCHOLOGIST

#### Long Beach Police Department Psychologist

The Police Psychologist is a member of the Chief of Police staff and reports directly to the Chief.

#### 4.3.1 REQUIREMENTS FOR THE DEPARTMENT PSYCHOLOGIST

- Education: Doctorate Degree in psychology
- Current Professional License: California Department of Consumer Affairs, Board of Psychology
- At least five years of postgraduate experience in the diagnosis and treatment of emotional and mental disorders (per POST Administrative Manual – Commission Procedure C-2)
- At least three years working in a psychological capacity with a police department with experience in screening, counseling and consulting with employees
- Professional psychological education, training and experience in both clinical and social/organizational psychology

#### 4.3.2 DUTIES

The five major duties of the Department Psychologist include:

- **Psychological Screening** for police recruits, reserve officers, lateral police officers, Marine Patrol Security Officers, communication dispatchers; CCW applicants, and under contract or other agreement for the Long Beach Fire Department; Parks, Recreation and Marine Department, Harbor Department, Long Beach City College and Long Beach Unified School District
- **Psychological Counseling** for Department employees and their family members. Coordination of the Department's Peer Support and Critical Incident Stress Debriefing Team and the "Proactive Peer Counseling Program" where employees who have experienced some kind of trauma are contacted. Liaison to the Chaplain's Program. Maintains links to mental health web sites from the Department website. Works with the Officer-Involved Shooting (OIS) Team to follow-up on officers and dispatchers involved in hit shootings
- **Organizational Consulting and Team Building** with supervisors, managers and chiefs. Meets weekly with the Chief and Deputy Chiefs, and the Internal Affairs commander to review personnel complaints. Member of the Employee Advisory Committee, the Strategic Plan Recommendations Committee and facilitates the Policy Steering Committee. Participates in the following Advisory Committees to the Chief of Police: Black, Hispanic, Asian, Gay and Lesbian, Youth, Chaplain, Medical and Chairpersons. Does formal consulting on a daily basis with supervisors and managers as requested. Consults with the Chief of Police on a frequent basis about the overall emotional and mental health of the Department
- **Conducts Training** with recruits, reserves, Civilian Police Academy participants, dispatchers, crime lab staff and others as requested. Serves on the Training Advisory

Committee with involvement in the Professional Development Institute at the Academy. Attends annual conferences of the following: California Psychological Association, American Psychological Association, International Association of Chiefs of Police and the California Peace Officers Association

- **Social and Behavioral Science Research** through the Academic Education and Action Research Advisory Committee to the Chief of Police. This committee is made up of several leaders in the Department as well as faculty members of universities and colleges in the Long Beach area. Encourages students, faculty members and employees to conduct research projects within the Department. Coordinates college student interns who review and distribute behavioral science research findings that can be applied in the Department. Provides research findings from literature, which are summarized and distributed through written "Research Updates" and Management Training Day programs

#### **4.4 EMPLOYEE TRANSFER SELECTION PROTOCOL**

Revised November 16, 2016

The Administration Bureau will have audit responsibility.

The purpose of this policy is to establish a uniform and fair procedure for the selection of employees desiring transfer to open positions within the Department. Transfer is defined as movement from one division to another, into the same classification in which the applicant is currently employed. For transfer purposes, the geographic patrol divisions shall be considered one division.

##### **4.4.1 PUBLISHING AN OPENING**

Revised November 16, 2016

Job openings shall be advertised via a Watch Report containing the following information:

- 1) Description of position duties (e.g., serving warrants, filing cases, staff work, etc.);
- 2) Description of working conditions (e.g., shift, hours, days off, holidays worked, skill pay, dress code, location, etc.);
- 3) Required (Minimum) and preferred qualifications (e.g., experience, education, training, language skills, etc.);
- 4) Filing deadline;
- 5) Resume submission deadline; and
- 6) Description of the selection process.

The Watch Report shall be distributed a minimum of two weeks prior to the beginning of the selection process.

##### **4.4.2 SELECTION PROCESS**

Revised November 16, 2016

Information gathered during the selection process shall be confidential. Those participating in the selection process shall be discreet in their handling and discussion of this information, as well as the decision making process.

In addition to an applicant's requirement to submit a resume, the selection process should include, but is not limited to:

- 1) Review of work performance evaluations;
- 2) Review of Internal Affairs history;
- 3) Discussion with current and past supervisors;
- 4) Interviews may be conducted;
- 5) Review of candidate's written work (previously filed reports, memorandums, etc.).

##### **4.4.2.1 RESUME SCREENING**

Revised November 16, 2016

A resume must be submitted by all applicants. This will allow for an initial resume screening, with the option of limiting interviews to the top qualified candidates. Before reviewing the resumes, the supervisor should ensure that the candidate meets the

required qualifications published in the Watch Report, followed the instructions to file for the position, and submitted a complete application packet in a timely manner. In the event interviews are scheduled, those candidates not selected to continue in the process shall be notified of this fact prior to the scheduling of interviews.

#### **4.4.2.2 SENIORITY**

Revised November 16, 2016

Seniority is a factor that should be taken into consideration when making a selection. Although seniority alone should not be the deciding factor, when all other strengths and qualifications are close or equal between two candidates, seniority may be used as the determining factor in selection.

#### **4.4.2.3 INTERVIEWS**

Revised November 16, 2016

No less than two persons shall conduct the interviews. It is preferred that at least one of the members of the interview panel be of higher rank and at least one should be from the division to which the candidate is applying. The same interviewers should be used for all interviews when possible. A standardized list of questions or scenarios will be utilized for all applicants.

#### **4.4.2.4 PROHIBITED AREAS OF INTERVIEW QUESTIONING**

Revised November 16, 2016

There are a number of areas an interviewer is prohibited from asking or referencing by law. These areas include the following:

- 1) Marital status or children (e.g., divorced, pregnant, childcare issues, etc.);
- 2) Hobbies, interests and outside activities;
- 3) Physical or mental disability (including workers' compensation issues);
- 4) Legally protected status (i.e., race, religion, age, ancestry, gender or sexual orientation);
- 5) Union activity, grievances or other legally protected complaints, and
- 6) Any other question that falls outside the scope of evaluating the candidate's skills, knowledge and abilities to perform the duties of the position for which he or she applied.

#### **4.4.2.5 SELECTION**

Revised November 16, 2016

The commander of the detail with the job opening shall contact the selected candidate's commander and determine a suitable date for transfer and complete a Change of Assignment form with the agreed upon date. The Change of Assignment form will then be forwarded to the Commander's Bureau Chief, who will ultimately forward it to the Chief of Police. No transfers will take place until the Chief of Police has signed the Change of Assignment.

#### **4.4.2.6 CANDIDATE NOTIFICATION AND TRANSFER**

Revised November 16, 2016

Under no circumstances shall any of the interviewed applicants be advised of who was or was not selected until the Chief of Police has signed the Change of Assignment form. Once the Chief of Police has signed the Change of Assignment form, the division with the job opening shall notify the selected candidate and advise him or her of the date of transfer. It will be the responsibility of the receiving detail to ensure the selected candidate has all necessary information and equipment to make the transition smooth and efficient.

The Detail with the job opening shall also be responsible for notifying candidates that were not chosen of their non-selection. Non-selected candidates will have the opportunity to discuss the selection process further.

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## **6 ADMINISTRATION**

### **6.1 COMMUNITY RELATIONS**

#### **6.1.1 MEDIA RELATIONS POLICY & PROCEDURES**

Revised March 2008

The Department shall seek to establish a cooperative relationship with the media. The basis of that relationship shall be the timely provision of information in a manner that does not impede Department operations. Department employees shall cooperate with members of the press by providing accurate and timely information on newsworthy events.

The PIO shall assume primary responsibility for coordinating and maintaining communication between the Department and the media. All Department personnel are responsible for complying with the outlined procedures below.

##### **6.1.1.1 MEDIA ACCESS TO REPORTS & INFORMATION**

Revised March 2008

- The media may review the Booking Log maintained in the Records Division. Juvenile information, however, shall not be accessible
- When requested, members of the media shall be permitted to review Arrest and Crime Reports in accordance with §6254(F), Government Code. All requests received per 6254(F), Government Code shall be forwarded to the Department's Custodian of Records. Excluded from review shall be investigative follow-up reports and reports of a sensitive nature. Either the on-duty records supervisor or the investigator of the case shall approve all such requests
- Media members shall not be provided or permitted to make duplicate copies of reports
- Media members requesting more detailed information relative to a crime or unusual occurrence should be referred to the Media Relations Office during business hours. Requests during non-business hours should be referred to the Business Desk at 570-7236 who will issue the pager number of the on-call Public Information Officer (PIO)

##### **6.1.1.2 RELEASE OF LAW ENFORCEMENT INFORMATION**

Revised March 2008

[See Special Order – Public Records Act Request 12-27-18](#)

**§6254(F)** of the California Government Code requires that certain information be made available to the public.

**Any of the following information shall be released to the public, except to the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation or a related investigation:**

- Time, circumstance, and location of all complaints or requests for assistance



- Time and nature of police response including the extent that such information is recorded
- Time, date, and hundred block of location (except in sexual assaults)
- Victim age and city of residence
- The factual circumstances surrounding the crime or incident
- General description of:
  - Injuries involved
  - Weapons involved
  - Property involved

**NOTE:** The name of a victim of any crime defined by §261, 264, 264.1, 273(a), 273(d), 286, 288, 288(a) or 289 of the Penal Code may be withheld at the victim's request, or at the request of the victim's parent or guardian if the victim is a minor.

### **Crime Reports may be released to:**

- The victim of the incident
- An authorized representative of the victim (attorney or victim's designee)
- An insurance carrier against which a claim has been or may be made
- An individual suffering bodily or property damage as a result of the incident
- Categories of crime reports subject to release under this section are: Arson, Burglary, Fire, Explosion, Robbery, Vehicle theft, Crimes of violence, Vandalism, Larceny

**NOTE:** In some cases, certain information is not released such as information from an informant and conclusions of the investigating officer.

### **Arrest Reports**

The following information shall be made public:

- The full name, current address, and occupation of every person arrested. **Detailed information on name, date of birth, exact address, and booking number of juvenile offenders shall not be disclosed, except for age, gender, and city of residence**
- The arrestee's physical description including:
  - Date of birth
  - Sex
  - Height
  - Weight
  - Color of eyes & hair
- Date and time of arrest
- Date and time of booking
- Location of arrest
- Factual circumstances surrounding arrest
- Amount of bail set
- Time and manner of release or location where the arrestee is being held

- Probation/parole holds

**NOTE:** Nothing in 6254(F) of the California Government Code (CGC) requires the release of information by which a juvenile offender's identity may be disclosed. **Juvenile information can only be obtained through the Superior Court juvenile system.**

### **Traffic Accidents ([20012 CVC](#))**

- Traffic Accident Reports may be released to an involved party, insurance carrier, or the attorney of the involved party to the accident. Involved parties include the drivers of the vehicles, registered or legal owner, passengers, witnesses, or anyone who has sustained property loss or injury as a result of the accident. The opinions and conclusions of the officer **will not** be released. Release of fatality, hit and run, or City Property Damage Reports requires prior approval of the Accident Investigation Detail. Traffic Accident Reports need not be stamped with the "Confidential" warning stamp.

**Prior to releasing information, approval shall be obtained from one of the following individuals:**

- The investigator in charge of the crime scene or investigation
- PIO at the scene
- Incident Commander

The Investigator in charge and the Public Information Officer shall work together to determine what information may be released without jeopardizing the ongoing investigation.

**Department personnel shall NOT release the following information:**

- Information that could jeopardize the safety of victims, witnesses, or suspects
- Information that may hinder an investigation or interfere with the successful apprehension and prosecution of the suspect(s)
- Information/reports regarding incidents/investigations of a sensitive nature
- Observations about an accused's character
- Statements, admissions, confessions, or alibis attributable to the accused, or the refusal or failure of the accused to make a statement
- Information regarding the performance of an examination or test, or the accused's failure or refusal to submit to an examination or test
- Statements concerning the identity, address, testimony or credibility of prospective witnesses
- Opinion as to the accused's guilt or speculation concerning his/her possible plea to criminal charges
- Information concerning an accused's prior criminal record
- The name or address of any victim of a sex offense. It is sufficient to provide the age and sex of the victim and the general vicinity of the occurrence

- The name or address of any victim of a crime where a substantial possibility of retaliation exists
- The identification of individuals under the age of 18 who are suspects or victims in an investigation or who are taken into custody. It is sufficient to provide the age and sex of the individual
- Information concerning an Internal Affairs investigation without the authorization of a Bureau Chief or higher ranking officer
- Information concerning the amount of loss resulting from a theft, burglary or robbery or other information that may lead to a recurrence of a particular crime
- Information relative to the cause of death, identity of the victim or other specific facts of an investigation such as the location of a wound and statements of witnesses
- Information relative to an officer-involved shooting without prior authorization by the on-call homicide team supervisor, or Chief of Police
- Information relative to a homicide prior to a formal press release or authorization by the on-call homicide team supervisor, Bureau Chief or higher ranking officer
- Information regarding another law enforcement or other government agency's investigation or suspect without that agency's approval

#### **6.1.1.3 PROCEDURES FOR RELEASE OF INFORMATION TO THE PUBLIC AND MEDIA**

Revised March 2008

The Department shall release information to the public, when requested, in writing on the Report Receipt/Application for Release of Report form, PD 2300.003 or written CPRA request, in accordance with 6254(F) of the Government Code. Complete copies of all reports will not be routinely available. The Records Administrator, and/or his/her designee shall approve all such requests with concurrence of the Investigator.

#### **Crime Reports & Arrest Reports**

- Citizens desiring to purchase a copy of a report will be required to complete a Report Receipt/Request for Release of Report (PD form 2310.003) and submit the appropriate fees (6257 GC). The report will be sent to the investigator handling the case for review and approval
- Upon approval of release, the Records Division will mail the report. All Crime and Arrest Reports will be stamped with the "Confidential" warning stamp
- Only arrested individuals or their attorneys may purchase copies of the arrests reports, if approved by the investigating officers. If litigation is pending in Court, they should be referred to the City Prosecutor or District Attorney's Office or City Attorney for complete copies of the reports. Subpoena Duces Tecum will be accepted via the Department's Court Affairs Office
- Booking Log – The Records Division will maintain this log for the press and the public to review. The booking log report will be run once per week on Tuesday. Juvenile information will not be included in the report

#### **Dispatch Printouts & Tapes**

- **Dispatch Tapes** – Citizens requesting copies of dispatch tapes will be required to submit a Subpoena Duces Tecum to the Court Affairs Office. This request will be forwarded to the Custodian of Records for further processing (a fee may be charged)
- **Dispatch Printouts** – Citizens requesting dispatch printouts must present a Subpoena Duces Tecum or CPRA request. This request will be forwarded to the Custodian of Records for further processing (a fee may be charged)

### **Records Division Responsibilities**

- Records Division personnel will complete all file searches. The Records Division will not interpret or summarize reports for interested parties
- Any file pulled will be referred to the investigator in charge, or in his/her absence, the investigative detail sergeant. Any information released will be logged out in the front of the jacket
- Citizens desiring to purchase a copy of a report will be required to complete a Report Receipt/Application for Release of Report, PD form 2310.003, and submit it to the Records Division with the appropriate fees
- The Records Division will notify the assigned investigator of the request. After approval, the report will be mailed. Reports will not be released over the counter unless approved by a Senior Records Clerk and/or the Watch Commander
- Telephone requests from citizens, attorneys or insurance companies for copies of reports will not be accepted

### **The following items will not be released:**

- Local or State Criminal History (Show-up)
- Booking Photograph (Bail bonds personnel may receive a photo with the name, Booking Number and date portion cut-off)
- Investigation follow-up reports
- Fingerprint Cards
- Suspect information (i.e., name, vehicle license number) except as specifically authorized by the Chief of Police or his designee

### **Sexual Assault Incidents**

Investigations Bureau personnel shall notify the Media Relations Detail in a timely manner and assist in creating a news release regarding sexual assault cases in which the following circumstances exist:

- In any case where the Lead Investigator and/or the Detail Supervisor determines that notification could assist with the investigation and/or alert the public of potential danger
- When several cases exist that may be linked by modus operandi (MO) or other evidence as having been committed by the same suspect

In accordance with §6254 of the Government Code, information that could endanger the successful completion of any investigation or endanger a person's safety shall not be released. If the Lead Investigator or Detail Supervisor determines that notification to the public could be detrimental to the case, the Division Commander and Media Relations shall be notified.

The following criteria shall be used in the preparation of Public Information News Releases with the understanding that the identity of sex crimes victims are to be protected in accordance with [§293 of the Penal Code](#):

- The name, address or date of birth of victim(s) shall **NOT** be revealed
- To further protect the victim's identity, the relationship between the victim and suspect shall **NOT** be revealed (e.g. son, daughter, wife, etc....)
- A major intersection or commonly known area shall designate the location of the crime(s), **NOT** the specific address or hundred block of a particular street
- Witness identities shall **NOT** be revealed
- Criminal Information Bulletins (CIB) distributed to police personnel are confidential and shall **NOT** be released to the media or public
- A Public Information Bulletin (PIB) may be distributed to the community

### **Officer Involved Shootings**

The on-call PIO will coordinate logistics with all media representatives. Preliminary information such as acknowledgement of the incident and general call information (i.e. time, type of call, location) will be released at the PIO's discretion. A member of the Command Staff, the Incident Commander, the Lead Investigator, or the PIO may give a formal statement to the media.

The PIO will prepare a News Release and obtain final approval from the OIS Supervisor or their designee, prior to its release.

In situations where there is an administrative review of an officer's actions, such as an Internal Affairs review, a Shooting/In-Custody Death Review Board, or an Accident Review Board, the officer's name will not be released to the media absent his/her consent.

#### **6.1.1.4 MEDIA ACCESS TO INCIDENT SCENES**

Revised March 2008

Officers shall notify the Incident Commander when the media is on-scene. The media representatives should be directed to an established staging area determined by the officer, Incident Commander, or PIO. The Incident Commander shall notify the on-scene PIO or the on-call PIO. All media shall be given equal access to information and locations. If necessary, a media pool will be established.

**NOTE:** The media is not required to respond to or remain at the media staging area. They shall have freedom of movement outside the perimeter, just as the general public would.

If a conflict develops between department personnel and the media, or a member of the media is detained or arrested, a supervisor and/or the on-scene or on-call PIO shall be notified immediately.

Media members shall present media credentials issued by the Los Angeles County Sheriff's Department, the Los Angeles Police Department, the Orange County Sheriff's

Department, or any other law enforcement agency upon request at a crime scene or incident location.

## **CRIME SCENES**

Media access to crime scenes must be restricted. The media does not have right of access past the inner perimeter of the crime scene tape. With permission of the Lead Investigator or the Incident Commander, the media may be allowed past the outer perimeter tape, while on the outside of the inner crime scene tape. If possible, the Incident Commander or on-scene PIO should facilitate. The media must be allowed access to any public areas where the general public has freedom of movement.

The media does not have access to operational areas that are part of crime scenes (i.e. Command Posts – Patrol, SWAT and Fire). The media cannot interfere with areas of operation where rescue and recovery are taking place, and areas where police and fire equipment is set up. The media must obtain permission from the property owner in order to access areas of private property.

## **TRAFFIC ACCIDENTS**

The media does not have access to the inner perimeter of crime scenes (including traffic fatalities, 20001's, 20002's, 23152's, and termination areas of pursuits). The media does have access to areas where the general public has freedom of movement. They can access areas of minor injury and non-injury accidents as long as there is no interference with emergency operations and equipment.

## **DISASTER SCENES**

Penal Code section 409.5(d) allows duly authorized members of the media access to areas closed to the general public. Areas include those closed due to riot, fire, flood, earthquake and other disasters. At the scene of a disaster, news media personnel must act in a responsible manner and their actions may not interfere with public safety efforts. This section does not allow media access to Command Posts (i.e. Patrol, SWAT, and Fire) and/or operational areas. Safety cannot be the basis for excluding access to a disaster scene.

If an officer comes into contact with media personnel entering a disaster area, the officer shall advise the media of any safety hazards and shall request that the Communications Center document the advisal, and the media representatives name and station in the call history.

### **6.1.1.5 NOTIFICATIONS TO PUBLIC INFORMATION OFFICER**

Revised March 2008

The Critical Incident Notification Guide shall be followed for notification to the PIO. In addition, it is the Incident Commander's responsibility to notify the on-call PIO if any of the following occur:

## Telephone Notification

- Media on-scene requesting interview with PIO, Incident Commander, or Supervisor
- Incident or arrest that has potential to become high profile
- Conflict between media and department personnel
- Media representative is detained or arrested

## Watch Commander Log Entry

- Media responds to an incident (no interview requested, general information provided)

### 6.1.1.6 DEPARTMENT EMPLOYEE COMMUNICATION WITH MEDIA

Revised March 2008

All Department employees must obtain prior approval from the Office of the Chief of Police before representing themselves as an employee of the Long Beach Police Department to any media outlet/publication (i.e. Letter to the Editor, articles in print publications, TV/cable shows, internet sites, and radio broadcasts). This includes the release or posting of any photograph/video of any department employee or event.

### 6.1.1.7 DEPARTMENT DISCLAIMER STATEMENT

Revised March 2008

Employees responsible for the preparation and issuance of initial memoranda relative to press releases, unusual occurrences and officer-involved shootings (hit and no-hit), shall always include the following disclaimer:

- “The following information is preliminary and has not been completely confirmed. The information is based, in part, on hearsay and is intended for early informational use rather than as a formal investigative report.”

The disclaimer statement shall be stamped at the beginning of all transmittals disseminated regarding press releases, unusual occurrences and officer involved shootings.

Disclaimer stamps will be located in the Accident Investigation Detail and the Homicide Detail.

### 6.1.2 RELEASE OF CRIMINAL STATISTICS TO THE PUBLIC

Revised November 8, 2017

Information contained in the monthly statistical report may be released to the general public. The following reports are available at the Long Beach Main Library:

- Reported Crime Monthly, Quarterly and Annual

To release criminal statistics or other crime information for a specific address or area, employees shall adhere to the following procedures:

#### **6.1.2.1 RELEASE OF CRIMINAL STATISTICS – COMMUNITY ENGAGEMENT**

Revised November 8, 2017

- Requests for reports compiled for the City Council should be referred to the Library.
- The Community Relations Division may release information to the public by reporting district only. Requests may be made in person, by telephone, or in writing, and are limited to one month's worth of one reporting districts' statistics. Requests for multiple reporting districts or multiple month statistics should be directed to the Library.
- If information is requested for a specific address, or for crime information not contained in the monthly Statistical Report, or by reporting district, a letter for the request shall be submitted to the Chief of Police. Upon approval, the Chief of Police may charge the requesting party the actual cost of collecting and duplicating the data prior to the release of information per City policy.

#### **6.1.2.2 RELEASE OF CRIMINAL STATISTICS – CRIME ANALYSIS UNIT**

Revised November 8, 2017

- All non-law enforcement requests for criminal statistics will be directed to the Office of the Chief of Police for approval.
- Upon approval by the Chief of Police, the Crime Analysis Unit will process the request and return to the Chief's Office.
- Only criminal statistical information and reports approved by the Office of the Chief of Police may be released to the public from the Crime Analysis Unit. The Chain of command shall be strictly adhered to with these reports.

#### **6.1.5 SEXUAL ASSAULT - MEDIA POLICY**

Revised: August 5, 2002

Audit Responsibility Administration Bureau

Investigations Bureau personnel shall notify the Community Relations Public Information Detail in a timely manner and assist in creating a Press Release regarding sexual assault cases in which the following circumstances exist:

- In any case where the Lead Investigator and/or the Detail Supervisor determines that notification could assist with the investigation and/or alert the public of potential danger
- When two or more cases exist which may be linked by modus operandi (MO) or other evidence as having been committed by the same suspect
- In accordance with §6254 of the Government Code, information that could endanger the successful completion of any investigation or endanger a person's safety shall NOT be released. If the Lead Investigator or Detail Supervisor determines that notification to the public could be detrimental or dangerous, the Division Commander shall be notified.



The following criteria shall be used in the preparation of Public Information Press Releases with the understanding that the identity of sex crimes victims are to be protected in accordance with §293 of the Penal Code:

- The name, address or date of birth of victim(s) shall NOT be revealed
- To further protect the victim's identity, the relationship between the victim and suspect shall NOT be revealed (e.g. son, daughter, wife, etc.)
- A major intersection or commonly known area shall designate the location of the crime(s), NOT the specific address or hundred block of a particular street
- Witness identities shall NOT be revealed
- Criminal Information Bulletins (CIB) distributed to police personnel are confidential and shall NOT be released to the media or public

### **6.1.7 CHAPLAINCY PROGRAM**

The Long Beach Department Chaplain's Advisory Group is one of several advisory groups that report directly to the Chief of Police. The Chaplains Group is open to all denominations. Members must conform to the by-laws, which in part require that Chaplain responsibilities be discharged in a non-sectarian manner, and that they refrain from unsolicited proselytizing.

The mission of the Police Chief's Chaplain's Advisory Group is to function as a liaison between the Long Beach Police Department and the community in which they serve. The goals of this committee include, but are not limited to:

- Counseling employees of the Police Department and their families
- Providing assistance to victims as part of a Crisis Response Team
- Advise and assist the members of the Police Department to recognize differences in the community that may affect the timely and effective enforcement of the laws

#### **Executive Committee**

- An Executive Committee comprised of six clergy from a variety of religious affiliations shall be formed from members of the Chaplain's Advisory Group. The Chief of Police will approve all members. The Executive Committee shall recruit Chaplains and promote the program throughout the community
- A thorough background investigation will be conducted on each prospective Chaplain

#### **Call Out Procedures**

- Chaplains will be indexed in the Communications Division Watch Commander's Call out Book. A current list will be maintained identifying each Chaplain's contact number and religious affiliation. Police employees should advise the Communications Center when a Chaplain is needed and Communications personnel will make the necessary notifications
- The on-call Chaplain will be notified by paging the 24-hour Alpha Numeric pager which is indexed in the call out book

- All Chaplains responding to a crime scene will promptly report to the Incident Command Post/Incident Commander to receive further instructions
- Patrol Assignments
- Chaplains will participate in patrol assignments with police officers. A minimum of one 10-hour shift per month is required and must be scheduled in cooperation with each divisional patrol scheduling sergeant
- Chaplains will pursue and participate in relevant training in order to maintain and advance their skill level

#### **6.1.8 COMMENDATIONS BOARD**

The Commendations Board shall be comprised of 10 Civilian Executive Committee members. The Chief of Police shall appoint these committee members and they serve at his discretion. Commendation Board members shall appoint a Chairperson from among its members who will preside over the selection process. The Commanding Officer of the Community Relations Division shall be Co-Chairperson of the Board and serve as the Department's liaison to the Board. The Chief of Police shall make the final award selections.

The Commendations Board shall convene during the second week of November each year to consider recommendations for commendations. All members of the Commendations Board shall classify police and citizen recommendations for commendations.

The Board shall determine by majority vote whether the reported act is within one of the following award categories:

- Medal of Honor
- Medal of Valor
- Meritorious Award – Class A
- Meritorious Award – Class B
- Meritorious Award – Class C
- Citation to a Citizen

After the Commendations Board has made its initial selections, a Director of the Long Beach Police Officers' Association (selected by the POA President) shall review the Board's selections and recommend changes, if necessary. These recommendations shall be considered by the Board, but will not be binding.

The final decisions of the Commendations Board shall be reviewed and the Chief of Police shall make final approval of award recipients. The Chief of Police shall present these awards at the Annual Awards Banquet.

#### **6.1.9 COMMENDATIONS – ADMINISTRATION OF THE PROGRAM**

The Department shall promote and administer a continuous program recognizing officers and other City employees who have performed acts of meritorious service or accomplishment.

To obtain maximum benefit from the Commendations Awards Program and to ensure all meritorious are promptly and properly recognized, all levels of command and supervision shall understand its importance.

#### **6.1.9.1 OFFICER AWARDS**

An officer of the Long Beach Police Department or a Long Beach Police Department Reserve Officer is eligible to receive the following meritorious awards: Medal of Valor, Purple Heart Award, Meritorious Award Class A, Meritorious Award Class B and Meritorious Award Class C.

#### **6.1.9.2 MEDAL OF HONOR**

The award shall be presented to the family of any officer killed in the line of duty.

#### **6.1.9.3 MEDAL OF VALOR**

This award is presented to an officer for an extraordinary act of heroism extending above and beyond the normal demands of police service. The award is also presented for police service performed at great risk to the officer's life or safety in an effort to preserve human life, whether in an on-duty or off-duty status.

"Above and beyond the normal demands of police service" is defined to include ALL of the following:

- Outstanding bravery above and beyond that which is normally expected
- Failure to take such action would not be deemed a dereliction of duty
- Threat to the officer's life existed, and the officer had sufficient time to evaluate the threat
- The objective is of sufficient importance to justify the risk
- The officer accomplished the objective or was prevented from doing so by incurring a disabling injury or by circumstances beyond the officer's control

#### **6.1.9.4 PURPLE HEART AWARD**

Any employee of this Department, as well as any private individual, may submit a written recommendation to the Commendations Board nominating a police officer to receive a Purple Heart Award.

Nominees must meet the following standards in order to qualify as a recipient of the Purple Heart Award:

- The officer must have been a member of this Department at the time of the incident
- The officer must have been injured while on-duty, or if off-duty, he/she must have placed themselves in an on-duty status by taking action as a law enforcement officer
- The injured officer's actions at the time of the injury must have been directly related to a law enforcement function
- The officer must have sustained a significant physical injury
- Eligibility is determined by the Commendations Board, based on the officer's actions as applied to the aforementioned criteria.

All Purple Heart Awards will be awarded at the Department's Annual Awards Banquet.

Officers are encouraged to wear their awards as part of their uniform.

#### **6.1.9.5 MERITORIOUS AWARD – CLASS A**

This award is presented for an act of heroism by an officer extending above and beyond the normal demands of police service performed at great risk to the officer's safety in an effort to preserve human life.

#### **6.1.9.6 MERITORIOUS AWARD – CLASS B**

This award is presented for an act of heroism by an officer extending above and beyond the normal demands of police service or a service performed at great personal risk.

#### **6.1.9.7 MERITORIOUS AWARD – CLASS C**

This award is presented for the performance of an act, or acts over a period of time, under conditions where bravery or other outstanding performance of duty is involved but which is not above and beyond the normal demands of police service.

#### **6.1.9.8 REVIEW BY CITY MANAGER**

The City Manager will review recommendations received from the Chief of Police and may authorize the award of the Medal of Valor presented at the Annual Awards Banquet.

#### **6.1.9.9 WEARING OF AWARDS**

Officers authorized to wear the Medal of Valor and the Meritorious Awards Classes A, B, or C, shall be encouraged to do so when in uniform.

#### **6.1.9.10 PERSONNEL RECORD**

The record of any member or employee having received awards described shall be placed in the recipient's personnel jacket.

#### **6.1.10 CERTIFICATE OF COMMUNITY SERVICE**

This award is presented to private citizens or City employees for performance of the following:

- An act of bravery aiding, or attempting to aid, a private individual or officer of this Department
- An act where necessary assistance is rendered to save the life of a private citizen or an officer of this Department
- Outstanding assistance rendered to the community or Department

#### **6.1.11 EMPLOYEE RECOGNITION PROGRAM**

The intent of the Employee Recognition Program is to identify and acknowledge exemplary performance by sworn and civilian employees. It is designed to be an on-going program by which the Department identifies individuals for employee of the quarter and year.

##### **Selection Criteria**

The following criteria should be considered when evaluating nominees for employee recognition:

- Nominee holds a sworn or non-sworn position below the rank of lieutenant
- Maintains a consistently high level of work performance
- Maintains a consistently high degree of initiative and job interest
- Takes complete responsibility for work assignments
- Demonstrates a positive attitude
- Demonstrates a high degree of dependability
- Provides informal leadership by continually setting a good example
- Learns from experience and is responsive to training
- Understands and practices a fair work ethic
- Looks for opportunities to improve our organization and communicates positive suggestions
- Possesses a high degree of personal integrity
- Maintains a professional appearance
- Exhibits responsiveness

##### **Nomination Procedures**

Any member of the Department may nominate an individual for consideration by their respective Bureau's Employee Recognition Committee by completing PD form 1000.025. The completed form shall be forwarded to their Bureau Chief who will retain it until the next meeting of the Bureau's Recognition Committee. Upon convening of the committee, all current nominations shall be reviewed and acted upon.

##### **Employee Recognition Committee**

### **Selection Procedures**

Each Bureau Chief shall establish an Employee Recognition Committee shall be chaired by a Commanding Officer. No less than two peer members shall be assigned to the committee and the committee size shall not exceed five members.

The committee shall meet quarterly and shall review all nominations from their Bureau. A report shall be immediately forwarded to the Bureau Chief articulating the recommendation of individual(s) for recognition. The committee shall have the latitude to indicate in their report that no employee will be recommended for the evaluation period. The committee recommendations shall be forwarded to the Chief of Police after approval by the Bureau Chief and after the employee has been appropriately acknowledged.

Annually, the Department shall identify an Employee of the Year. The selection of this individual shall be accomplished in the following manner:

- Each Bureau Committee shall make a recommendation for Employee of the Year and forward it to their respective Bureau Chief
- Upon approval, the Bureau Chief shall forward their Bureau's recommendations to the Commander, Community Relations Division. Recommendations shall be due to Community Relations, no later than October 10th of each year
- The Deputy Chief of the Administration Bureau shall compile the recommendations and present to the Bureau Chief's at a Deputy Chief's meeting. The Bureau Chiefs shall come to consensus on a selection
- The Commander, Community Relations Division, shall draft a report and forward it to the Chief of Police by November 20th of each year for final approval
- Quarterly selections shall be forwarded to the Chief of Police as follows:

January – March	due April 10
April – June	due July 10
July – September	due October 10
October – December	due January 10

### **Recognition**

It shall be the responsibility of each Bureau Chief to provide suitable recognition for their employees. The form of recognition should be commensurate with the level of achievement. All selectees shall receive a letter of commendation signed by the Chief of Police, in addition to any other form of recognition. Display of photographs will be at the discretion of the awardees.

The Bureau Chief shall also ensure that all Department employees are made aware of their Bureau's awardees. If appropriate, they shall also be responsible for press releases.

#### **6.1.12 PROCEDURE FOR SUBMITTING SUGGESTIONS**

Employees shall submit their suggestions to their immediate supervisors. The supervisor shall review the report and forward it to the employee's commanding officer. The

concerned commanding officer shall review the suggestion and complete an evaluation and recommendation to the Commendations Board.

### **6.1.13 BULLETIN BOARDS – PUBLIC SAFETY BUILDING**

No information will be posted or displayed anywhere in the Public Safety Building except on Departmental bulletin boards. Do not use walls and glass windows for posting

- “For Sale” information will be posted on bulletin boards located in the basement area only, not on the other floors of the building
- “For Sale” information posted in the basement area will be removed after two weeks
- All building bulletin boards may be used for Department and social notices
- All posted information shall display a posting date. Information not having a date will be removed immediately
- The Community Relations Division will have the responsibility for monitoring the bulletin boards and ensuring compliance

Department bulletin boards have been placed in the following locations:

- Basement
- 1st floor
- 2nd floor
- 3rd floor
- 4th floor

Any complaints or suggestion regarding the use of these bulletin boards should be forwarded to the Community Relations Division.

## **6.2 COURT AFFAIRS**

Revised July 11, 2013  
The Support Bureau has audit responsibility.

Only Court Affairs may accept a subpoena duces tecum or a summons intended for service on department employees. Court Affairs will forward the subpoena or summons to the LBPB Custodian of Records.

### **6.2.1 SUBPOENAS AND SUMMONSES**

Revised July 11, 2013

A summons is a document served on an employee informing them that they are being civilly sued. If an employee receives a summons for a civil action brought against them for an act or action while in the performance of their duties, they shall immediately contact the City Attorney's Office for the purpose of obtaining legal representation.

A subpoena is a writ by a government agency that has authority to compel testimony or the production of evidence under penalty for failure.

#### **6.2.1.1 ACCEPTANCE OF SUBPOENAS AND SUMMONSES**

Revised July 11, 2013

All entities delivering subpoenas to the Department must submit them to Court Affairs at least five days prior to the scheduled court date. Court Affairs will enter any received subpoena or summons into the Electronic Subpoena Service System for service to the involved employee.

Court Affairs shall accept all timely civil subpoenas that exhibit a court case number, date, time and location. Depending on the information requested, Court Affairs may charge the serving party a fee. The fee shall be received prior to the acceptance of a subpoena.

Business representatives wishing to serve a subpoena or summons shall be directed to Court Affairs, during normal business hours. Representatives attempting to serve a subpoena or summons after normal hours or on a holiday shall be directed to return to Court Affairs on the next scheduled business day during normal business hours.

Subpoenas received via USPS mail, teletype or fax shall be forwarded to Court Affairs for processing. In the event a subpoena is inadvertently mailed to a substation; the employee shall immediately forward the subpoena to Court Affairs.

#### **6.2.1.2 ELECTRONIC SUBPOENA SERVICE PROCEDURE**

Revised July 11, 2013

Court Affairs shall enter every subpoena they receive into the Court Affairs Electronic Subpoena System. Employees will log into the system and enter their department ID number to accept their individual subpoenas. Employees must check the Court Affairs



Electronic Subpoena Service System on each of their workdays. Employees shall respond to all subpoenas served on them ordering their presence in court.

### **6.2.1.3 REFUSAL OF SERVICE**

Revised July 11, 2013

An employee may refuse subpoena service for the following reasons:

- If a subpoena is entered into the Court Affairs Electronic Subpoena Service System with less than five working days of the court hearing, it shall be considered untimely; however, this does not preclude the employee from accepting service if they are on a normal workday or are otherwise able to attend.
- Employees on approved vacations, holidays, or overtime days off may be able to refuse subpoena service if they have forwarded an approved copy of the time off request to the Court Affairs Office in a timely manner. Court Affairs must receive an approved vacation request at least 14 days prior to a vacation. They must receive an approved copy of a holiday or overtime day off request at least 7 days prior. **Note:** Employees must honor all subpoenas received prior to the submission of a vacation, holiday, or overtime day off request. Employees shall contact the Court Affairs Sergeant if a conflict arises.
- Employees assigned to training on scheduled court appearance days shall provide a memorandum to Court Affairs advising them of the length and location of the training assignment. The memorandum should be delivered to Court Affairs at least one workweek prior to the training class.
- Employees who are military reservists and ordered to active duty shall provide Court Affairs with a memorandum advising of the length, duty location, and return to work date no later than one workweek prior to their activation date.
- Employees who are physically unable to attend court due to illness or injury shall notify Court Affairs as soon as possible. The Personnel Division will notify Court Affairs of all employees who are IOD. Employees who are IOD, but in a light-duty work status are still required to accept and honor all served subpoenas.

### **6.2.2 COURT APPEARANCES**

Revised July 11, 2013

When required by subpoena, ordered by a commanding officer or court liaison officer, attendance at a court or quasi-judicial hearing is considered an official duty assignment. Failure to appear in court on the date and time ordered, without good cause, may result in court-mandated or department action.

Employees shall receive overtime compensation for court in accordance with the most current Memorandum of Understanding from their respective bargaining unit. Employees are responsible for monitoring their court cases through adjudication.

An employee who receives a subpoena to testify for the defense, against the City, or against the Department in any trial or hearing, shall notify their Division Commander as soon as possible. The employee shall notify Court Affairs if the subpoena was received outside of the Electronic Subpoena Service System.

**6.2.2.1 CONDUCT IN COURT**

Revised July 11, 2013

While in court, employees shall avoid mannerisms that might imply disrespect to the Court, such as: reading, talking, texting or using cell phones, eating, drinking, chewing gum, wearing hats or sunglasses, or sleeping.

**6.2.3 QUASI-JUDICIAL HEARINGS**

Revised July 11, 2013

Employees may be required to attend quasi-judicial hearings to provide testimony concerning their actions, observations or activities. Court Affairs will enter all quasi-judicial hearings into the Electronic Subpoena Service System. Employees shall conform to the same standards of conduct and procedures pertaining to all other court appearances.

Quasi-judicial hearings include:

- Parole hearings
- Probation hearings
- Department of Motor Vehicles hearings
- Alcohol Beverage Control hearings
- Civil Service hearings
- Depositions

**6.2.4 COURT CALENDAR**

Revised July 11, 2013

Court Affairs shall display one copy of the court calendar outside of the Court Affairs Office and distribute two copies of the court calendar to the Public Safety Building Business Desk. Each Division is responsible for printing and displaying the calendar for employees to view. Court calendars are only valid for the next-court day if printed after 1800 hours.

**6.3 AUTOMATED LICENSE PLATE RECOGNITION (ALPR)**

Revised April 18, 2023

The Strategic Initiatives Bureau shall review this policy on a two-year review cycle.

Reviewed April 18, 2023

### **6.3.1 ALPR PURPOSE AND SCOPE**

Revised April 18, 2023

The Long Beach Police Department utilizes automated license plate reader (ALPR) cameras, technology, and supporting software to gather and analyze data to enable the rapid identification and location of vehicles for official law enforcement purposes. ALPR cameras are attached to vehicles or at fixed locations, where they collect license plate information from vehicles in public view.

### **6.3.2 DEFINITIONS**

Revised April 18, 2023

**Hit** – A read matched to a license plate that has previously been registered on an agency's lists of license plates related to stolen vehicles, wanted vehicles, or other factors supporting investigation, or which has been manually registered by a user for further investigation.

**Read** – Digital images of license plates and vehicles, and associated metadata (e.g., date, time, and geographic coordinates associated with the vehicle image capture) that are captured by the ALPR system.

### **6.3.3 AUTHORIZED USE OF ALPR DATA**

Revised April 18, 2023

The ALPR system and the recording of ALPR data shall only be retained, accessed, and used for the following official law enforcement purposes:

- Locate stolen, wanted, and or other vehicles that are the subject of investigation
- Assist in apprehending wanted persons
- Assist in locating victims and missing persons, including in response to Amber Alerts and Silver Alerts
- Provide investigative leads to situational awareness operations and responses to cognizable threats to public safety
- Provide investigative leads for other law enforcement purposes as authorized by law

The LBPD has access to commercially collected ALPR data, which shall be treated in the same manner as LBPD ALPR data.

#### **6.3.3.1 RESTRICTIONS ON COLLECTION OF ALPR DATA AND USE OF ALPR SYSTEMS**

Revised April 18, 2023

ALPR units shall only be used to collect data that is within public view and shall not be used for monitoring individual activities protected by the First Amendment to the United States Constitution. It is the personal responsibility of all employees with access to ALPR data to take reasonable measures to protect the privacy and civil liberties of individuals, as well as the security and confidentiality of ALPR data.

ALPR operators shall visually confirm the license plate characters generated by the ALPR readers correspond with the digital image of the license plate in question. An ALPR hit alone does not constitute reasonable cause for detention. ALPR hits shall be verified through JDIC, CLETS or other official law enforcement sources. It is also important for ALPR operators to consider the time between the last update and the alert provided by the ALPR system.

#### **6.3.4 RETENTION OF ALPR DATA**

Revised April 18, 2023

ALPR records of vehicles having been identified and linked to a criminal investigation shall be retained in accordance with the applicable criminal statute of limitations. All other ALPR data collected by the LBPB shall be retained for 24 months.

#### **6.3.5 TRAINING**

Revised April 18, 2023

Only personnel trained in the use of the ALPR system, including its privacy and civil liberties protections, shall be authorized to access the ALPR system.

#### **6.3.6 COMPLIANCE REVIEW**

Revised April 18, 2023

Access to, and use of, ALPR data is logged for review purposes. Strategic Initiatives Bureau shall conduct ALPR system reviews quarterly and on request to supervisory personnel at the LBPB.

#### **6.3.7 DATA SHARING**

Revised April 18, 2023

ALPR data may be shared with other authorized and verified law enforcement officials and agencies for legitimate law enforcement purposes. Out of state and federal agencies will not have direct access to the Department's ALPR data. Requests from out of state or federal agencies for ALPR data must be reviewed and approved by the Special Investigations Division Commander to ensure it is not being used for immigration enforcement. All approved requests shall be forwarded to the Investigations Bureau.

##### **6.3.7.1 DISSEMINATION**

Revised April 18, 2023

ALPR data is for official use only. ALPR information shall not be sold, transferred or disseminated for personal gain or for any other non-law enforcement purpose.

ALPR data may be disseminated to owners and operators of critical infrastructure in circumstances where such infrastructure is reasonably believed to be the target of surveillance for the purpose of a terrorist attack or other criminal activity.

ALPR data shall not be disseminated to members of the public or news media, except in the following circumstances:

- 1) A public safety exception where the Department reasonably determines that an individual or vehicle poses a threat of substantial harm to the public.
  - a) Limited Release of Information – The release of ALPR data must be limited to information that could reasonably protect the public from the harm justifying the dissemination of the data.
- 2) ALPR images may be used in a photo line-up to further the particular criminal investigation for which the ALPR image was requested.

ALPR data is not open to public review. Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the applicable law.

## **6.4 ADMINISTRATION – RECORDS DIVISION**

### **6.4.1 POSSIBLE SUSPECTS ON CRIME REPORTS**

Possible suspects shall not be listed in the suspect on crime reports. This area is to be used only when information is obtained identifying a known suspect that could result in an arrest.

Possible suspects shall only be listed in the narrative portion of the report. Include all information leading to the identification of an individual as a possible suspect.

In order for a wanted felony vehicle to be entered into CLETS, the Detail Sergeant or detective assigned the case shall notify Auto records. The following information will be required for the entry:

- Vehicle license number (VIN)
- Make
- Model
- Color
- Pertinent DR#

### **6.4.2 ASSAULT/BATTERY ON A PEACE OFFICER REPORTS**

- A separate crime report shall be filed for each officer/victim involved in an incident. Officers/victims shall not be listed as additional victims in reports of Assault/Battery on a police officer
- Only one crime report requires the full narrative of the incident
- Subsequent crime reports for each additional officer/victim shall refer to the initial DR# in the narrative
- Indicate all DR#s and supplements in the “Connecting Report #” box on the “Crime Report” form (PD form 23100.001)
- Officers shall not file their own crime report when identified as victim

### **6.4.3 STANDARDIZED FIRM ABBREVIATIONS**

Personnel filing an initial crime report will list the correct and complete title of the victim on the report. The Record Division will ensure that the proper standardized abbreviation is used for entry in PSIS. Personnel inquiring of the system will use the appropriate abbreviation. All punctuation and store numbers will be omitted from the victim’s name in the computer index.

The following list of standard abbreviations for repeated victims is currently used:

#### **Repeated Victims**

Alpha Beta  
American Check Cashing Exchange

#### **Standardization of Entries**

Alpha Beta  
American Check Cashing

AM PM Mart	AM PM
Any Kind Check Cashing	Any Kind Check Cashing
Avis Rent-a-Car	Avis
Bank of America	B of A
Builder's Emporium	Builder's Emporium
Church's Chicken	Churchs Chicken
City of Long Beach	City of LB
City of Long Beach Fire	City of LB Fire
City of Long Beach Gas & Water	City of LB Gas & Water
City of Long Beach Harbor	City LB Harbor
City of Long Bean Police	City of LB Police
City of Long Beach Recreation	City of LB Recreation
CVI Cable	CVI
Denny's Restaurant	Denny's
Egyptian Drugs	Egyptian Drugs
Farmers and Merchant Bank	F & M
General Telephone and Electric	GTE
Grocery Warehouse	Grocery Warehouse
Hertz Rent-a-Car	Hertz
Home Depot (The)	Home Depot
In & Out Burgers	In & Out
Jack in the Box	Jack in the Box
JC Penny	JC Penny
JJ Newberry	JJ Newberry
Kentucky Fried Chicken	KFC
K-Mart	KMart
Long Beach Public Transportation Co.	LB Public Trans Co
Long Beach Plaza Mall	LB Plaza Mall
Long Beach Unified School District	LBUSD
Lucky Discount Supermarket	Lucky
McDonnell Douglas	McDonnell Douglas
Montgomery Ward	Montgomery Ward
Nix Check Cashing	Nix Check Cashing
Nortica's 32nd Street Market	Nortica's
Pavilions	Pavilions
Pic N Save	Pic N Save
Ralph's Grocery Company	Ralph's
Sav On Drug Stores	Savon
Savon Express	Savon Express
7-Eleven Stores	7 11
Smart & Final	Smart & Final
Southern California Edison	SCE
So. California Rapid Transit District	RTD
State of California	State of California
Stop & Go Market	Stop & Go
Taco Bell	Taco Bell

Target Stores	Target
Thrifty Drug Stores	Thrifty
Top Value	Top Valu
Vons Grocery	Vons
Wards Pharmacy	Wards
Wells Fargo Bank	Wells Fargo
Wienerschnitzel	Wienerschnitzel

#### **6.4.4 SALE OF POLICE REPORTS**

In accordance with §6257 of the Government Code of the State of California, the Department shall charge and collect for the City a fee for each copy of a Police Report released to authorized persons, regardless of the number of pages contained in the report. This fee shall apply to persons requesting copies of Incident and Arrest Reports, including those reports provided via the Civil Subpoena Duces Tecum process. Special circumstances may warrant waiver of the fee, for which written approval by the Administrator, Information Management Division, is required.

A fee will NOT be charged to an authorized representative of the Federal, State, County, and City, District or other political subdivision.

A copy of a report will NOT be issued which is confidential, privileged in nature, or when the public interest would suffer by disclosure of the report.

Authorized personnel from law enforcement and government agencies, not subject to payment of fees, may obtain copies of reports by mail or in person. All other requests for Incident Reports shall be made through the use of PD form 2310.003 (2/93), "Request a Report by Mail". The Records Division shall process all such requests and the copies will be mailed to the requestor.

##### **6.4.4.1 INFORMATION DESK PERSONNEL RESPONSIBILITY**

Upon request, Information Desk personnel shall give in-person applicants a copy of PD form 2310.003 (2/93) for each report requested. They will accept the application and a check, money order or cash and forward it to the Information Management Division.

##### **6.4.4.2 COLLISION REPORTS**

Traffic Collision Reports may be released to an involved party, insurance carrier, or attorney of the involved party to the accident. Involved parties are the drivers of the vehicles, registered or legal owners, passengers, witnesses or anyone who has sustained a property loss as a result of the accident. The opinions and conclusions of the officer shall not be released. Release of fatality, hit and run or City property damage reports require prior approval by the Accident Investigation Section. Traffic accidents are not required to be stamped with the "Confidential" warning stamp.



#### **6.4.4.3 INCIDENT & ARREST REPORTS**

Citizens wanting to purchase a copy of a report are required to complete a "Request a Report by Mail" form and submit the appropriate fees (6257 GC). The requested report shall be sent to the investigator handling the case for review and approval.

Once approved, the Records Division within 10 days (6256 GC) shall mail the report. All Crime and Arrest Reports shall be stamped with the "Confidential" warning stamp.

Subjects of arrest or their attorneys may purchase copies of the report. If litigation is pending in Court, they should be referred to the City Prosecutor or District Attorney's Office for complete copies of the reports. The Department's Court Affairs Office shall accept a Subpoena Duces Tecum.

#### **6.4.4.4 SUMMARY OF CRIMINAL OFFENDER INFORMATION**

Individuals wanting to review their records with the Department must apply in person between the hours of 0800 to 1630, Monday through Friday. Individuals will be identified through fingerprints and provided with the date, charge and disposition of their local arrests. A fee is charged for this service. Individuals inquiring of their records with the California Department of Justice or the Federal Bureau of Investigation must contact those agencies directly.

##### **Records Division Responsibilities**

- Accept applications and fees associated with the report
- Review for completeness and individual's right to obtain report
- Determine if investigative approval is required

#### **6.4.5 TELEPHONIC CRIME REPORTING/ABBREVIATED CRIME REPORT**

[See Special Order – Discontinuation of Telephonic Stolen Vehicle Report 7-1-15](#)

Individuals requiring telephonic reports shall be advised to telephone the North Police Facility to report incidents occurring west of Cherry and north of Wardlow, the East facility for incidents occurring east of Cherry, the West Facility for incidents occurring west of the 710 freeway and the downtown Station for all other incidents.

##### **Abbreviated Crime Report**

All personnel will use the abbreviated Crime Report (PD form 2310.024). The types of crimes that may be filed on the Abbreviated Crime Report and circumstances surrounding those crimes are identified as follows:

##### **All misdemeanors**

**NOTE:** In all cases when a suspect is named or there is information in the report that would lead to the identity of the suspect, the "Investigative Crime Report" (PD form 2310.001) shall be used.

A unit will be dispatched if any of the following circumstances are present:

- The victim has been injured
- The suspect is at or near the scene, or a crime has just occurred
- There is physical evidence to be collected
- The victim is hysterical or confused
- The victim insists that a unit be dispatched
- In the case of a Hit and Run 20002(a) CVC, when the victim's vehicle was occupied

**Grand Theft Property 487.1 PC – Grand Theft Gun 487.3 PC**

A unit will be dispatched if any of the following circumstances are present:

- The suspect is at or near the scene, or the crime has just occurred
- There is physical evidence to be collected
- The victim insists that a unit be dispatched
- The loss totals \$5,000.00 or more

**Burglary (auto) – Burglary (boat) 459(B) PC**

A unit will be dispatched if any of the following circumstances are present:

- The suspect is at or near the scene, or the crime has just occurred
- There is physical evidence to be collected
- The victim insists that a unit be dispatched
- The loss totals \$5,000.00 or more

**Auto Theft VC – Abbreviated Crime Reports will not be used for Auto Thefts**

Officers will respond to and take Stolen Vehicle Reports ONLY when one of the following conditions exist:

- Suspects are in custody or in the area
- Suspects are named
- Evidence exists at the scene
- Victim insists that a unit be dispatched

Personnel assigned to the Information/Business Desks at all the police substations and the main station will be responsible for taking telephonic Stolen Vehicle Reports. [See Special Order – Discontinuation of Telephonic Stolen Vehicle Report 7-1-15.](#) However, the person receiving the call when any of the following conditions exist will refer such calls to the Auto Theft Detail for evaluation of the circumstances:

- The victim is a rental agency and the suspect is the renter of the vehicle
- The vehicle is taken by means of Forgery, Fraud or Trick and Device (these reports will be referred to the Forgery/Fraud Detail)
- The victim has loaned the vehicle to another party regardless of the time period involved

- The vehicle is alleged to have been embezzled
- If none of the aforementioned conditions exist, Stolen Vehicle Reports will be taken via telephone at the Information/Business Desk of the appropriate station.
- The employee receiving the report will confirm that the victim is willing to prosecute and that special circumstances are not present
- The identity of the Victim/Reporting Party and registered owner information with the Department of Motor Vehicles (CLETS)
- AUTO STATS shall be contacted to determine if the vehicle has been reported stored, impounded or repossessed, if circumstances indicate that this information may not yet have been entered into CLETS
- The Vehicle Report (PD form 2310.010) will be completed using information from the victim. The report should indicate the last driver and that no one was given permission to use the vehicle
- The word "TELEPHONE" shall be written in the signature box
- The filing employee will obtain a DR#, indicate it on the report and give the victim the DR#
- The filing employee will forward the written document to the Reporting Office for review and assignment

### **General Information**

- Recoveries shall not be taken by telephone
- All vehicles associated with missing persons shall be entered by Police Systems at the time the missing person information is entered

Auto Records personnel shall **NOT** enter the missing vehicle into the stolen vehicle system as requested by the Department of Justice. If a missing vehicle card is received, make a copy of the card and forward to Police Systems for entry into the missing person system. Auto Records will maintain the card.

- Courtesy reports from other jurisdictions will not be taken telephonically
- IF the identity (via driver's or identification card number) of the victim/reporting party and/or ownership information cannot be verified through CLETS, a unit will be dispatched to take the report
- If DMV shows a "Release of Liability" form on file, this alone does not establish ownership of the vehicle
- If it is determined that other questionable and unusual circumstances exist regarding the stolen vehicle, the watch commander shall make the determination to refer the victim to the Auto Theft Detail, or refer the call to the communications center to dispatch a unit

### **6.4.6 INTENTIONALLY BLANK**

### **6.4.7 ROBBERY TELETYPES – PREPARATION & SENDING**

Teletypes shall be sent on the following:

- Any robbery indicating a potential series

- Any robbery with a named suspect or vehicle license number, or unusual descriptive information, regarding the vehicle
- When the victim is a major market, restaurant, retailer, bank, or commercial business
- Whenever serious injury is sustained, shots are fired, suspects are exceptionally violent
- Any extensive loss

**NOTE:** Purse snatch or street robberies should **NOT** have a Teletype sent unless they have appropriate suspect or vehicle information.

All teletypes should include basic information; date and time, time of robbery, name of victim, loss, suspect's physical description, weapons used, suspect's vehicle description, and a brief description of any MO. Be specific regarding unusual actions, unusual dress, or suspect's exact comments. All teletypes should be short and direct.

The patrol officer who handles the crime report should hand write the Teletype and forward it to the watch commander. The officer may KDT the information if he/she is unable to return to the station in a timely manner. The watch commander will approve or make any required adjustments on the teletype, enter the information on the watch commander's activity log, and deliver the teletype to the Police Systems Office.

Police Systems personnel shall transmit the Teletype to the appropriate jurisdictions and forward a copy to the Robbery Detail. The copy shall include the date and time the Teletype was sent.

#### **6.4.8 MARINE SECURITY – NON-VIOLENT CRIME REPORTS TAKEN BY**

Long Beach Marine Patrol Security Officers shall be authorized to take police reports for non-violent crimes where weapons were not used, and Vehicle, Bicycle and Vessel reports. Marine Patrol Officers may also take Special Accident reports that occur within the Marina Areas.

When the Marine Patrol Security Officers become aware that a crime involving violence or weapons was perpetrated in their area, they shall request a police unit to conduct the investigation. The Detective Division will continue to investigate these reports consistent with those taken by Long Beach Police Officers.

#### **6.4.9 RESEARCH & DEVELOPMENT UNIT**

The purpose of Research and Development shall be to develop long-range plans, environmental evaluations, and to conduct special projects.

##### **Organizational Structure**

Research and Development, Administration Bureau, is under the direct supervision of the Administrator, Information Management Division. A Police Sergeant will be designated

as the Coordinator of the Unit. Personnel assigned to the unit will be responsible to the coordinator for duty functions and assignments.

**Responsibilities**

Long-Range Planning – Responsible for planning, researching and coordinating projects within the following areas:

- Research, develop and publish a three- and five-year strategic Department plan
- Analyze appropriate forecasts to assist management in developing Departmental goals
- Establish and maintain liaison with qualified individuals in the field of long-range planning

**Environmental Evaluation**

The unit will be responsible for the preparation of Environmental Impact Reports (EIR) in response to major commercial developers regarding the effect of projects on police services by:

- Preparing draft EIR's on Department originated projects
- Evaluating the various City Master Plans
- Attending community meetings

**Special Projects**

The unit shall be the Department's central repository for research and management information and perform the following functions:

- Conduct staff research and prepare reports
- Review, analyze, summarize and/or coordinate major staff research projects
- Review, analyze and recommend project evaluations
- Receive, study and respond to Departmental employee suggestions directed
- Evaluate equipment options
- Respond to planning surveys from outside agencies

**6.4.10 REQUEST FOR STATISTICAL INFORMATION & SPECIAL INQUIRIES FROM THE SYSTEMS SECTION**

All requests for statistical (batch) information, or full file searches must be submitted in writing to the Administrator, Information Division.

Subsequent to approval, written requests will be forwarded to the Police Project Manager, Information Services Division, General Services Department. The Police Systems Section personnel will deliver results to the requesting Section, Division or Bureau.

In the absence of the Administrator, Information Management Division, the Deputy Chief of Administration Bureau can approve requests for batch process computer runs.

Should an emergency situation arise where statistical information is required immediately, the Administrator, Information Management Division, will honor an emergency telephone request. A request memorandum will be required prior to delivery of the statistical information.

#### **6.4.11 IMPREST CASH/PETTY CASH FUNDS**

Utilization and Control Procedure for Advancing Imprest Cash Funds to Individuals for Expenditures

Individual(s) will request an advance of imprest cash from the Budget Section in a form approved by both the Bureau Chief and the Administrator, Information Management Division. The following information shall be included:

- Vendor
- Requesting personnel
- Program/Activity to be charged
- Description of the purchase
- Cost of the purchase
- Reason for the purchase
- The individual will exchange the approved request form for cash from the

##### **Budget Section**

The Budget Section will ensure the form is complete and that the purchase meets the requirements of the imprest cash fund.

When the purchase is completed, the individual will return the following to Budget Section:

- The exact change, if the expenditure was less than the amount advanced
- An **ORIGINAL** receipt for the expenditure

The Budget Section will maintain all necessary accounting records and the security of the imprest cash funds.

The Budget Section will report all expenditures to the Financial Management Section and obtain reimbursement of funds to the imprest cash fund.

##### **Expenditures**

There may be incidents when an individual makes a purchase within the requirements of the imprest cash fund, by using his/her personal cash.

The same procedures will be followed as for the advance of imprest cash funds except, rather than advancing funds to the individual, the individual will be reimbursed for the expenditure.

**Reimbursement**

Reimbursement will not be made for expenditures made by any individual which does not meet the requirements for the Imprest Cash Fund regulations and have the approval of the applicable Bureau Chief and Administrator, Information Management Division.

**6.4.12 TRAVEL – OUT OF STATE & OVERNIGHT TRAVEL**

All out of state or overnight travel requires advance authorization by the Chief of Police or his designee. Travel by Department employees is defined as a business trip or attendance at a convention or business meeting which:

- Has a public or municipal purpose, the aims of which are reasonably calculated to aid the Department in the attainment of its objectives; and
- Requires expenses for transportation to any location farther than one day's round trip travel from this City. One day, round trip travel may be approved by the employee's Bureau Chief
- Requires expenses for overnight lodging and meals

Types of travel are defined as follows:

- Conventions – A convention is defined as a regularly recurring conference of the membership of a professional, technical, fraternal or other organization in which the subject matter broadly relates to Department operations
- Business Meeting – A business meeting is defined as an advisory committee session or other gathering in which the subject matter broadly relates to Department operations

**NOTE:** This definition includes, but is not limited to, training activities, conferences, panels, seminars or workshops on specific City problems; and appearances before judicial, quasi-judicial or legislative bodies.

- Business trips – A business trip is defined as travel for other than a convention or business meeting; the purpose of which is of immediate concern to Department operations
- Extradition of Fugitives

**NOTE:** This definition includes investigative travel (i.e., criminal investigation) and operations travel (i.e., recruiting, real estate and grant negotiations and the observations of activities of other law enforcement agencies)

All requests for out-of-state and overnight travel shall be submitted in advance on the memorandum titled, "Request for Out of State and Overnight Travel", and shall include the following:

- Name of traveling employee
- Dates and number of days involved

- Purpose of travel
- Destination
- Mode of transportation to be used
- Authority financing the travel
- A statement of sufficient funds have been allocated for the travel
- A statement that the travel has been budgeted by the Department; or is being financed by another agency
- If another agency is financing the trip, a statement that the trip is in the best interest of the City

**NOTE:** Requests for non-budgeted travel for business meetings and business trips shall include a statement that the trip is of benefit to the City.

### **Procedure**

- Obtain a written advance authorization from the Chief of Police or his designee by completing the "Request for Out of State or Overnight Travel" memorandum (PD form 2250.005)
- A request for travel other than investigate should be submitted 30 days prior to departure
- Requests for travel on a District Attorney's authorization for out-of-state extradition or other requests for investigative travel should be submitted as soon as possible, but must be authorized by the Chief of Police or his designee prior to departure

### **6.4.13 TRAINING/TRAVEL REIMBURSEMENT**

- City regulations require original receipts for reimbursement of all training/travel expenses. All receipts shall be submitted taped on clean, white, 8 1/2" x 11" paper. Receipts shall be in chronological date order with the meal, either breakfast, lunch or dinner, clearly identified. Reimbursement requests shall be submitted within 14 days of course completion. Budget staff reserves the right to return to the employee sloppy or incomplete reimbursement packages.
- Rental vehicle shall be pre-authorized by your Bureau Chief in writing and submitted with training requests
- At the close of the course, the "Evaluation of School/Seminar" form shall be completed
- All forms, receipts and a copy of your training certificate from the course shall be submitted to the Training Reimbursement Coordinator in the Budget Section
- Tip and alcohol expenses are not eligible for reimbursement
- Air Travel – Airline tickets shall be obtained through the Department's Budget Section, Training Reimbursement Coordinator. Employees shall not make their own arrangements
- Allow 21-working days from submittal of reimbursement package to the Budget Section for reimbursement check

### **Cancellation Policy**



Cancellation of course attendance must be authorized in writing by a Bureau Deputy Chief or Manager, and submitted to the Budget Section seven working days prior to the course. If an employee cannot attend a course, every effort should be made to send an alternate.

#### **6.4.14 WATCH REPORT**

The Watch Report is a file consisting of memoranda of interest to all personnel or multiple divisions, issued at the Division or higher level, containing information relative to wanted persons, crime patterns, other incidents calling for police attention, special notices, et cetera.

Items placed in the Watch Report file shall be typed on a long form memorandum or covered by a long form memorandum addressed to the Watch Report and shall be approved by the office or Division Commander of the Division from which they originate. In the case of items that are of interest to the Department, but not originated within a specific Division, it shall be the responsibility of the Watch Commander to review and approve these items, by signature with photo number.

The Watch Report is a business document. Items that appear in the report should be presented in a professional and business-like manner.

Notices of intent to employees such as retirement functions, funerals and notices of employee organization functions should be limited to type of event, date, time, location, and contact person.

The originator of all Watch Report items shall indicate in the body of the memorandum how many days the item is to be read in the Patrol Watches.

All approved Watch Report items shall be routed via e-mail by the originator of the report. The Records Division shall maintain a file of all Watch Reports items for one year from the date of origin.

Each Department unit shall develop guidelines to ensure that all their personnel receive Watch Report information in a timely manner.

## **6.5 JAIL OPERATIONS – BOOKING AND CUSTODY**

Revised February 7, 2019  
The Support Bureau will have audit responsibility.

### **6.5.1 BOOKING PROCEDURES**

Revised February 7, 2019

Officers booking an inmate into the Long Beach Police Department Jail shall complete the *Arrest and Booking Information Form* (PD 4102.013(A)). Officers shall submit the *Arrest and Booking Information Form* prior to completing a *Probable Cause Declaration* (ePCD). The Booking Sergeant will provide the Booking Number required for the ePCD to be completed. The arresting officer is responsible for ensuring that the inmate is booked for the correct charge level.

At no time is an inmate to be left alone by the arresting officer. The arresting officer is responsible for the inmate until the inmate is released to the custody of Jail Division personnel.

All inmates shall remain handcuffed while in Booking except during the routine removal of property for booking purposes or when deemed medically necessary by Jail Medical Staff.

Only employees assigned to Booking are allowed behind the Booking Desk, unless authorized by the Booking Sergeant.

Arresting officers shall inform the Jail Nurse and Detention Officers of any pertinent information regarding an inmate's mental and physical status (e.g., if the inmate is sick, has been injured in anyway, or is suicidal) as soon as possible.

#### **6.5.1.1 BOOKING AREA AND TUNNEL SECURITY**

Revised February 7, 2019

The Booking Desk and the access tunnel to the Booking Desk are secure areas. The general public and the news media are prohibited from entering these areas unless authorized by the Watch Commander or another member of the Command Staff.

Command Officers who authorize entry into these restricted areas shall notify the Watch Commander and the Booking Sergeant of the authorization and shall either accompany or arrange for a member of the Department to escort the visitor. The Department escort shall remain with the visitor while in the restricted area and until the visit is terminated.

#### **6.5.1.2 BOOKING ON WARRANTS**

Revised February 7, 2019

When an inmate is arrested for an outstanding warrant, whether misdemeanor or felony and the warrant is not an exact match to the inmate, the warrant must be verified through the inmate's fingerprints before the inmate is booked for the charges.

The Booking Clerk will verify the warrant at the time of booking. If the warrant cannot be verified by computer check, fingerprints are sent to the fingerprint classifier for verification.

In the rare event that an inmate is sent to County Jail without having cleared Livescan, the County will add charges as needed.

If an inmate is booked on an open charge, a warrant charge will not be added unless the warrant is an exact match or is verified by fingerprints. Livescan does not verify warrants that are already added to the booking sheet, therefore any warrant that is not an exact match shall be verified first by fingerprints before being added as a booking charge.

The Booking Sergeant is responsible for verifying any and all charges added to the booking sheet.

### **6.5.1.3 HOLDING CELL USE**

Revised February 7, 2019

The holding cell in booking is a temporary housing cell and shall be used only during the initial booking process. Inmates may be placed in the holding cell at the discretion and approval of the Booking Sergeant. This may occur if an inmate displays any of the following behaviors:

- 1) Poses a threat to the safety and security of the facility;
- 2) Poses a threat of escape;
- 3) Presents a threat to themselves or others, including inmates threatening suicide;
- 4) Assaults officers or others; or
- 5) Is uncooperative or disruptive during the booking process.

Officers utilizing the holding cell will adhere to the following procedures:

- 1) The Booking Sergeant must be notified when an inmate is placed in or removed from the holding cell;
- 2) All lights must remain on while the holding cell is occupied;
- 3) Holding cell doors are to remain locked at all times;
  - The key for the holding cell will be kept with the Booking Sergeant when the cell is not in use;
- 4) All inmates placed in the holding cell shall be restrained at all times;
- 5) Male and female inmates should not be housed in the holding cell together;
- 6) Officers placing inmates into the holding cell must maintain constant visual supervision over the inmate.

### **6.5.1.4 RESTRAINT CHAIR USE**

Revised February 7, 2019

The restraint chair should be considered as an option only when an inmate meets the following criteria:

- 1) Displays behavior resulting in the destruction of property; or
- 2) Reveals intent to cause physical harm to self or others.

The restraint chair can be used in conjunction with the placement of inmates in the holding cell. Employees shall adhere to the Jail Standard Operating Procedure Chapter 15 when using the restraint chair.

## **6.5.2 IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) ADMINISTRATIVE WARRANTS**

Revised November 14, 2019

The Support Bureau shall review this policy on a three-year review cycle.

Review date November 14, 2019

### **6.5.2.1 DEFINITIONS**

Revised November 14, 2019

**ICE administrative warrants or detainers** – ICE uses administrative warrants as a request for local law enforcement agencies to detain an individual until ICE responds and takes custody of the individual for the purposes of immigration proceedings. ICE administrative warrants that are entered into the National Crime Information Center (NCIC) database may appear when officers conduct a want/warrant check of an individual.

### **6.5.2.2 ASSISTANCE WITH FEDERAL IMMIGRATION LAW**

Revised November 14, 2019

Department personnel shall not detain an individual in response to a hold request or administrative warrant issued by ICE. Upon receipt of an ICE hold request, Department personnel shall provide the individual and his or her representative with *TRUTH Act Form #2 ICE Request* indicating that LBPB does not intend to comply with the hold request.

Department personnel shall not assist in the enforcement of federal immigration law unless a valid exception exists as listed in Manual § 6.5.2.4 EXCEPTIONS.

The Department of Homeland Security ([DHS 287\(g\)](#)) program refers to an ICE initiative which allows a state or local law enforcement entity to enter into a partnership with ICE, under a joint Memorandum of Agreement (MOA), to receive delegated authority for immigration enforcement within their jurisdictions. The LBPB does not participate in the [DHS 287\(g\)](#) program.

Prior to responding to a specific request by ICE when they are conducting immigration related enforcement for law enforcement support services, such as traffic control or peacekeeping efforts during a federal operation, officers shall receive approval from the Watch Commander. In the event of an immediate threat to public safety, such approval is not required.

### **6.5.2.3 INQUIRIES INTO PLACE OF BIRTH, CITIZENSHIP OR IMMIGRATION STATUS**

Revised November 14, 2019

Department personnel shall not inquire into an individual's place of birth, citizenship, or immigration status unless the information is:

- Necessary for furthering a criminal investigation;
- Needed for processing an arrestee for a criminal offense or directly related to any other law enforcement or employment purpose unrelated to immigration enforcement;
- Required for providing services to victims of certain crimes (U-Visa) or victims of human trafficking (T-Visa); or
- Authorized to be collected under federal, state, or local law or policy.

#### 6.5.2.4 EXCEPTIONS

Revised November 14, 2019

An LBPD employee shall not assist in the enforcement of federal immigration law except under one or more of the following circumstances:

- 1) Making inquiries into information that is required to certify an individual who has been identified as a potential crime or trafficking victim for a T- or U-Visa pursuant to 8 USC § [1101\(a\)\(15\)\(T\)](#) or [1101\(a\)\(15\)\(U\)](#), or to comply with 18 USC § [922\(d\)\(5\)](#).
- 2) Required by state or federal law, or by a valid judicial warrant or subpoena.
- 3) Conducting enforcement or investigative duties associated with a joint law enforcement task force, including sharing confidential information with other law enforcement agencies for task force investigative purposes, provided that such participation follows state law and:
  - a) The primary purpose of the joint task force is to enforce non-immigration related criminal violations, and the LBPD duties are primarily related to violation of state or federal law unrelated to immigration enforcement.
- 4) Investigating, enforcing, or detaining upon reasonable suspicion of, or arresting for, a violation of unlawful re-entry of removed aliens whose removal was subsequent to a conviction for an aggravated felony, per 8 USC § [1326\(a\)](#) and [1326\(b\)\(2\)](#).
- 5) Transfers to ICE.
  - a) Transfers are only permitted under the following circumstances:
    - i. When authorized by a signed judicial warrant or judicial probable cause determination, or
    - ii. When the individual meets any one of the conditions set forth in Government Code § [7282.5\(a\)](#):
      1. Convicted at any time of a serious or violent felony (defined in [1192.7\(c\)](#), or [667.5\(c\)](#) of the California Penal Code).
      2. Convicted at any time of a felony that is presently punishable by imprisonment in state prison.
      3. Convicted within the past 15 years of a felony listed in Government Code § [7282.5\(a\)\(3\)](#), or within the past 5 years of a wobbler (a crime punishable as either a felony or a misdemeanor) listed in Government Code § [7282.5\(a\)\(3\)](#).
      4. An individual that is currently on the California Sex and Arson Registry.
      5. An individual has been convicted of specified federal aggravated felonies identified in 8 USC § [1101\(a\)\(43\)\(A\)-\(P\)](#).

6. An individual identified by ICE as the subject of an outstanding federal felony arrest warrant for any federal crime.
- b) Upon receiving any detainer request from ICE, LBPDP shall provide the individual and his or her representative with *TRUTH Act Form #2 ICE Request*, which shall specify whether LBPDP intends to comply with the request for transfer.
- 6) Responding to a request from federal immigration authorities for information about an individual's criminal history such as previous criminal arrests, convictions, or similar criminal history information obtained through CLETS only where permitted by State Law.
- 7) Providing information regarding a person's release date or responding to requests for notification by providing release dates or other information only if:
  - a) One of the following applies:
    - i. The release date or other information is available to the public,
    - ii. Is in response to a notification request from immigration authorities regarding persons meeting one or more of the criminal background conditions specified under Government Code § [7282.5\(a\)-\(b\)](#),
    - iii. When otherwise required by law, or
    - iv. In accordance with existing City regulations; and
  - b) LBPDP complies with the [California TRUTH Act](#) as follows:
    - i. If LBPDP receives an ICE notification request to provide release date information, it must provide the individual and his or her representative *TRUTH Act Form #2 ICE Request*, which shall specify whether LBPDP intends to comply with the request; and
    - ii. Where LBPDP does provide ICE with notification that an individual is being, or will be released on a certain date, it must also provide the individual and his or her representative *TRUTH Act Form #3 Notification of Release to ICE*.
- 8) Providing personal information, as defined in Civil Code § [1798.3](#), about an individual, provided that the information is available to the public.
- 9) Providing immigration authorities access to interview an individual in Department custody once the LBPDP has complied with the California TRUTH Act by providing the individual with *TRUTH Act Form #1 Consent to Interview with ICE*.

#### **6.5.2.5 NO CONFLICT – FEDERAL POLICY**

Revised November 14, 2019

This policy does not prohibit or restrict any LBPDP employee from sending, receiving, requesting, maintaining, or exchanging information regarding citizenship or immigration status of an individual to/from federal immigration authorities or any other federal, state or local entity, in accordance with 8 USC §§ [1373](#) and [1644](#).

#### **6.5.3 SEARCHING INMATES**

Revised February 7, 2019

It shall be the responsibility of the arresting or transporting Officer to search their inmate, remove all property, and make a complete inventory of the inmate's property (including

bags, backpacks, and purses) on the Booking or Property form. Arresting or transporting Officers shall also be responsible for bagging the inmate's property while at the Booking desk.

Such searches shall not include personal areas (such as an inmate's underwear), as those types of searches will be handled by Jail personnel if warranted.

Nothing in this section shall preclude an Officer from retrieving a weapon or perceived weapon from an inmate's personal area for purposes of officer safety.

Instances where an Officer cannot reasonably remove an inmate's property shall be communicated to Jail personnel, so the property can be removed during the intake process.

#### **6.5.3.1 PRISONER'S PROPERTY**

Revised February 7, 2019

Officers will place prisoner's property in the provided clear plastic bag and complete the Property Inventory section on the *Arrest and Booking Information Form*.

Prisoner's property that does not fit into the plastic bag shall be inspected and searched as appropriate, and if feasible placed into large, brown paper bags. The bag(s) or property shall be placed into the appropriate bulk property location with the appropriate property report filed. Entry to this effect shall be made on the *Arrest and Booking Information Form* as well as on the bulk property log.

Inmates will not take any money to the jail floors. All money will be counted and placed into a money envelope. Officers will legibly write their name, DID and the inmate's booking number on the money envelope. The envelope will be given to the Booking Sergeant or placed in the money safe next to the Booking window.

Inmate's shoelaces will be removed and placed into the plastic property bag. All prescription and over-the-counter medication will be placed into the plastic bag. Officers will not take inmate's medication into the Jail.

Additional charges, which may result from evidence uncovered during the search, shall be added to the *Arrest and Booking Information Form*.

#### **6.5.3.2 RELIGIOUS HEAD COVERINGS**

Revised February 7, 2019

If an inmate is wearing a religious head covering, all reasonable efforts shall be made to allow this practice, except where safety and security concerns dictate otherwise. During intake, or whenever the removal of an inmate's religious head covering is necessary, officers shall make every reasonable effort to abide by the following procedures:

- 1) Utilize Jail personnel of the same gender as the inmate during removal;
- 2) Keep the inmate out of the view of others, including uninvolved staff;

- 3) Allow the inmate to remove the religious head covering; staff may pat down the head covering prior to removal.

While in custody, approval of the wearing of religious head coverings will be at the discretion of the Booking Sergeant. A religious head covering will be permitted except where removal or confiscation is reasonably required due to security or safety issues. If the retention of the religious head covering is approved, the article shall be searched, in accordance with the procedures above, and returned to the inmate. The inmate shall be allowed to reapply the head covering at the earliest practicable opportunity and before leaving the private area.

All religious head coverings shall be searched and remain subject to search while the inmate is in custody. Any item that may pose a threat to the safety or security of the facility or that may potentially cause harm to the inmate or others shall not be allowed.

In the event an item is not allowed, the reason will be explained to the inmate and documented in the inmate's booking record by the Booking Sergeant.

#### **6.5.3.3 STRIP SEARCHES AND VISUAL BODY CAVITY SEARCHES**

Revised February 7, 2019

All persons, except for physicians or licensed medical personnel, conducting or otherwise present during a strip search, or a visual or physical body cavity search shall be of the same sex as the person being searched.

Persons conducting a strip search, or a visual body cavity search shall not touch the breasts, buttocks, or genitalia of the person being searched.

In some instances, an arresting officer may request a strip search of an inmate that does not fit the criteria per [4030\(F\) PC](#) (i.e. misdemeanor or infraction arrest). The following must exist to facilitate such a search:

- 1) There must be a reasonable and articulable suspicion that the inmate is concealing contraband or a weapon;
- 2) Officers must complete the *Authorization to Strip Search Form*, which is available from the Booking Sergeant.
- 3) Officers shall provide written justification on the form articulating the reason for the request.
- 4) The *Authorization to Strip Search Form* must then be approved by the Booking Sergeant.

Once the strip search has been completed, the *Authorization to Strip Search Form* shall be attached to the inmate's paperwork.

#### **6.5.4 DELETED 1/9/23**

#### **6.5.5 MEDICAL RECORD FOR IN-CUSTODY PERSONS**



A "Medical Record for Persons In-Custody" form (PD Form 2100.56) will be completed by arresting or transporting officers any time a person in-custody (or person to be taken into custody) is examined or treated by a physician or hospital outside of the Department Jail.

**Procedure**

All officers transporting a prisoner for examination by a physician, whether from jail after booking or subsequent to arrest and prior to booking, shall adhere to the following:

- Prepare a copy of the Long Beach Police Department "Medical Record for Persons in Custody" form

A hospital employee shall complete the second portion of the report. The information is self-explanatory and may be typed or printed on the form

- The third portion of the report is to be completed and signed by the physician who actually examines the person in custody. The physician, prior to the patient leaving the medical facility, must complete this part of the form. A copy of the hospital emergency report of the in-custody person shall be requested and submitted with all other related reports
- When booking the injured person, or transporting someone already booked back from the hospital, the medical report shall be shown to the Booking Supervisor. The supervisor shall review, initial and write his/her photo number on the medical report if the booking is approved. The medical report shall be taken, with the prisoner, to the Jail for review by the Jail Supervisor. If the Jail Supervisor approves the booking, or readmitting of a person already booked, he/she shall initial and write his/her photo number on the medical report for injured persons
- The form should accompany the prisoner to the Long Beach Jail and remain there to be completed by the jail physician. The Jail Division will forward the form to the Information Management Division to be included in the prisoner's file

If the prisoner is not kept in LBPD custody, and instead is released to another agency, this report should be included with reports, which are filed on the prisoner and forwarded to Information Management. A copy of our form should be made and left with the facility the prisoner is released to so the prisoner can receive consistent continuing treatment.

**6.5.5.1 RELEASE & SECURITY OF JAIL PRISONERS FOR EMERGENCY MEDICAL TREATMENT**

No prisoner shall be transported from the Jail for medical reasons without the knowledge and consent of the watch commander. The watch commander shall be responsible for providing security for paramedics transporting a prisoner and for determining if the prisoner should be released on his/her own recognizance or remain in custody with appropriate security measures in effect.

**Procedure**

When a prisoner is in need of immediate medical attention, any employee observing such a condition shall immediately notify paramedics and a jail supervisor. A prisoner shall be considered in need of immediate medical attention when:

- An intoxicated prisoner does not react in a normal manner after two hours
- A prisoner is found unconscious
- A delay in medical treatment might result in further complications

When a jail supervisor becomes aware that a prisoner is in need of immediate medical attention, the jail supervisor shall ensure that paramedics have been called and shall immediately notify the watch commander.

The watch commander, upon notification, shall immediately assign an officer to respond to the jail to provide security in the event the prisoner is transported from jail, and to keep him/her apprised of the prisoner's medical status.

In the event that the prisoner needs outside medical care, paramedics will determine the means of transportation.

- If the prisoner is to be transported by paramedics, the officer shall provide security by accompanying the prisoner to the paramedic van
- If paramedics determine they will not transport, the officer will transport the prisoner to the hospital

The watch commander shall review the condition of the prisoner and consider releasing the prisoner from custody on his/her own recognizance. The watch commander at his/her discretion may elect not to release the prisoner, in which case an officer must be assigned to guard the prisoner at the hospital until such time as the prisoner can be transported to a security medical facility.

It is the watch commander's responsibility to follow-up and ensure the release of a prisoner in need of medical treatment, prior to leaving at the end of the shift. Delegation of this task does not relieve the watch commander of this responsibility.

Aspects to be considered relative to an OR or [849\(B\)\(2\) PC](#) release include, but are not limited to, the following:

- Does the prisoner require extended medical examination or care?
- The nature of the charges; i.e., misdemeanor, felony, or warrant
- Was the prisoner able to provide satisfactory identification?
- Is there a reasonable likelihood that the offense would continue?
- Would the safety of persons or property be imminently endangered if the prisoner were released?
- Is there reason to believe that the prisoner would not appear for Court at the time and place specified, if released on his/her own recognizance?

The watch commander shall make every effort to make a decision as to whether or not to release the prisoner, prior to the prisoner being transported from jail.

#### **6.5.5.2 MEDICAL TREATMENT – ADULT ARRESTEES**

Revised September 11, 2008  
The Support Bureau has audit responsibility.

### **Jail Division Responsibilities**

The Jail nurse shall medically screen all incoming prisoners prior to the completion of processing. The actual acceptance or rejection of a prisoner is delegated to the Jail Supervisor or on-duty nurse. (See Jail Division Policy 8.100, Section 1 – Medical Responsibility). The Jail supervisor shall record all significant medical problems in the Jail Division logbook to apprise other personnel in the Division of immediate or potential problems. Required Jail inspections will be completed to provide adequate monitoring of each inmate.

### **Transportation to Medical Facilities**

Injured prisoners, mentally unstable individuals ([5150 WIC](#)), and violent PCP prisoners, et cetera, may require transportation to County medical facilities outside the City. These individuals shall be transported to medical facilities in police vehicles when feasible. If these individuals require ambulance transport, police officers shall follow the procedures as outlined below.

- Paramedics shall be called to evaluate and transport from the scene or Jail to a local hospital if necessary, it will be the option of the paramedics to request a private ambulance be called for transportation
- If the patient is medically stable for transfer, and is charged with an offense that precludes an RNB (i.e. 187, 261, etc.) the referring hospital shall place the call to MEDICAL ALERT CENTER (MAC), telephone (213) 226-6697, advising them of the name of the patient in custody and requesting transfer. The hospital shall also provide MAC with the arresting officer's name, badge number and jurisdiction. After MAC accepts the transfer, they will dispatch a private ambulance under contract with the County. A police officer must accompany the prisoner in the ambulance. The officer must arrange for their return transportation
- Police, paramedics or an ambulance must transport adults who are under the influence of PCP and exhibit violent behavior to a local hospital. A continuation of unruly and violent behavior at the hospital shall require transport to the LASD Main Central Jail by LBPD personnel

#### **6.5.6 HANDLING OF VIOLENT, ON PHENCYCLIDINE (PCP) PRISONERS**

The majority of persons arrested for being under the influence of PCP are controllable. The violent offender, however, presents a danger to himself/herself as well as those he/she may come in contact with.

All adults under the influence of PCP who are acting in an unruly and violent manner shall be medically treated at a local hospital and once cleared, shall be booked directly into either the Los Angeles Sheriff's Department (LASD) Main Central Jail, or Sybil Brand Institute for Women. Juveniles shall be taken to Unit 3 at USC Medical Center. All prisoners taken to these facilities must meet the unruly and violent criteria. If the prisoner does not appear to have all the classic symptoms of PCP ingestion as described in

Training Bulletin #89, he/she shall have a medical examination from the nearest medical facility prior to transportation. Arresting officers must have the approval of a field supervisor prior to transporting a prisoner to any of these facilities.

**Notification**

In the case of an adult, the field supervisor will notify the Communications Center and the Communications Supervisor will notify the appropriate jail with an estimated time of arrival. The LASD Main jail telephone number is (213) 974-4921; the Sybil Brand telephone number is (213) 267 2611.

When the arrested party is a juvenile, the field supervisor will notify a Youth Services Supervisor who will notify the Probation Intercept Officer on-duty and Unit 3 at USC Medical Center, telephone number (213) 226-5584.

**Transportation**

Arresting officers shall transport the violent PCP prisoner to the appropriate facility when possible. Paramedics shall transport only in those instances when it is mandatory that the prisoner be completely immobilized by strapping the prisoner to a cot or similar device. Approval for such transportation must be obtained through the Fire Deputy Chief on-call.

**6.5.6.1 INJURED PRISONERS UNDER THE INFLUENCE OF PCP**

Any violent, injured adult prisoner under the influence of PCP shall be taken to the USC Medical Center Jail Ward and shall not be taken directly to the County Jail. An injured juvenile, 16 years of age or older, shall be taken to the USC Medical Center Jail Ward. The Communications Supervisor will notify USC Medical Center Jail Ward when an adult is involved. When a juvenile is involved, the Youth Services Section will make the notification.

When the juvenile is 15 years of age or younger, Youth Services will notify the Probation Intercept Officer who will assist in obtaining a court order that will permit the juvenile to be booked at USC Medical Center Jail Ward. If an Intercept Officer is not on-duty, Youth Services will call the Central Juvenile Hall Intercept Officer at telephone number (213) 226-8506 for assistance. The arresting officers and the field supervisor should give every consideration to releasing the juvenile to his/her parents when this is an appropriate disposition. A "Released Not Booked" (RNB) arrest report must be filed if the Juvenile is released to his/her parents.

**Location of Facilities & Responsibilities**

- Twin Towers – 450 Bauchet Street, Los Angeles
  - North on the Long Beach Freeway to Santa Ana Freeway; North on Vignes Street (Downtown Los Angeles); North to Bauchet Street
- Officers shall drive to the ambulance entrance on the north side of the complex and park as near to the door as possible. They shall enter the premises through the ambulance entrance with the prisoner. Jail personnel shall assume charge of the

prisoner at that time. Officers shall stay in the sally port until Jail personnel return their handcuffs or restraints to them. Transporting officers shall complete the required forms prior to returning to Long Beach

- USC Medical Center – 1200 North State Street, Los Angeles, Jail Ward, phone #213 226-4563
  - North on Long Beach Freeway to San Bernardino Freeway; westbound in second lane from right; exit State Street northbound into hospital complex, right turn on Zonal Avenue to Guard house

Officers shall place their handguns inside the gatehouse at the entry gate. Their shotgun shall be firmly locked in its rack within the vehicle. When the gate opens, the officers shall drive to the "Reception" entrance and park as near to the door as possible. Jail Deputies will come to the vehicle and remove the subject. Officers shall accompany the Jail Deputies to the third floor of the facility. The booking information will be completed by the officers in the "Reception" area prior to their return to Long Beach. When the prisoner is a juvenile, the arresting officers must then leave the hospital complex and drive to Central Juvenile Hall at 1605 East Lake Avenue, which is located behind the hospital complex. At Central Juvenile Hall, the officers must complete entrance papers before returning to Long Beach.

## **6.5.7 RE-ARRESTING OF IN-CUSTODY PRISONERS**

### **POLICY**

Any prisoner who is charged with committing an offense while in-custody shall be rebooked under a new booking number. The prisoner will be charged with the offense committed while in-custody and the additional charge of 653.75 C.P.C. shall be added to indicate an in-custody arrest. In addition, all warrant and non-warrant charges will be transferred to the new booking number as added charges.

### **Booking Employee Responsibility**

The new booking form set shall be stamped "Re-Booking" with the original booking number and arrest package number cross-referenced on each page of the booking form set.

Any warrant abstract added to the new booking form set will have the original booking number lined out with a single line and the new booking number written in above it. Copies of these changes will be forwarded to the Warrant Detail.

### **Filing Officer Responsibilities**

- File a supplemental report to the original arrest package cross-referencing all booking numbers and arrest package numbers.
- Ensure the Investigator's blue copy of the booking form set is immediately placed in the in-box of the Detail handling the original booking, located in the Information Management Division.

**Senior Records Clerk Responsibility**

- Ensure rebooking entries are entered into RMS and all cross-references are made between the original and new arrest package numbers and booking numbers.
- Ensure fingerprint cards are sent to the Department of Justice (D.O.J.), if necessary.

**Bailiff Responsibility**

Bailiff personnel will ensure only the new booking number appears on all remands, release papers, and commitments.

**Investigating Detail Responsibility**

Two copies of the new booking sheet will be provided to the Investigations Bureau: one copy to the Detail handling the original case and one copy to the Detail handling the new case. It will be the responsibility of the Detail Sergeants to determine which Detail will handle and file both cases.

**6.5.8 BAIL DEVIATION**

If a determination has been made to increase, decrease, or eliminate the need for the posting of bail, the Los Angeles Superior Court, Pre-trial Services Unit, has recommended the following procedures.

- To initiate a bail deviation, complete a "Request for Bail Deviation From Felony Bail Schedule", PD Form 4102.010 (8/79)
- Telephone Pre-trial Services Unit, at (213) 974-5821, or the District Attorney's Command Post (24-hours), at (213) 974-3607
- Inform the representative of your requirement, bail increase, bail decrease, or the need to eliminate bail. Be prepared to provide the following information:
  - Name of suspect
  - Booking number
  - Charges
  - Specific reasons for the Request of Bail Deviation

After Pretrial Service has received authorization from the Commissioner for a bail deviation, they will generate a Notice of Bail Deviation by Teletype to the Department. This is the officer's authorization from the Judge/Commissioner that the request is granted and will record the name of the Judge/Commissioner granting the request on the Request for Bail Deviation from Felony Bail Schedule.

**Procedure****Felony & Misdemeanor Suspect**

The original Teletype authorizing bail deviation and the original Bail Deviation form will remain with the Booking Supervisor.

A copy of the Teletype authorizing bail deviation and a copy of the Bail Deviation form will be included with the arrest report.

A copy of the Teletype authorizing bail deviation and the Bail Deviation form will be placed in the suspect's property.

**Booking Supervisor**

Upon receipt of the Teletype authorizing bail deviation, notification shall be given to personnel assigned at the Information Desk and Jail Division.

The Teletype authorizing bail deviation and the Bail Deviation form will be routed in the same manner as a bail bond.

**Detectives**

Upon receiving a case package, including the Notice of Bail Deviation, be sure that each package of report copies includes a copy of the record of bail deviation. The record of bail deviation includes a copy of PD Form 4102.010 (8/79) and a copy of the related Teletype.

It is important that all report packages delivered to the District Attorney or the City Prosecutor include a complete record of bail deviation.

**Watch Commander**

As provided in Section [810 PC](#), an incarcerated person has the right to request bail deviation.

Upon receipt of a request for bail deviation made through the court system, a court appointed Bail Deviation Officer would contact the watch commander.

**6.5.9 CERTIFICATE OF RELEASE**

TO comply with the requirements of California [Penal Code Section 851.6](#) entitled, "RELEASED AFTER ARREST WITHOUT A WARRANT CERTIFICATE AS DETENTION WHEN NO FORMAL CHARGE IS MADE," the following procedures shall be followed:

- When an individual is ARRESTED and BOOKED by a member of this Department, and is later released with no criminal charges filed, in compliance with [849\(b\)\(1\) or 849\(b\)\(3\) of the California Penal Code](#), he/she SHALL be issued a "Certificate of Release Form: (PD Form 3000.006)"
- The detective assigned to the case shall complete the Certificate of Release Form, sign the form, and personally deliver it to Booking Desk personnel. The detective will then complete the Booking Desk procedure authorizing the individual's release
- Booking Desk personnel shall place the Certificate of Release Form in the prisoner's property envelope and deliver the form to the subject along with his/her property
- The detective's follow-up report shall contain the following statement in the narrative: "Certificate of Release issued"

- When an individual is ARRESTED and is RELEASED, NOT BOOKED, and demands a Certificate of Release Form (PD Form 300.06), the form shall be issued by the Arresting Officer
- The Arresting Officer shall complete the Certificate of Release Form, sign it and give it to the subject
- The Arrest and RNB Information Form shall include the following statement in the narrative: "Certificate of Release issued"

#### **6.5.10 IN-CUSTODY RELEASE/WRITTEN PROMISE TO APPEAR CITATIONS/OWN RECOGNIZANCE (OR) RELEASE**

Arresting officer will check the applicable space on the [853.6 PC](#) compliance section of the "Arrest/RNB Information Form" (PD Form 4102.013).

The booking sergeant will assure the appropriate space is checked on the 853.6 PC compliance section of the Arrest/RNB Information Form.

Jail personnel will advise the prisoner of the possibility of a citation release. If qualified, the prisoner will sign a written promise to appear prior to being released. The jailer will assist the arrestee in the completion of the citation release information on the Bailiff/Detail copy. The prisoner will be fingerprinted and photographed consistent with other prisoners. Upon completion, the information will be sent to the Records Division with the completed Records Division copy and the fingerprint cards.

#### **Records Division Responsibilities**

Records Division personnel responsible for making the identification will forward the Citation Release form to the jail supervisor with the following: a copy of the arrestee's blue arrest face sheet, a list of any prior arrests, and the release card. If the arrestee has no local record, a notation will be made on the Citation Release Information form.

#### **Jail Supervisor Responsibilities**

The jail supervisor **SHALL** review the Citation Release form, arrest information and the arrestee's prior arrest record. If the individual is eligible, considering criteria, and receives five points from the point system scale sheet, the jail supervisor shall authorize the Citation Release. The authorized release card will be forwarded to the Booking Desk for routine release processing, with an approval noted on the Bailiff/Detail copy. It should be noted that when housing space in the jail becomes critical, certain criteria may be waived and the release policy liberalized with the approval of the jail supervisor. Reasonable effort should be made to validate any citation release information furnished by the arrestee.

Citation Release Criteria: Release will not be executed if one or more of the following conditions exist:

- The safety of the arrestee or others may be jeopardized by the release, where the arrestee may return, or there is reasonable likelihood that the cause of the arrest or



offense will continue or resume. This includes offenses such as [11550\(a\)&\(b\) H&S](#), Under the influence of an Opiate or PCP; [647\(B\) PC](#), soliciting for prostitution; and [647\(A\) PC](#), Lewd Acts; [273.6 PC](#), Domestic Violence; violation of orders, and any Domestic Violence case where the victim is injured

- If evidence indicates that the arrestee, if released, will commit any offense causing injury to persons or damage to property
- If the arrestee fails to properly identify himself/herself
- If the arrestee refuses to sign the Promise to Appear
- If the arrestee is unable to care for his/her safety or the safety of others by virtue of intoxication or other conditions (release as soon as conditions permit)
- If the arrestee demands to be immediately taken before a magistrate
- If a reasonable likelihood exists that the arrestee will fail to appear in court as promised
- When the arrestee is charged with a violation of [Vehicle Code § 23152 \(Driving Under the Influence of Alcohol\)](#) or [23153 \(Combination of Alcohol and Drugs\)](#) of the California Vehicle Code. The arrestee may be released when he/she has regained sobriety
- When the arrest is for a warrant
- When the arrestee does not attain a minimum point score of five from the point system scale sheet
- When the prosecution of the offense or offenses for which the person was arrested, or the prosecution of any other offenses would be jeopardized by immediate release of the person

### Disqualified Applicants

In the event that the arrestee does not qualify for release, the watch commander will note the denial on the Release Card and forward it to the Booking Desk through normal channels. The watch commander will also note the denial, and a brief statement as to the reason, on the Bailiff/Detail copy, which will be forwarded to the Records Division where it will be filed in the arrestee's Departmental Record folder.

### Jail Personnel Citation Duties

- When the Citation Release card arrives in jail, the jail officer will advise the arrestee that they have been approved for a Citation Release and that they are to sign a "Citation Release and Promise to Appear in Court", PD form 2310.007
- If the arrestee desires to be released on a Citation Release, the jail officer will complete the form according to the current Bail/Appearance schedule. The jail officer will complete the form according to the current Bail/Appearance schedule. The jail officer will then witness the arrestee's signature as a promise to appear
- The jail officer will give the arrestee a copy and forward the Record's copy and court copy to the Records Division
- The arrestee will be released following routine release procedures
- Military arrestees are eligible to the military authorities upon release

#### 6.5.10.1 CITATION RELEASE GRADING SHEET

Length of time resided at present address:

- Over one year 3 points

- Over six months 2 points
- Four to six months 1 point

Length of time resided in the State (Award only if no point given for established residence)

- Over one year 1 point

Length of time employed by present employer

- Current job over one year 3 points
- Current job over six months 2 points
- Current job three to six months or supported by family 1 point

Marital Status

- Married 2 points
- Divorced or single 1 point
- Separated 0 points

Dependents

- Two or more children under 18 years 2 points
- One child under 18 years 1 point

Prior arrests

- No previous arrest 2 points
- One misdemeanor arrest 0 points
- Two misdemeanor or one felony -1 point
- Three misdemeanor or 2 felony -2 points
- Four misdemeanor or 3 felony -3 points

A total of five points are required for release.

### **6.5.11 PRISONER COST RECOVERY PROGRAM**

Implementation of the Prisoner Cost Recovery Program will allow the Department to assess a fee to individuals participating in the Court Commitment – Community Service Program. Under the program, individuals sentenced by the Long Beach Municipal Court for driving under the influence and public intoxication, will provide custodial and maintenance functions for the Department including Civic Center grounds maintenance and detailing of police vehicles. Females assigned to this program will be confined to the Women's Jail and will perform maintenance and domestic assignments. Individuals who cannot perform manual labor will not be accepted into the program. Security Officers assigned to the Fleet Services function will supervise participants.

#### **General Policy**

The Administration Bureau of the Department shall be responsible for administering the Prisoner Cost Recovery Program as specified herein.

**Program Guidelines**

Weekenders will initially report to the lobby business desk and pay the appropriate assessment fee by cash or money order. The fee to cover the commitment will be paid in advance of each weekend or day to be served. The individual will be given two copies of his/her receipt. The individual is then authorized to proceed to the basement booking desk for processing and fingerprinting of all Weekender/Community Service participants. Processing into the weekender program will not begin until after the number of days to be served is confirmed with the number of days paid.

One receipt will be given to and maintained by Jail/Booking and the sentenced individual will retain the second receipt.

Weekenders will report for work at the booking desk at 0500 hours each morning and will be checked out at 1700 hours.

The parking lot Security Officer will supervise the work detail of all male weekenders.

Female weekenders will work on the 4th floor under the direct supervision of the female Security Officer in-duty in the Women's Jail.

New weekenders will be booked into the computer system on their initial weekend. On that weekend, the Records Division will provide a photograph of the weekender to be attached to the attendance sheet. The weekender's name, booking number, payment receipt, beginning and ending dates of commitment and case number will be written on the attendance sheet. Booking desk personnel will complete this.

The weekender will sign his/her name on the first line of the attendance roster and will place a right thumbprint to the right of their name. The Booking Desk Security Officer will sign under the weekender's signature and time stamp the roster to the right of the thumbprint. This roster will be maintained at the booking desk.

At the close of each day, the parking lot Security Officer will return the weekender to the booking desk to be released. The weekender will again sign after "out", affix his/her right thumbprint and the Booking Desk Security Officer will sign below. The roster is time-stamped by the Booking Desk Security Officer who will maintain the roster in a file. This file will be kept at the Booking Supervisor's desk.

The commitment from the court and the original booking slip will be maintained with the weekender attendance roster at the booking desk.

At the completion of the sentence, the computer will be updated and all rosters will be given to the Records Division for filing.

**Jail Watch I Supervisor will be responsible for the following:**

- Booking clerks will book into the computer system every new weekender and fill out the weekender attendance roster. Complete the handwritten log of the weekend

commitment (name, booking number, Departmental Record (DR) number, starting date, ending date, receipt and amount paid)

- A Booking Desk Security Officer will fingerprint all weekenders as follows:
- Flats (flat hand and fingerprints) on the back of the blue printout sheet (first day only)
- Print and time stamp the weekender attendance roster (daily)
- Processed male weekenders shall line up in the booking tunnel along the south wall; Female weekenders go directly to the 4th floor
- Notify parking lot Security Officer when weekenders have been processed and are ready for work. The parking lot Security Officer will assume control of male weekenders. If needed, the parking lot Security Officer will supervise the lineup of male weekenders in the booking tunnel
- If a weekender fails to appear for a weekend, it will be the responsibility of the watch I Booking Desk Supervisor to prepare a "No-Show Weekender Form" and notify the Court via the Court Affairs Office. The attendance roster will be delivered to the Records Division for filing

**Watch II Jail Supervisor will be responsible for the following:**

- Attaining additional fingerprints or photographs of the weekender, if requested. Fingerprints and photographs will be prepared by 4th or 6th floor personnel
- If the attendance roster does not have a photograph of the weekender, one shall be secured from the Records Division and attached to the roster

**Watch III Supervisor will be responsible for the following:**

- Booking Desk Security Officer will checkout all weekenders
- Print and time stamp the weekender attendance roster
- Place the attendance roster into the weekender file to be kept at the Booking Supervisor's desk until completion of the sentence or failure to serve the commitment
- At the completion of the sentence, the computer will be updated by Watch III Booking Clerks and all weekender paperwork will be forwarded to the Records Division for filing

**Records Division Procedures**

Booking personnel will be responsible for ensuring that Records Division receives the paperwork (blue booking sheet, attendance sheet and Court commitment) on all first day weekenders.

The Records Division supervisor will assign a clerk to run each subject on the PSIS, PHI computers and 3x5 card index file to obtain a Department Record (DR) number and/or Main number.

If the weekender has a Department Record Number:

- Pull DR and insert a red "out" card with a 3x5 card stating "weekender" and date
- Records Division Supervisor or Fingerprint Classifier will verify fingerprints
- Records Division personnel will run a warrant check on all AKA's typed on the front of the DR jacket. If warrants are found, the Booking Sergeant will be notified. If warrants are not found, indicate on the front of the blue sheet "No Wants/Warrants, date and

last name of the employee who ran warrant check. If warrants are found, indicate on the front of the blue sheet, Booking Sergeant notified, date and last name of employee

- Photograph mug will be stapled to the attendance roster
- Write the DR # on the attendance roster
- If subject does not have a Main number, request one local fingerprint card. Fingerprint classifiers will issue a main number. Then file in the "weekender" box
- If subject has a DR# and a Main #, file in "weekender" box in DR# order
- A copy of the blue face sheet stating how many weekends to be served will be placed in the DR and original paperwork will be returned to Booking
- Do not type on Booking Control Log unless Main # is issued
- A conversion sheet will be forwarded to Police Systems. Highlight LBWE in the jail location box and paperclip all conversion together with a note "weekenders"

**If a weekender requires a full fingerprint work up:**

- Booking will be notified that subject requires a full fingerprint work-up and what fingerprint cards are necessary
- Copy both sides of the blue booking sheet and attach to the fingerprint cards when received. A second copy of the blue booking sheet will be made for conversion
- Original paperwork will be returned to Booking
- The fingerprint classifier will class and search the prints and, if necessary, issue a new DR# and/or Main number
- A conversion sheet will be turned into Police Systems by the fingerprint classifier. Highlight "LBWE" in the jail location box and paperclip all conversions together with a note "weekenders"
- Department Records for workers will go to the DR desk for processing and then are filed in the "weekender" box
- Put on Booking Control Log if new DR# and/or Main number
- Release cards are not required on any weekender.
- NO show up is required on weekenders.
- "Time Served" paperwork:
- Paperwork is brought to the Records Division by booking desk personnel and put in "weekender" box to be processed
- Fingerprint classifier pulls Department Record from "weekender" box, identifies prints and turns a conversion into the Police Systems Section. The conversion will indicate number of weekends to be served, time served and date of entry by the Police Systems Section in free field
- Example: Sent 2 WE/Time Served 8-23-87
- "No Show" paperwork:
- When "No show" paper work is brought to the Records Division, it will be verified to confirm the Court commitment is not the original, but a legible copy. The original commitment should be forwarded to Booking for them to return to Court

Police Systems will convert the booking numbers with fingerprints and enter note in free field.

Example: Sent 4 WE/No Show – date

Records Division will not keep “No show” paperwork on subjects unless there are fingerprints and a blue sheet with booking number.

If the DR has not be converted, it will be forwarded to Police Systems for conversion.

If the DR has been converted, it will be put in “Ready to File” cart by the DR desk.

### **Fee Deposit**

The Budget Section will collect the weekender fees each Monday morning or the next available business day. The fees collected will be reconciled with the other cash deposit transactions made at the Business Desk and deposited with the City Treasurer.

## **6.5.12 SUPERVISION OF INMATE WORKERS**

### **POLICY**

Sentenced inmate workers participate in the “trusty” program, which is considered an alternative sentencing option for the Long Beach Court. It is a minimum security-type operation and considered a privilege to serve “city time”. In this program, sentenced inmate workers assist with jail operations by performing janitorial, food preparation duties, and other tasks throughout the Department such as painting, light maintenance, and moving furniture. Sentenced inmate workers are sometimes referred to as “trusties”, but should be regarded as prisoners who need direct supervision.

### **PROCEDURE**

Department employees shall adhere to the following guidelines when utilizing sentenced inmate worker services:

- For inmate availability, call the Jail Supervisor at extension 87267.
- Report to the Jail to pick up an inmate. The inmate must be signed for, noting the location and work the inmate will be performing and wear an orange vest as identification.
- The inmate shall be under the direct supervision of an employee at all times while performing the designated task.
- When the task is completed, an employee shall escort the inmate worker back to the Jail. The inmate must be signed-in upon return.

Employees should treat sentenced inmate workers with the appropriate courtesy and respect. However, since inmate workers have access throughout the building, this creates several security concerns. When a problem or situation exists, an employee should question the inmate worker. If there are any doubts about a situation, report the problem to the Jail Supervisor at extension 87267. A Jail Supervisor is on-duty at all times and will help with any problems.

**Community Service Workers/Weekenders**

The Department also utilizes community service workers and weekenders to perform work. Community service workers and weekenders are supervised by gas pump Security Officers, not the Jail Division. If a problem occurs with these workers, contact Fleet Operations at extension 87448, or during the weekend contact the gas pump at extension 87433.

**6.5.13 BAIL FUGITIVE RECOVERY AGENTS**

Revised April 14, 2015

The Support Bureau will have audit responsibility

A bail fugitive recovery agent is a person who is provided written authorization pursuant to California Penal Code Sections [1300](#) and [1301](#) by the bail or depositor of bail, and is contracted to investigate, surveil, locate, and arrest a bail fugitive for surrender to the appropriate court, jail, or police department, and any person who is employed to assist a bail or depositor of bail to investigate, surveil, locate, and arrest a bail fugitive for surrender to the appropriate court, jail, or police department (California Penal Code Section [1299.01\(d\)](#)).

Bail fugitive recovery agents may attempt to book a fugitive at the Long Beach Police Department. They often wear uniforms similar to police officers with vests, and badges, and appear to be official government law enforcement officers.

Bail fugitive recovery agents are private citizens and should not be allowed into the booking tunnel Manual § 6.5.1.1 BOOKING AREA AND TUNNEL SECURITY, or the Public Safety Building (PSB), beyond the business desk. If the agent has business in the PSB, they must be escorted into and out of the building.

**6.5.13.1 COMMUNICATIONS SECTION RESPONSIBILITIES**

Revised April 14, 2015

Bail fugitive recovery agents may call the Communications Center identifying themselves as an “agent” with an in-custody warrant suspect, and inquire where to take their prisoner. The Communications Center employee taking the call should ask the caller their agency affiliation. Agents from an official government law enforcement agency i.e. Parole, ATF, etc., should be directed to the booking tunnel. Bail fugitive recovery agents, however, shall be directed to the PSB business desk.

**6.5.13.2 BUSINESS DESK RESPONSIBILITIES**

Revised April 14, 2015

When a bail fugitive recovery agent brings in a prisoner to the PSB business desk, business desk employees must verify that the warrant is a Long Beach Police Department warrant. Not all warrants issued in the Long Beach Court are from the Long Beach Police Department, there are many agencies that file criminal cases in the Long Beach Court. If the warrant is not a Long Beach Police Department warrant, but a warrant issued in Los

Angeles County direct the bail fugitive recovery agent to the Los Angeles County Men's Central Jail or the Women's CRDF facility. For a warrant issued in another county, refer them to the originating agency.

If the warrant is a Long Beach Police Department warrant, call for a patrol officer to respond to the business desk to take custody of the prisoner. Do not allow the bail fugitive recovery agent to bring their prisoner to booking or to enter the PSB beyond the secure area of the business desk.

### **6.5.13.3 PATROL OFFICER RESPONSIBILITIES**

Revised April 14, 2015

When requested to respond to the business desk for a warrant arrest prisoner, ensure the warrant is a Long Beach Police Department warrant before taking custody of the prisoner. If the warrant is not an LBPB warrant, refer the bail fugitive recovery agent to the proper agency or the Sheriff's Department.

If the prisoner has a Long Beach Police Department warrant, take custody of the prisoner and complete the booking process. Do not allow the bail fugitive recovery agent to accompany you into the PSB or booking area. If the agent wants a copy of the booking paperwork for proof of arrest, have them provide their contact information and the booking clerk will provide them with a copy of the booking form after completing the booking process.

### **6.5.13.4 BOOKING SECTION RESPONSIBILITIES**

Revised April 14, 2015

Under no circumstances will bail fugitive recovery agents be allowed to drive into the booking tunnel or bring their prisoner into the tunnel or booking area. They shall be directed to the business desk.

The booking clerk will examine the warrant to determine if it is valid and in the warrant system. If not, the prisoner will be released, and not booked. If the warrant is valid, the booking sergeant will determine if our Department will accept the prisoner for booking or issue a citation.

### **6.5.14 HOSPITALIZATION OF INMATES**

Revised October 20, 2015

The Investigations Bureau will have review responsibility.

Last reviewed June 18, 2019

Medical issues may cause an inmate to have an extended stay at a hospital, requiring a police officer or armed security services officer (SSO) to guard the individual.

When an inmate is transported to a local hospital for treatment, or a person is arrested and taken directly to a hospital for treatment, an officer will remain with the inmate until they are transported to the station and released to the custody of the Jail Division.



Any arrestee who is transported to a local hospital, falls under the same guidelines as if they were in custody within the Jail Division. The hospital room where the arrestee is housed, is an extension of the jail and should be considered a jail cell.

The arrestee shall remain handcuffed and/or in leg restraints to ensure he or she does not escape. Restraints should only be removed if deemed medically necessary and should be re-applied as soon as medically allowed. Handcuffs and leg restraints can be obtained from the Jail Division for long term hospitalizations.

For security reasons, arrestees and inmates are logged into the hospital records under an assumed name. The room number and the fact the subject is in the hospital are not public records. Officers guarding an inmate shall not disclose the location of the inmate to anyone other than department employees, nor should they broadcast it over the radio.

#### **6.5.14.1 PHONE CALLS & VIDEO CONFERENCING**

Revised October 20, 2015  
Last Reviewed June 18, 2019

The phone within the hospital room should be unplugged at all times or kept out of reach of the inmate to ensure he or she is not receiving or making calls.

Inmates at a hospital, once they are medically able, will be allowed to make three local outgoing telephone or video calls daily, not to exceed five minutes each per [CPC § 851.5](#). Incoming calls are not allowed.

An officer guarding an inmate shall dial the telephone number or place the video call for the inmate. The officer shall record the number or internet contact information and file a follow-up report documenting this information. In all cases, every attempt should be made to record the telephone or video call, unless the inmate is speaking to his or her attorney, clergy, or a doctor, which are all privileged communications. If the call is going to be recorded, the arrestee and person called shall be notified that the call is being recorded.

Prior to a phone or video call, notify the arrestee that he or she is not allowed to provide information relative to their hospital room number or which floor they are housed within the hospital.

Video conferencing may be allowed if the following criteria are met:

- 1) The hospital provides authorization to ensure the computer equipment will not interfere with any medical equipment;
- 2) The requesting party can provide the necessary computer equipment;
- 3) The requesting party can provide internet access.

#### **6.5.14.2 ATTORNEY VISIT REQUESTS**

Revised October 20, 2015  
Last Reviewed June 18, 2019

[California Penal Code § 825\(b\)](#) states that after an arrest, an attorney may, at the request of the prisoner, or any relative of the prisoner, visit the prisoner. Any person who refuses or neglects to allow the visit is guilty of a misdemeanor. Attorney visitation is for licensed attorneys only, not representatives, investigators, experts, or family members. No one other than the attorney will be allowed to visit unless authorized by the Investigations Bureau. If attorney visitation is to occur, refer to, and follow, Manual § [6.5.14.3](#)  
**AUTHORIZED VISITS.**

Prior to authorizing a visit, the handling detective will ensure a representation letter has been received from the attorney showing they represent the arrestee.

An attorney who asks to visit their client shall not automatically be given such approval for a visit. Officers who are contacted by an inmate's attorney will do the following prior to allowing a visit:

- 1) Contact the handling detective(s) to determine if they are involved in any investigative procedures with the inmate. If the handling detective is unavailable, check with his or her chain of command. If investigative procedures are underway, such as an interview, notify the attorney of the delay. Investigative procedures may not unduly delay the attorney's visit, however, detectives are not required to stop an interview to allow the visit to commence.
- 2) Ensure there are no medical procedures being conducted or scheduled during the time the attorney wants to visit so as not to interfere with medical care.
- 3) Visits should occur during hospital visiting hours. If outside of visiting hours, the attorney must obtain approval from the hospital in addition to obtaining approval from the handling detective. Once initial approval is given, the attorney may visit again without detective approval unless otherwise specified.

#### **6.5.14.3 AUTHORIZED VISITS**

Revised October 20, 2015  
Last Reviewed June 18, 2019

If a visit is authorized for a family member, attorney, or clergy the rules listed below shall be explained to the individual(s) prior to the visit. The length of a visit and how often a visit will occur will be determined by Investigations Bureau personnel. Visitation by an attorney, family or clergy member is governed by the [California Code of Regulations, Title 15, Subchapter 2, Article 7](#).

##### **A) Attorneys**

- 1) Must present a valid Bar Association card from the state in which he or she is licensed to practice;
- 2) Must submit to a pat-down frisk search and a search of their briefcase, bag, and any other containers in their possession; the scope of the search is for weapons and/or contraband only;
- 3) May not record or photograph due to privacy concerns within the hospital
- 4) May bring in a pad of paper and pen to write notes;

- 5) May not give their client anything to keep, such as notes or other items, with the exception of a business card;
  - 6) The officer guarding the inmate will remain in the room during the attorney visit, but may not record, document or monitor the conversation.
    - a) The officer may not discuss any conversation that was overheard with anyone, unless there is discussion of the commission of a future crime, in which case the visit will be immediately terminated and the Watch Commander notified.
- B) Family or Clergy Members
- 1) Must be escorted by designated officer at all times;
  - 2) Visitations can be terminated at any time;
  - 3) Visits by family or clergy may be permitted only when the attending physician has determined that the inmate is likely to die as a result of his or her condition;
  - 4) Visits by family or clergy may be permitted if there are no security concerns precluding such a visit;
  - 5) Visits must be approved by a Command Officer or Lieutenant within the Investigations Bureau;
  - 6) No more than two visitors will be allowed at a time;
    - a) Must possess current Government identification;
    - b) Must provide name of visitor in advance;
    - c) May not be a convicted felon;
    - d) No Long Beach Police Department arrests within last 6 months ;
    - e) Must submit to a pat-down frisk search, and a search of their briefcase, bag, and any other containers in their possession; the scope of the search is for weapons and/or contraband only;
  - 7) May not discuss current case;
  - 8) May not pass notes or other items;
  - 9) No electronic devices are permitted to be used in the room.

#### **6.5.14.4 DISRUPTIVE BEHAVIOR DURING VISITS**

Revised October 20, 2015  
Last Reviewed June 18, 2019

Disruptions at the hospital involving visitors, will result in the immediate termination of the visit. If a visitor is asked to leave, or returns without authorization, they must be informed to leave immediately or they are subject to arrest for trespassing, assuming the hospital will sign a private person's arrest. If the hospital does not wish to be a victim of a crime and probable cause exists, consider arresting for obstruction of justice, [CPC §148](#), or disturbing the peace, [CPC §415](#).

#### **6.5.15 PRISON RAPE ELIMINATION (PREA)**

Revised January 26, 2016  
The Support Bureau will have audit responsibility.

##### **6.5.15.1 PURPOSE AND SCOPE**

Revised January 26, 2016

This policy provides guidance for complying with the Prison Rape Elimination Act of 2003 (PREA) and the regulation that establishes standards (PREA Rule) to prevent, detect and respond to sexual abuse, harassment and retaliation against detainees or prisoners in the LBPJ Jail (28 CFR 115.111).

**A) Definitions**

- 1) Intersex - A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development (28 CFR 115.5).
- 2) Sexual abuse - Any of the following acts, if the detainee does not consent, is coerced into such act by overt or implied threats of violence or is unable to consent or refuse:
  - a) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight.
  - b) Contact between the mouth and the penis, vulva or anus.
  - c) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object or other instrument.
  - d) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh or the buttocks of another person, excluding contact incidental to a physical altercation (28 CFR 115.6).

Sexual abuse, as defined in 28 CFR 115.6, includes abuse by a staff member, contractor or volunteer as follows, with or without consent of the detainee, prisoner or resident:

- a) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight.
- b) Contact between the mouth and the penis, vulva or anus.
- c) Contact between the mouth and any body part where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire.
- d) Penetration of the anal or genital opening, however slight, by a hand, finger, object or other instrument, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire.
- e) Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh or the buttocks, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire.
- f) Any attempt, threat or request by a staff member, contractor or volunteer to engage in the activities described above.
- g) Any display by a staff member, contractor or volunteer of his/her uncovered genitalia, buttocks or breast in the presence of a detainee, prisoner or resident.
- h) Voyeurism by a staff member, contractor or volunteer (28 CFR 115.6).
- 3) Sexual harassment - Repeated and unwelcome sexual advances; requests for sexual favors; verbal comments, gestures or actions of a derogatory or

offensive sexual nature by one detainee, prisoner or resident that are directed toward another; repeated verbal comments or gestures of a sexual nature to a detainee, prisoner or resident by a staff member, contractor or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6).

- 4) Transgender - A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth (28 CFR 115.5).

### **6.5.15.2 POLICY**

Revised January 26, 2016

The Long Beach Police Department has zero tolerance toward all forms of sexual abuse and sexual harassment (28 CFR 115.111). The Department will not tolerate retaliation against any person who reports sexual abuse or sexual harassment or who cooperates with a sexual abuse or sexual harassment investigation.

The Long Beach Police Department will take immediate action to protect detainees and prisoners who are reasonably believed to be subject to a substantial risk of imminent sexual abuse (28 CFR 115.162).

### **6.5.15.3 PREA COORDINATOR**

Revised January 26, 2016

The Chief of Police shall appoint an upper-level manager with sufficient time and authority to develop, implement and oversee department efforts to comply with PREA standards in the LBPJ Jail (28 CFR 115.111). The PREA Coordinator's responsibilities shall include:

- 1) Developing and maintaining procedures to comply with the PREA Rule.
- 2) Ensuring that any contract for the confinement of detainees or prisoners includes the requirement to adopt and comply with applicable PREA and the PREA Rule, including the obligation to provide incident-based and aggregated data, as required in 28 CFR 115.187 (28 CFR 115.112).
- 3) Developing a staffing plan to provide adequate levels of staffing and video monitoring, where applicable, in order to protect detainees and prisoners from sexual abuse (28 CFR 115.113). This includes documenting deviations and the reasons for deviations from the staffing plan, as well as reviewing the staffing plan a minimum of once per year.
- 4) Developing methods for staff to privately report sexual abuse and sexual harassment of detainees and prisoners (28 CFR 115.151).
- 5) Developing a written plan to coordinate response among staff first responders, medical and mental health practitioners, investigators and department leadership to an incident of sexual abuse (28 CFR 115.165).
- 6) Ensuring a protocol is developed for investigating allegations of sexual abuse in the LBPJ Jail. The protocol shall include (28 CFR 115.121; 28 CFR 115.122):
  - a) Evidence collection practices that maximize the potential for obtaining

- usable physical evidence based on the most recent edition of the U.S. Department of Justice's (DOJ) Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents" or a similarly comprehensive and authoritative protocol.
- b) A process to ensure a criminal or administrative investigation is completed on all allegations of sexual abuse or sexual harassment.
  - c) A process to document all referrals to other law enforcement agencies.
  - d) Access to forensic medical examinations, without financial cost, for all victims of sexual abuse where appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The efforts to provide SAFEs or SANEs shall be documented.
  - e) In accordance with security needs, provisions to permit, to the extent available, detainee and prisoner access to victim advocacy services if the detainee or prisoner is transported for a forensic examination to an outside hospital that offers such services.
- 7) Ensuring that detainees and prisoners with limited English proficiency and disabilities have an equal opportunity to understand and benefit from efforts to prevent, detect and respond to sexual abuse and sexual harassment. This includes, as appropriate, access to interpreters and written materials in formats or through methods that provide effective communication to those with disabilities (e.g., limited reading skills, intellectual, hearing or vision disabilities) (28 CFR 115.116).
- a) The agency shall not rely on other detainees or prisoners for assistance except in limited circumstances where an extended delay in obtaining an interpreter could compromise the detainee's or prisoner's safety, the performance of first-response duties under this policy, or the investigation of a prisoner's allegations of sexual abuse, harassment or retaliation.
- 8) Publishing on the department's website:
- a) Information on how to report sexual abuse and sexual harassment on behalf of a detainee or prisoner (28 CFR 115.154).
  - b) A protocol describing the responsibilities of the Department and any other investigating agency that will be responsible for conducting sexual abuse or sexual harassment investigations (28 CFR 115.122).
- 9) Establishing a process that includes the use of a standardized form and set of definitions to ensure accurate, uniform data is collected for every allegation of sexual abuse at facilities under this agency's direct control (28 CFR 115.187).
- a) The data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence, conducted by DOJ, or any subsequent form developed by DOJ and designated for lockups.
  - b) The data shall be aggregated at least annually.
- 10) Ensuring audits are conducted pursuant to 28 CFR 115.401 through 28 CFR 115.405 for all LCPD Jail facilities used to house detainees or prisoners overnight (28 CFR 115.193).
- 11) Ensuring contractors or others who work in the LCPD Jail are informed of the

agency's zero-tolerance policy regarding sexual abuse and sexual harassment (28 CFR 115.132).

#### **6.5.15.4 REPORTING SEXUAL ABUSE AND HARASSMENT**

Revised January 26, 2016

Detainees or prisoners may make reports verbally, or in writing, privately or anonymously of any of the following ([28 CFR 115.151](#)):

- 1) Sexual abuse;
- 2) Sexual harassment;
- 3) Retaliation by other detainees or prisoners or staff for reporting sexual abuse or sexual harassment;
- 4) Staff neglect or violation of responsibilities that may have contributed to sexual abuse or sexual harassment.

During intake, the Department shall notify all detainees and prisoners of the zero-tolerance policy regarding sexual abuse and sexual harassment, and of at least one way to report abuse or harassment to a public or private entity that is not part of the Department and that is able to receive and immediately forward detainee or prisoner reports of sexual abuse and sexual harassment to agency officials. This allows the detainee or prisoner to remain anonymous ([28 CFR 115.132](#); [28 CFR 115.151](#)).

##### **A) Employee Responsibilities**

Department employees shall accept reports from detainees, prisoners and third parties and shall promptly document all reports ([28 CFR 115.151](#)). All employees shall report immediately to the Jail Supervisor any knowledge, suspicion or information regarding:

- 1) An incident of sexual abuse or sexual harassment that occurs in the LBPD Jail.
- 2) Retaliation against detainees or the member who reports any such incident.
- 3) Any neglect or violation of responsibilities on the part of any department member that may have contributed to an incident or retaliation ([28 CFR 115.161](#)).

No member shall reveal any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment and investigation decisions.

##### **B) Jail Supervisor Responsibilities**

The Jail Supervisor shall report to the department's designated investigators all allegations of sexual abuse, harassment, retaliation, neglect or violations leading to sexual abuse, harassment or retaliation. This includes third-party and anonymous reports ([28 CFR 115.161](#)).

If the alleged victim is under the age of 18 or considered a vulnerable adult, the Jail Supervisor shall also report the allegation as required under mandatory reporting laws and department policy.

Upon receiving an allegation that a detainee or prisoner was sexually abused while

confined at another facility, the Jail Supervisor shall notify the head of the facility or the appropriate office of the agency where the alleged abuse occurred. The notification shall be made as soon as possible but no later than 72 hours after receiving the allegation. The Jail Supervisor shall document such notification ([28 CFR 115.163](#)).

If an alleged detainee or prisoner victim is transferred from the LBPJ Jail to another jail, prison or medical facility, the Department shall, as permitted by law, inform the receiving facility of the incident and the prisoner's potential need for medical or social services, unless the prisoner requests otherwise ([28 CFR 115.165](#)).

The Jail Supervisor will ensure that the Watch Commander is notified regarding allegations of sexual assault, harassment, retaliation, neglect or violations leading to sexual assault, harassment or retaliation occurring within the LBPJ Jail.

#### **6.5.15.5 INVESTIGATIONS**

Revised January 26, 2016

The Department shall promptly, thoroughly and objectively investigate all allegations, including third-party and anonymous reports, of sexual abuse or sexual harassment. Only investigators who have received department-approved special training shall conduct sexual abuse investigations ([28 CFR 115.171](#)).

Manual § 6.1.5 SEXUAL ASSAULT - MEDIA POLICY, 8.7.1 DOMESTIC VIOLENCE/SEXUAL ASSAULT RESOURCES FORM, 8.7.6 SEXUAL ASSAULT RESPONSE TEAM (SART), 8.7.7 SEXUAL ASSAULT EVIDENCE and [Training Bulletins 78 Sex Crime Reports Part I](#), [79 Sex Crime Reports Part II](#), [156 Rape Investigation Part I](#), [157 Rape Investigation Part II](#), 188 *Rape, Understanding Motivations – An Aid in Investigations*, comply with all the requirements identified in the following sections:

- [28 CFR 115.164](#)
- [28 CFR 115.171](#)
- [28 CFR 115.171\(e\)](#)
- [28 CFR 115.172](#)
- [28 CFR 115.176](#)
- [28 CFR 115.177](#)
- [28 CFR 115.178](#)
- [28 CFR 115.182](#)

#### **6.5.15.6 RETALIATION PROHIBITED**

Revised January 26, 2016

All detainees, prisoners and members who report sexual abuse or sexual harassment or who cooperate with sexual abuse or sexual harassment investigations shall be protected from retaliation ([28 CFR 115.167](#)). If any other individual who cooperates with an investigation expresses a fear of retaliation, appropriate measures shall be taken to protect that individual.



The Jail Administrator or the authorized designee shall employ multiple protection measures, such as housing changes or transfers for detainee or prisoner victims or abusers, removal of alleged abusers from contact with victims, and emotional support services for detainees, prisoners or members who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

The Jail Administrator or the authorized designee shall identify a staff member to monitor the conduct and treatment of detainees, prisoners or members who have reported sexual abuse and of detainees or prisoners who were reported to have suffered sexual abuse. The staff member shall act promptly to remedy any such retaliation. In the case of detainees or prisoners, such monitoring shall also include periodic status checks.

#### **6.5.15.7 REVIEWS AND AUDITS**

Revised January 26, 2016

##### **A) Incident Reviews**

An incident review shall be conducted at the conclusion of every sexual abuse investigation unless the allegation has been determined to be unfounded. The review should occur within 30 days of the conclusion of the investigation. The review team shall include upper-level management officials and seek input from line supervisors and investigators ([28 CFR 115.186](#)).

The review shall ([28 CFR 115.186](#)):

- (1) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse.
- (2) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender or intersex identification, status or perceived status; gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility.
- (3) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.
- (4) Assess the adequacy of staffing levels in that area during different shifts.
- (5) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

The review team shall prepare a report of its findings, including any determinations made pursuant to this section and any recommendations for improvement. The report shall be submitted to the Chief of Police and the PREA Coordinator. The Chief of Police or the authorized designee shall implement the recommendations for improvement or shall document the reasons for not doing so ([28 CFR 115.186](#)).

##### **B) Data Reviews**

The facility shall conduct an annual review of collected and aggregated incident-based sexual abuse data. The review should include, as needed, data from incident-based

documents, including reports, investigation files and sexual abuse incident reviews ([28 CFR 115.187](#)).

The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection and response policies, practices and training. An annual report shall be prepared that includes ([28 CFR 115.188](#)):

- 1) Identification of any potential problem areas.
- 2) Identification of any corrective actions taken.
- 3) Recommendations for any additional corrective actions.
- 4) A comparison of the current year's data and corrective actions with those from prior years.
- 5) An assessment of the department's progress in addressing sexual abuse.

The report shall be approved by the Chief of Police and made readily available to the public through the department website or, if it does not have one, through other means. Material may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the LBPJ Jail. However, the nature of the redacted material shall be indicated.

All aggregated sexual abuse data from Long Beach Police Department facilities and private facilities with which it contracts shall be made readily available to the public at least annually through the department website or, if it does not have one, through other means. Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed ([28 CFR 115.189](#)).

#### **6.5.15.8 RECORDS**

Revised January 26, 2016

The Department shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is held or employed by the Department, plus five years ([28 CFR 115.171](#)).

All other data collected pursuant to this policy shall be securely retained for at least 10 years after the date of the initial collection unless federal, state or local law requires otherwise ([28 CFR 115.189](#)).

#### **6.5.15.9 TRAINING**

Revised January 26, 2016

All employees, volunteers and contractors who may have contact with detainees or prisoners shall receive department-approved training on the prevention and detection of sexual abuse and sexual harassment within this facility.

The Training Division Commander shall be responsible for developing and administering this training as appropriate, covering at a minimum ([28 CFR 115.131](#)):

- 1) The Department's zero-tolerance policy and the right of detainees and prisoners to be free from sexual abuse and sexual harassment, and from retaliation for reporting

- sexual abuse or harassment.
- 2) The dynamics of sexual abuse and harassment in confinement settings, including which detainees and prisoners are most vulnerable.
  - 3) The right of detainees, prisoners and staff members to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
  - 4) Detecting and responding to signs of threatened and actual abuse.
  - 5) Communicating effectively and professionally with all detainees and prisoners.
  - 6) Compliance with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

All sexual abuse investigators receive sexual abuse investigations training that complies with [28 CFR 115.134](#).

The Communications and Training Division Commander shall maintain documentation that employees, volunteers, contractors and investigators have completed required training and that they understand the training. This understanding shall be documented through individual signature or electronic verification.

All current employees and volunteers who may have contact with detainees or prisoners shall be trained within one year of the effective date of the PREA standards. The agency shall provide annual refresher information to all such employees and volunteers to ensure that they understand the current sexual abuse and sexual harassment policies and procedures.



## **6.6 PERSONNEL**

### **6.6.1 PAYROLL TIME RECORDS & TIMECARDS**

#### **Employee Responsibilities**

- Employees shall be responsible for completing and signing their timecard. The ONLY exception to this policy is when an employee is absent due to approved time off or illness. Employees shall record their exact time worked. Falsely reporting hours worked is a violation of City and Department policy. Employees shall not take time-off and report it as time worked to compensate for earlier unreported time worked
- Timecards shall be submitted to the employee's supervisor on a weekly basis, based on assignment, and not later than Friday of each week
- Employees shall check the missing time card board, located in the 2nd floor outside of the Department's Payroll Office, on a weekly basis to ensure their time cards were submitted
- Employees who know they will be on scheduled time-off shall ensure they have completed, signed and submitted a timecard to their supervisor, prior to their scheduled time off

#### **Supervisor Responsibilities**

- Supervisors shall ensure that all employees under their supervision accurately complete their timecards, charging the appropriate accounts
- Supervisors shall check the missing time card board outside the Payroll Office by the end of each pay period for personnel under their direction to ensure all time cards have been submitted
- Supervisors shall ensure that any employee in an off-work status (IOD, sick time, et cetera) has a timecard completed and submitted on their behalf
- Supervisors shall approve timecards for personnel under their direction and submit them to Payroll not later than Monday at 0900 hours of each week
- Exception: Employees who work a different schedule with days off that fall on Wednesday, Thursday, Friday; Thursday, Friday, Saturday; or Friday, Saturday, Sunday, shall submit their timecards and have the supervisor approve them on their last workday, each week
- Supervisors shall ensure that a checklist of all employees within the Division is included with the submitted timecards
- Overtime cards shall be submitted daily

#### **Division Commander Responsibilities**

- Each Division shall assign a supervisor to coordinate the submission of timecards
- Each Division Commander shall ensure timecards for their respective command are completed and submitted in accordance with policy

#### **Patrol Bureau Responsibilities**

The Patrol Bureau, with unique shifts and staffing requirements, shall adopt the following procedures:

- Designate a supervisor for each Patrol Division as the Timecard Coordinator. Coordinators shall ensure a timecard is submitted to the Payroll Office for every employee in their Division by 2400 hours, each Friday of each week. A checklist of all employees within the Division shall be submitted with the completed timecards

**Exception:** Employees who work a different schedule with days off that fall on Wednesday, Thursday, Friday; Thursday, Friday, Saturday; or Friday, Saturday, Sunday, shall submit their timecards and have the supervisor approve them on their last workday, each week

- Sergeants shall ensure that timecards for their employees are submitted to the Division Timecard Coordinator on a weekly basis
- Each Division shall appoint an alternate supervisor to ensure timecards are submitted in the absence of the Timecard Coordinator
- One-officer vehicle time sheets and overtime cards shall be submitted daily by the approving supervisor

#### **6.6.1.1 PAYROLL CHECK DISCREPANCIES**

ALL problems or questions relative to payroll shall be directed to the Department Payroll Office. Employees will not contact Central Payroll at City Hall unless directed to do so by the Police Department Payroll Office

#### **6.6.1.2 VACATION/OVERTIME/HOLIDAY REQUESTS FOR TIME OFF**

It shall be the responsibility of the employee requesting a scheduled absence to submit a written request to his/her supervisor on PD Form 1000.007, "Vacation/Overtime/Holiday Request and Court Appearance Schedule", indicating the dates of the requested absence. The request shall be submitted a minimum of 14-days prior to the requested time off.

The form shall be completed to include court dates during the requested absence for which subpoenas were served, and the employee's return to work date.

Upon approval by the supervisor, the employee shall ensure a signed copy of the request is forwarded to the employee's Division Commander. All officers shall also ensure three copies of the signed request form are forwarded to the Court Affairs Officer 14-days prior to the scheduled absence

#### **6.6.1.3 REQUESTS FOR COMPENSATORY TIME OFF**

Revised July 11, 2013  
The Administration Bureau has audit responsibility.

This policy applies to all police officers, corporals, sergeants and lieutenants in the Police Department.

Nonexempt, sworn employees of the Department may receive compensatory time off for overtime work, in lieu of cash payment, in accordance with City of Long Beach Personnel Ordinance 4.08.

A nonexempt, sworn employee, who has accrued compensatory time off and requests the use of this time, shall be permitted to use such time in accordance with this policy.

**Requesting Compensatory Time Off**

A nonexempt employee who wants to use accrued compensatory time off must submit a written request to his/her immediate supervisor or the scheduling supervisor by completing a day off request form.

Requests in excess of four (4) consecutive days off must be submitted at least one (1) week in advance. All other requests must be submitted at least 48 hours in advance. However, the immediate supervisor or scheduling supervisor may, at his/her discretion, approve a request submitted with less than 48 hours' notice where the request is for one (1) day off.

**Supervisor Evaluation of Requests for Compensatory Time Off**

The fact that a replacement employee may be entitled to overtime compensation shall not be used as a basis for denying a request to use compensatory time.

It will be the Department's responsibility to find a qualified replacement employee for the nonexempt, sworn employee requesting compensatory time off. However, if the nonexempt, sworn employee has a suggestion or knows of someone willing to work their shift, they should advise the appropriate supervisor.

A qualified replacement must be comparable to the employee to be replaced and must be able to carry out the full functions of the employee to be replaced as determined by the Department. A replacement employee cannot work two consecutive full shifts.

The scheduling supervisor shall comply with the direction of the Chief of Police or his/her designee to ensure bureau staffing needs are met before approving any time off. If staffing levels are not met, then the request will be denied.

Compensatory overtime hours may not be used for the following days:

- New Year's Day
- Independence Day
- Thanksgiving Day
- Christmas Eve
- Christmas Day
- New Year's Eve

The Department reserves the right to deny a request for the use of compensatory time in the case of a planned or spontaneous-critical event that requires maximum resources,

including, but not limited to, natural disasters, protests, demonstrations or other significant events.

## **6.6.2 OVERTIME ASSIGNMENT POLICY FOR SWORN PERSONNEL**

Revised March 30, 2018  
The Administration Bureau has audit responsibility.

### **6.6.2.1 DEFINITIONS**

Revised April 22, 2024

See [Special Order – Overtime Protocols – 2024 – 3](#)

### **6.6.2.2 GENERAL**

Revised April 22, 2024

See [Special Order – Overtime Protocols – 2024 – 3](#)

### **6.6.2.3 OVERTIME CARDS**

Revised March 30, 2018

All overtime should be documented to include the following:

- Overtime explanations must be completed on the employee's time report;
- Include the actual hours worked and the employee's DID number; and
- Initialed by a supervisor.

All Special Events Overtime cards are to be completed immediately and submitted to the Special Events office within 24 hours after the overtime has been worked. All Court Overtime cards are to be completed immediately and submitted to the Court Affairs Office within 72 hours. In all instances, every effort should be made to submit timecards before the weekly deadline set by Personnel Division for regular and holiday work weeks.

## **6.6.3 POLICE OFFICER VOLUNTARY OVERTIME**

Revised April 22, 2024

See [Special Order – Overtime Protocols – 2024 – 3](#)

### **6.6.3.1 INVERSE PATROL OVERTIME**

Revised April 22, 2024

See [Special Order – Overtime Protocols – 2024 – 3](#)

### **6.6.3.2 DELETED 4/22/2024**

### **6.6.3.3 SPECIAL EVENTS STAFFING**

Revised March 30, 2018



Special Events will primarily staff from a voluntary list of officers maintained within the Special Events Unit, and in accordance with the selection procedures specified within LBPD Manual § 7.1.40 SPECIAL EVENTS.

#### **6.6.4 PATROL RELIEF OPTION PROGRAM**

Revised April 22, 2024

See [Special Order – Mandatory Patrol Calls for Service Overtime – 2023-1](#)

##### **6.6.4.1 DELETED 4/22/2024**

#### **6.6.4.2 SECURITY SERVICES DIVISION**

Revised March 30, 2018

All officers inversed for involuntary overtime in any of the Security Services operations must be qualified to fill the involuntary vacancy assignment.

In the event of immediate unplanned vacancies that are unable to be filled voluntarily, the Watch Commander shall be notified.

If an officer is involuntarily inversed to fill a Special Security position, the supervisor ordering the involuntary overtime will send an email to the scheduler, the Watch Commander and the affected employee noting the involuntary overtime assignment and the date worked.

#### **6.6.5 HIGHER CLASSIFICATION (HC) PAY**

Revised May 2, 2013

The Administration Bureau will have audit responsibility.

Higher classification pay will be paid in accordance with policy established by the City of Long Beach, Department of Human Resources, Personnel Policies and Procedures, [Higher Classification Pay 3.3](#).

#### **6.6.6 SPECIAL DETAIL**

If working "Special Detail" within the Department in a Division other than your own, the Division shall handle your timecard where you are working. Your regular Division shall note "Special Detail" on their daily assignment sheet as well as the Division where the employee is assigned.

Prior to an employee taking vacation, a vacation schedule shall be sent to the Payroll Office at least two weeks prior to the employee starting his/her time off. Do not change an individual's days off during the time he/she is off on vacation, extended overtime off, IOD, et cetera.

#### **6.6.7 SICK LEAVE**

City of Long Beach Personnel Ordinance Section 2.06 states that a Department or Division manager may require an employee to provide satisfactory evidence of illness upon the employee's return from sick leave. The Section further states that the evidence should be in the form of a physician's written report stating the nature, duration, and extent of the illness. If a satisfactory report is not provided, wages for the absence shall not be paid.

- In the event an employee requests sick leave for an absence in excess of five consecutive sick days, the employee shall provide a written report from a practicing physician regarding the absence
- His/her immediate supervisor shall advise any employee suspected of sick leave misuse that a written physician's report is required. The employee shall not be paid for the period of absence until he/she provides a satisfactory written physician's report
- A satisfactory written physician's report must include the nature, duration and extent of the employee's illness
- An employee is not entitled to compensation for either the time, or expense, of obtaining a physician's report
- If there is a valid suspicion that an employee is involved in the habitual or planned use of sick leave, the following steps shall be taken:
- The employee shall be counseled by the supervisor regarding the suspected misuse of sick leave and
- The employee shall be provided with a written notification that a physician's written report will be required for all future sick leave occurring during a specified time of probation (i.e., six to twelve months) if the employee expects to receive compensation for the absences

#### **6.6.8 ABSENCE - UNAUTHORIZED**

Whenever an employee is absent from duty three consecutive workdays without authorization, the following procedure shall take place:

- The employee's Division Commander shall forward a written notification to the Commanding Officer of the Personnel Division on the first day immediately following the third day of the employee's absence
- The Administrator, Personnel Division, shall cause the "Absence without Authorization" to be confirmed and prepare a letter to the Civil Service Commission for the signature of the Chief of Police. The letter shall include the exact consecutive dates of the employee's unauthorized absence
- The letter to the Civil Service Commission and any other related documents will then be forwarded to the Deputy Chief, Administration Bureau, for processing
- A copy of a response from the Civil Service Commission shall be forwarded to the Commander, Personnel Division

#### **6.6.9 REPORTING OF ILLNESS/INJURY OFF-DUTY**

All employees who become ill or injured when off-duty, to the extent they are unable to report for work, shall adhere to the following procedures.

Employees assigned to Communications, Jail, Patrol and Information Management shall notify a Division supervisor not later than 30-minutes prior to the start of their shift of their inability to report to work. All other personnel shall notify their Division/Section Supervisor not later than the beginning of their shift. Employees shall notify a supervisor at least one rank level above their own. Employees shall report their intended absence on a daily basis. Commanding officers may notify a subordinate of their absence and report the absence the next workday to a superior officer.

It shall be the responsibility of the supervisor receiving the call to complete a "Report of Absence" card (PD form 2010.003) and forward it to the Personnel Division. The Personnel Division will retain the cards for one year.

#### **6.6.9.1 RETURN TO WORK**

Personnel returning to work from an illness/injury assigned to Communication, Jail, Patrol and Information Management shall notify a supervisor not later than 30 minutes prior to the start of their shift. All other personnel returning to work from an illness/injury shall report at the prescribed time.

#### **6.6.10 DEATH/SERIOUS ILLNESS - EMPLOYEES**

##### **Notifications**

When an employee is killed, or becomes seriously ill/injured, immediate verbal notification shall be made to the Chief of Police or the Duty Chief, depending on time of notification. The first employee to become aware of such an incident shall immediately notify his/her supervisor, who shall continue that notification through the chain of command.

This notification shall be followed by a written report completed not later than the following workday. Information shall include date of occurrence, location, cause, nature and extent of injuries, prognosis, and any resulting property damage. Notification shall be made regardless of whether the incident occurred on or off duty (serious injury/illness denotes an injury/illness which may result in death or disability)

If the occurrence is during the regular work shift of the employee's Division Commander, it shall be the responsibility of said Commander to provide verbal notification as follows:

- Chief of Police
- Duty Officer On-Call
- Deputy Chief of the Employee
- Division Commander
- Administrator, Personnel Division
- Press Information Officer (PIO)
- Office of the City Manager
- City Safety Officer (on-duty death)

In the absence of the employee's Division Commander, it shall be the responsibility of the Watch Commander to complete the aforementioned notifications.

If the occurrence is during off-hours, the identical notification process shall apply and shall be transmitted either by pager or telephone. In the event a member of the notification chain of command is not available, notification shall proceed to the next level.

#### **6.6.10.1 NOTIFICATION OF FAMILY – SIGNIFICANT OTHERS**

The immediate family or other significant individual and the person designated by the employee, shall be notified immediately, in person, by the Commander or Deputy Chief of the employee's Division, if the Department employee is injured, dying, or deceased on-duty (this information is available on the "Employee's Personal History" form in the employee's Division files). If ranking Division personnel are not available, a Deputy Chief from an alternate Bureau shall accompany the designated person for notification to the family or other significant individual.

#### **Release of Identification**

When an employee is killed or critically injured as a result of official duties, his/her identification shall NOT be released to any individual outside the Department. All inquiries from the media or other interested parties shall be referred to the Office of the Chief of Police.

#### **Administrator, Personnel Division**

During regular business hours, 0800 to 1700 hours, the Administrator, Personnel Division shall be contacted. During other hours, weekends or holidays, the Commanding Officer shall be contacted. During other hours, weekends or holidays, contact the Commanding Officer by pager or telephone.

In the event of an employee's serious illness or injury, the Administrator, Personnel Division, shall:

- Contact the City Human Resources Department, Office of Retirement Counseling, at telephone number 562-570-6703
- Coordinate with the Office of Retirement Counseling and the family of the employee
- File updated Watch Report items on the employee's condition
- Notify the appropriate employee association
  - Police Officers Association (POA), at telephone number 562-426-1201
- California Public Workers/City Employees Association (CEA), at telephone number 437-7411

In the event of an employee's serious illness or injury, the Administrator, Personnel Division, shall:

- Assist the family of the deceased employee as required

- In accordance with the family's request, have primary responsibility for the planning and transaction of the employee's funeral
- Coordinate with the Administration Bureau the activation of the Department Honor Guard
- In those instances when employees have been killed in the line of duty or have died as a direct result of injuries incurred while in the performance of official duties, the flag shall be flown at half-staff from the time of death until sunset on the day of the funeral
- Prepare and file a City Death Notification memorandum to City Central Payroll
- Obtain all City owned property issued to the deceased employee and return the items to the Police Property Section
- Notify the appropriate employee association (POA, CEA)

#### **6.6.11 VACATION DAYS EXCHANGE**

Sworn personnel may exchange vacation days, subject to the following terms and conditions:

- Both parties to the exchange shall be willing to make the exchange of vacation days and shall complete revised vacation schedules (PD Form 1000.007)
- There shall be a limit of one such exchange per year for any officer
- Exchange of vacation days will be kept within the Division, Section, Watch and/or Detail
- A minimum of five-days' notice shall be given to each officer's supervisor
- Supervisors shall approve the vacation days exchange
- Officers may exchange vacation days with officers of the same rank only
- Exchange shall be in exact blocks, with no single days exchanged. The minimum block of vacation days that may be exchanged shall be five days. (Four days if the officers are on the four-day work week)

#### **6.6.12 DAYS OFF EXCHANGE**

Days off Exchange forms shall be submitted to the Payroll Office at least one week prior to the exchange-taking place. Additionally, labor cards should indicate in the remarks column for whom they have exchanged with.

If the Payroll Office does not receive a "Duty Exchange Form" (PD Form 2000.004) for an officer off without a labor card being submitted, the officer's time will be handled consistent with a missing card.

Sworn personnel may exchange days off, subject to the following terms and conditions:

- Both parties to the exchange must be willing to make the exchange and must complete PD Form 2000.004
- There will be a limit of one such exchange per month
- Exchanges of days off shall be kept within the Division, Section, Watch and/or Detail
- A minimum of five-days' notice must be given to each Officer's supervisor and the Payroll Office

- Supervisors shall approve the exchange of days off
- Officers may exchange days off with officers of the same rank only
- Except in the event of illness, an officer must report for the exchanged days off. An officer who otherwise fails to report shall be carried "no work" and shall be suspended from participation in the exchange program for one year. In the event of illness, that officer will still owe the exchange
- Exchanges of days off must be repaid within one calendar year
- No overtime will be allowed when exchanging days off
- Supervisors approving the exchange are responsible for the distribution of the completed form (PD Form 2000.004)

#### **6.6.13 DEATH OR SERIOUS INJURY – RESERVE POLICE OFFICERS**

If a Reserve Police Officer is killed or seriously injured in the line of duty, procedures outlined in Manual § 6.6.8 ABSENCE - UNAUTHORIZED, shall apply. In addition, the Police Reserve Coordinator at telephone number 570-7034 shall be notified.

In the event of the death of an off-duty Reserve Police Officer, requests for assistance and/or participation by uniformed Reserve Officers shall be directed to the Reserve Coordinator.

#### **6.6.14 DEATH OF RETIRED EMPLOYEES**

In the event of the death of a retired employee, request for assistance or participation by uniformed officers shall be directed to the Administrator, Personnel Division. Participation of on-duty Police Officers shall require approval and authorization by the Chief of Police.

A Watch Report item shall be prepared by the Administrator, Personnel Division, relative to the death and memorial or funeral services for a retired employee.

#### **6.6.15 INJURIES - JOB-INCURRED (IOD)**

Revised April 2004

The Administration Bureau has audit responsibility.

#### **GENERAL RESPONSIBILITIES OF INJURED EMPLOYEE**

- Injured employees, if able, shall immediately report an injury or the recurrence of a prior injury to their supervisor
- If an injury occurs during business hours and requires medical treatment, the injured employee should immediately report to the City of Long Beach Health and Human Services, Occupational Health Division, at 2525 Grand Avenue or, in an emergency, to the nearest hospital emergency room. The employee shall advise hospital staff that the injury is job-incurred and he/she is a City employee. Treatment documentation from the hospital shall be taken, as soon as practical, to the Occupational Health Division who will provide the employee with an "Occupational Health Medical Examination Report," form HL-733. Upon release, the employee shall deliver the

medical examination report to the Personnel Division, as soon as practical, and a copy to his/her supervisor

- The injured employee shall read the "Occupational Health Medical Examination Report" provided by the Occupational Health Division. The report will advise of the work status and any work restrictions for the injured employee
- If an injury occurs after regular hours and requires medical treatment, the injured employee should report to the nearest hospital emergency room for treatment. The employee shall advise hospital staff that the injury is job-incurred and that he/she is a City employee. Treatment documentation from the hospital shall be taken to the Occupational Health Division, as soon as practical
- When the injury is severe, paramedics should be requested and, when necessary, they will transport the injured employee to the appropriate local hospital
- The injured employee shall keep his/her supervisor(s) informed of his/her work status
- When treatment is provided by other than Occupational Health, the injured employee shall cause a written notice from the treating physician to be filed with Occupational Health, as soon as practical
- The injured employee must obtain a return to work clearance from Occupational Health ("Occupational Health Medical Examination Report") prior to returning to duty from a job-related injury for which medical treatment was received or time from work was missed

#### **PRIOR INJURY - RECURRENCE OF**

- An on-duty employee shall immediately report a suspected recurrence of an injury to his/her supervisor. The supervisor shall then file both the State 5020 and SF-372 forms, and the City's "Supervisor's Report of Incident"
- The date of injury shall be the date of the original injury. The suspected date of recurrence shall be identified and explained in the body of the report
- Supervisors should expedite this report by detailing what is known about the injury without waiting for the doctor's report. On form 5020, item #26, and in the "Supervisor's Report of Incident," the supervisor shall note any circumstances that could have contributed to the recurrence. Any additional information that could assist in determining the validity of a claim should be included in the "Supervisor's Report of Incident"
- If the employee is hospitalized, it is the responsibility of the employee's supervisor to forward all correspondence from the hospital or private doctor to the Personnel Division who will in turn forward to Occupational Health

#### **OFF-WORK STATUS RESULTING FROM AN INJURY**

- Every employee who is injured and off work for more than five work days shall contact his/her Division Commander, or designee, at least once a week at a time designated by the Division Commander. The employee shall provide the Commander or designee with the location and telephone number where he/she can be reached. It shall be the responsibility of the employee's Commander, or designee, to maintain contact with

the employee and complete the "Weekly follow-up Contact with Off-Work IOD Employee"

- An injured employee who is off work on IOD shall inform the treating physician that modified-duty work is available. The Department is able to provide modified work to accommodate restrictions
- An injured employee who is off work on IOD shall not engage in collateral employment or other business activities without written permission by the Chief of Police or his designee
- Sworn employees who are off work on injury status, under certain circumstances, may be relieved of their duties as a peace officer for the City of Long Beach during the period of their injury and may not be considered as acting within the course and scope of their employment. The determination to relieve an injured employee of peace officer duties during the course of his/her injury may be made after medical consultation and a Police Department administrative review relative to the nature and extent of the injury. Relief of peace officer status when not coupled with a suspension of employment would not affect time accrued in the Public Employees Retirement System (PERS)
- An injured employee who is taken off work by an emergency room physician shall retain a copy (original or photocopy) of the emergency room slip and submit the copy to Occupational Health. If the employee is unable to submit a copy of the slip due to injury or illness, the employee's supervisor shall deliver the copy to Occupational Health

**NOTE:** Occupational Health cannot document an employee as being IOD retroactively without a copy of the emergency room slip.

- An injured employee shall report from the emergency facility to Occupational Health on the next business day if he/she is not hospitalized
- An injured employee who is off-work on injury status will remain subject to discipline for violations of Department policy (refer to Department Manual, Section 6.6.15)

## **PERSONAL PHYSICIAN - TREATMENT BY**

- In all cases when medical treatment is sought, an injured employee is required to report to Occupational Health as soon as practical after filing a claim
- Workers' Compensation laws allow an injured employee to be treated by his/her personal physician provided the employee has previously filed an authorized "Treatment by Personal Physician for Industrial Injuries" (Form L-17). Employees with an "L-17" waiver on file shall report to Occupational Health prior to treatment by their personal physician. An employee who has not filed Form L-17 may see his/her personal physician 30 days after the injury was reported
- Personal Physician Defined: A medical doctor who has treated the employee in the past and retains the employee's past medical records
- Employees shall submit "off-work slips" or "return to work (modified or regular) slips" received from personal physicians to Occupational Health who will issue an "Occupational Health Medical Examination Report." The employee will deliver this report to the Personnel Division as soon as it is received, and provide a copy to his/her supervisor



## SUPERVISORY REPORTING & INVESTIGATION PROCEDURES

### ALL INJURY REPORTS SHALL BE FORWARDED TO THE PERSONNEL DIVISION WITHIN 24-HOURS OF THE INJURY.

- Whenever an employee reports an injury as job-related, injury report forms shall be completed by a supervisor with the assistance of the injured employee, and completed whether or not medical treatment is obtained. Injuries incurred as a result of collateral employment, or voluntary participation in any off-duty recreational, social, or athletic activities are not job-related.
- The following reports shall be completed for job-incurred injuries and submitted to the Personnel Division. Each report shall include all employee identifying information.
- "[Employer's Report of Occupational Injury or Illness](#)" (Form 5020 - SF-314) - Five, typed copies are required.
- "Supervisor's Report of Incident" - Submit the original and one copy as an attachment to the "Employer's Report of Occupational Injury or Illness."
- "Employee's Claim for Workers' Compensation Benefits" (Form SF-372) - Form shall be completed by injured employee and supervisor. If the injured employee is unavailable or unable to complete the form, the supervisor may act on the injured employee's behalf and complete the form. On the signature line write "UNAVAILABLE" and ensure that the employee receives copies of the benefits form.
- Vehicle Accident - employee injury: A copy of the accident report shall accompany the forms to the Payroll Office. The "Fleet Safety Officer Supervisor's Report of Collision" form shall be completed in lieu of the "Supervisor's Report of Incident."
- Vehicle Accident - outside jurisdiction: The employee's supervisor shall obtain a copy of the accident report from the foreign agency and accompany the forms to the Payroll Office.
- Arrest Reports: When an injury is sustained as the direct result of making an arrest, copies of the Arrest Report and Incident Report shall be attached.
- The supervisor shall conduct an investigation and complete the "Supervisor's Report of Incident" for each reported job-incurred injury. If the injury occurs in the course of a vehicle accident, the employee injury requires the completion of the "Fleet Safety Officer Supervisor's Report of Collision" form.
- Supervisors should focus their investigative report on the cause and effect of the current injury and provide the names, addresses, and telephone numbers of witnesses.
- Stress-related claims shall contain interview results from the injured employee's supervisor and coworkers relative to the following:
  - Changes in assignment, duties, work habits, productivity, or job behavior;
  - Non job-related events that may have contributed to the employee's stress.
- The filing supervisor shall complete and distribute the forms prior to the end of watch as follows:
  - Originals shall be delivered to the Personnel Division. (After normal business hours, the forms should be deposited in the Personnel Division door mail slot);
  - Copies shall be delivered to the employee's Division Commander;

- Injury documentation is sensitive in nature and shall be treated confidentially by supervisors. IOD documents and medical examination reports are not for general viewing or discussion. Any medical documentation not placed in the employee's medical file should be shredded and discarded accordingly.

## EXPOSURES

- An exposure is an incident where an employee, in the course of his/her employment, may ingest, inhale, absorb through the skin or eyes, or otherwise come into contact with a hazardous substance;
- In all reported exposures, the investigating supervisor shall complete:
  - "Employee's Claim for Workers' Compensation Benefits" (Form SF-372);
  - "Employer's Report of Occupational Injury or Illness" (Form 5020 – SF-314);
  - "Supervisor's Report of Incident."

## WORKERS' COMPENSATION

- The City has a self-insured and administered Workers' Compensation program. Employees with questions may contact Workers' Compensation at 570-2245, or the Police Department's Personnel Division at 570-7120.

### 6.6.15.1 PAY FOR COMPENSABLE TIME AT THE EXPIRATION OF 4850 PAY

Pursuant to [Section 4850 of the California Labor Code](#), law enforcement officers, firefighters and lifeguards are provided a leave of absence with salary in lieu of temporary disability or maintenance allowance payment when injured on-duty.

Safety employees who are injured on-duty and exhaust the 4850 pay (maximum of one year per specific injury) may continue to receive compensation by utilizing their vacation, holiday, or overtime, if such a request is made in writing on the approved Department form. Employees who do not make said request in writing will be carried on a leave of absence until the Worker's Compensation/Disability Retirement action is concluded.

#### 4850 Time

When a safety member, injured on-duty, has been placed on temporary disability under California Labor Code 4850, has filed for disability retirement and exhausted all time allotted under Section 4850 prior to the City determination as to either grant or deny the disability retirement, will have his/her leave of absence continued during the remainder of the period of said disability or until the effective date of retirement.

#### Sick time

Section 1.03 of the City Personnel Ordinance prohibits the use of sick leave for injuries that occur on-duty except where an employee has filed a Worker's Compensation claim and the City has yet to accept or reject such claim.

#### Continuing Compensation

The Department's Personnel Division will notify an employee on 4850 time a minimum of two pay periods prior to the expiration of 4850 pay. The employee at that time may request in writing on the approved Department form to continue being paid by utilizing any holiday, vacation, or overtime that he/she has accumulated. In lieu if the signed request form, the employee will be carried on an authorized leave of absence at the conclusion of the 4850 pay and in any event after the exhaustion of all compensable time.

#### **6.6.15.2 IOD EMPLOYEES**

Employees on IOD leave shall not engage in collateral employment without written permission by the Chief of Police pursuant to reference [Section 1.7 of the City Personnel Ordinance](#).

- Sworn employees on IOD leave may be relieved of their duties as a peace officer for the City of Long Beach during the period of their injury and may not be considered as acting within the course and scope of their employment
- Sworn employees on IOD leave may have their duties as a Peace Officer for the City of Long Beach modified and shall perform their duties within those limits
- The determination to relieve an injured employee of Peace Officer duties during the course of the injury will be made after a medical determination and administrative review relative to the nature and extent of the injury
- Employees on IOD leave remain subject to discipline for violations of Department policy

#### **6.6.15.3 MODIFIED DUTY**

The Department has identified temporary and permanent modified-duty assignments for employees who are partially or temporarily disabled.

Modified-duty assignments will be made at the discretion of the Chief of Police after the Health Department has approved the employee's return to work, with medical restrictions.

The positions identified as modified-duty assignments shall be compatible with the limitations of the employee and the best interest of the Department. The assignment to a modified-duty position shall not adversely affect an employee's ability to promote.

#### **6.6.15.4 TEMPORARY MODIFIED-DUTY (MATERNITY)**

Revised April 2004

The Administration Bureau has Audit Responsibility

The Department has identified temporary modified-duty assignments for employees who are partially or temporarily disabled.

Temporary modified-duty assignments will be made at the discretion of the Chief of Police after the Health Department has approved the employee's return to work with medical restrictions.

The positions identified as modified-duty assignments shall be compatible with the limitations of the employee and the best interest of the Department. The assignment to a temporary modified-duty position shall not adversely affect an employee's ability to promote.

### **Procedures for Pregnant Employees**

The Pregnancy Discrimination Act, an amendment to Title VII of the Civil Rights Act of 1964, and the California Fair Employment and Housing Act (FEHA), prohibit discrimination on the basis of pregnancy. The law prohibits employers from excluding pregnant women from jobs because of the belief that they are incapable of doing their jobs or to protect the unborn child. The law states in part:

- Women affected by pregnancy or related conditions must be treated in the same manner as other employees with similar abilities or limitations
- An employer may not single out pregnancy related conditions for special procedures to determine an employee's ability to work
- Pregnant employees must be permitted to work as long as they are able and willing to perform their duties
- It is unlawful to require or authorize the transfer of pregnant employees to less strenuous or hazardous positions unless such employee requests a change of assignment or, they can no longer perform the duties of the position

### **Determination of Ability to Work**

A pregnant employee's treating physician will determine how long the employee may continue to work in her present assignment, e.g., Patrol, Jail, etc. and will also determine job-related work restrictions and limitations. If the employee's treating physician imposes job-related restrictions or limitations, the employee is to provide this information to the Occupational Health Physician who will provide a medical status report to the Police Department.

The Police Department will allow employees to continue to work in their assignments as long as they can perform the duties of the job. This includes continuing to wear the uniform and equipment assigned to them at the time of hire or replacement through normal attrition. The Department will not provide special uniforms or other equipment other than that provided to all officers under Department policy. Supervisors should consult with the Personnel Division for guidance in implementing this policy.

### **Confidentiality**

It is unlawful to inquire about an employee's specific medical condition, including if someone is pregnant. Such medical information is confidential and cannot be shared except for a strict need-to-know basis.

## **6.6.16 EMPLOYEE CONDUCT WHILE ON SUSPENSION OR INJURED ON-DUTY (IOD) LEAVE**

Employees on suspension or IOD leave shall retain their status as City of Long Beach employees and remain subject to the rules, regulations, policies, and procedures of the

City of Long Beach Police Department. Such employees shall adhere to the following procedures during the period of their suspension or injury leave.

#### **6.6.16.1 SUSPENDED EMPLOYEES**

- Employees on suspension are relieved of their authority, power, and duties as a Peace Officer for the City of Long Beach during the period of their suspension and shall not be considered as acting within the course and scope of their employment during said period
- Employees who are on suspension shall respond to subpoenas issued by a court or administrative body. Employees may contact the Court Affairs Officer to obtain the status of cases on which they have been subpoenaed
- Notice of status shall be submitted to the employee by inclusion of appropriate language in the suspension letter
- Employees on suspension remain subject to discipline for violations of Department policy

#### **6.6.16.2 SUSPENSION - EMERGENCY**

A supervisor or command officer may immediately suspend an employee until the next business day if, in the considered opinion of that supervisor or command officer, the integrity or best interest of the Department requires such action because of the seriousness, peculiarity of circumstances, or possible criminal nature of the infraction involved.

##### **Follow-up Action**

An employee receiving an emergency suspension shall be required to report to the Administrator, Personnel Division, on the next business day at 0800 hours unless otherwise directed by proper authority.

The supervisor or command officer imposing the suspension shall also report to the Administrator, Personnel Division at the same time.

#### **6.6.17 POLICE INVESTIGATOR NON-CAREER**

##### **PURPOSE**

This revision is an amendment of policy and procedure relative to hiring retired, non-career police officers.

##### **POLICY**

In accordance with the 1999/2000 Salary Resolution for the City, the title will be Police Investigator, Non-Career. This position has a miscellaneous designation as it pertains to the Public Employees Retirement System, (PERS) where the former classification of Police Officer, Non-Career carried the safety designation.

The Police Investigator, Non-Career is designed to utilize the skills of retired or resigned police personnel who have a desire to remain active in non-emergency law enforcement duties. The department and community directly benefit from this program as it relieves career police officers from performing non-emergency responsibilities and allows them to be more responsive to high priority calls for service and to allocate more time to proactive patrol.

## **POSITION DESCRIPTION**

The Police Investigator, Non-Career Program provides supplemental support services throughout the Department in the area of investigative follow-ups and administrative duties. The Police Investigators, Non-Career will take specified misdemeanor and felony crime reports, traffic accident reports and provide citizen advisals/referrals as required. Police Investigators, Non-Career may also be assigned other responsibilities as needed.

## **SELECTION PROCEDURES**

### **Eligibility**

- Any honorably retired or resigned police officer from this Department or outside agency

### **Prior Service Documentation Requirements**

Applicants shall obtain a letter from their previous employer indicating that they are an honorably retired or resigned police officer. The letter must also include the following:

- Applicant is recommended by his/her Department
- Applicant is permitted to carry a concealed weapon (applicant must provide proof)
- Applicant's dates of police service
- Applicant's rank at time of retirement or resignation

## **BACKGROUND AND INTERVIEW**

### **Background**

- Records review of policing agency or county sheriff's office where applicant resides
- Review of Department of Motor Vehicles files
- Review of personnel and internal affairs file of agency from which applicant retired or resigned
- Successful completion of a polygraph exam
- The above requirements will be waived if the applicant was a former Police Officer with the Long Beach Police Department, has not been separated more than 90 calendar days, and is approved by the Chief of Police.
- Physical Exam
- A physical exam must be conducted and approved by the Long Beach Health Department prior to employment for any applicant. This includes any former City of Long Beach employee who has been separated from the City for more than one calendar day.

- Interview
- A committee will be established to conduct interviews. The committee will be comprised of the Personnel Administrator and at least one commander from the within the Department.

**Benefits and Work Hours**

- May work up to forty hours per week
- Maximum of 960 hours per calendar year for PERS. retirees and 1000 hours in a twelve-month period for non PERS employees
- Varied work schedules
- Employee pays into Social Security system
- Non-career employees are not entitled to any benefits, such as paid sick leave, vacation, holidays, or insurance as provided by the City of Long Beach

**6.6.18 SICK LEAVE INCENTIVE/RECOGNITION PROGRAM**

Department employees who do not use their sick leave for a specified six-month period will receive a gift certificate for \$25.00 from a participating restaurant or grocery store of their choice. Under this program, an employee is eligible to receive a maximum total of \$50.00 per year, per employee.

The specified six-month periods will be tracked as follows:

- January 1 at 0001 hours through June 30 at 2400 hours
- July 1 at 0001 hours through December 31 at 2400 hours

**Employee Qualifications**

To qualify for this program, the employee must be in a permanent full time status. The employee can use NO sick leave, sick family, authorized leave (no pay), unauthorized leave (no pay), or leave of absence. Usage of vacation, holiday, overtime, bereavement leave, or job injury will not affect the employee's attendance record.

**Personnel Division Responsibilities**

Personnel Division shall administer the process and notify eligible employees. Upon notification, employees shall personally obtain the certificates from the Payroll Office.

**6.6.19 SAFETY POLICY & PROCEDURES**

Revised 09/10, 2003

The Administration Bureau has audit responsibility.

Safety in the workplace is the responsibility of all employees. The Department is committed to providing the safest possible working conditions for all employees and recognizes that an effective safety program is an essential step in achieving this goal.

**Responsibility of Safety Program**

The Personnel Division coordinates the Police Department's Safety Program with the Division Administrator as the coordinator. The Police Department Safety Coordinator is

responsible for assisting with the implementation and maintenance of the Safety Program, facilitating safety training and records maintenance. The Safety Coordinator organizes meetings of the Department Safety Committee.

- The Safety Committee is composed of Lead Floor Wardens and other designated personnel. The committee provides assistance in monitoring the safety program, investigates and reviews assigned accidents, oversees emergency preparedness, and advises management on safety and health concerns
- Floor Wardens have the responsibility and authority to assist with the safe and orderly evacuation of Police facilities during emergencies or safety drills. The Personnel Division coordinates Floor Warden training

### **Safety Inspections**

The Personnel Division coordinates monthly safety inspections. The purpose of safety inspections is not to find fault, but to promote a safe and healthy work environment for all employees. Occasional deficient areas are to be expected and, in fact, will indicate a thorough inspection actually occurred.

### **Employee Responsibilities**

- Every employee is responsible for compliance with safety regulations and for continuously practicing safety while performing his or her duties
- Employees who willfully violate safety and health work practices may be subject to disciplinary action
- Employees are required to report unsafe or unhealthful conditions to their supervisor. See the Employee Hazard Notification form that follows

### **Supervisor Responsibilities**

- Supervisors are responsible for promoting safe and healthful work practices among employees under their supervision. Supervisors will communicate occupational safety and health information to employees via written procedures and other documentation, staff meetings, formal or informal training, or postings
- Supervisors will ensure that employees receive appropriate training in their assignment to accomplish assigned tasks in a safe manner. Employees will not be assigned to potentially hazardous work until having completed appropriate training. It is understood that different job classifications are exposed to different hazards. Appropriate safety training will be provided in all the following circumstances:
  - To all new and recently transferred employees;
  - Whenever new substances, processes, procedures, or equipment that represent a hazard are introduced into the workplace;
  - Whenever a new or previously unrecognized hazard is recognized to be a hazard
- Supervisors will thoroughly investigate all reported injuries and health and safety concerns, and will take the necessary action, in a timely manner, to remedy



reported conditions. Supervisors will take corrective action when unsafe or unhealthful conditions are observed, discovered, or present an imminent hazard

- When an imminent hazard exists that cannot be immediately abated without endangering employees and/or property, the supervisor will immediately evacuate all personnel from the area, except those necessary to correct the hazardous condition. No employee may enter such an area unless the employee is authorized, properly trained, and utilizes protective equipment
- All corrective action will be documented. If such corrective action is beyond the supervisor's authority or ability, the supervisor will promptly make appropriate notification to the command officer who has the authority to correct the hazard. When corrective action cannot be remedied during the same shift, the information will be conveyed to the next shift

### Whistle Blowing

If, after following established reporting procedures, the employee believes there is a need for further notification, the employee may contact the City Safety Officer at the Employee Safety Hotline, at telephone (562) 570-6476. Employees may also fill out and submit the "[Employee Hazard Notification Form](#);" copies should be available on the facility bulletin board used for display of OSHA posters and safety information. This form may also be found on the City Intranet under "Human Resources," "Safety," "Forms," "Employee Hazard Notification," or a copy may be requested from the Department Safety Coordinator (see sample form on next page). Such reporting of unsafe conditions to the City Safety Officer is handled in strict confidence and provides anonymity for the reporting employee. Employees who report unsafe conditions will not be disciplined or otherwise harassed.



## EMPLOYEE HAZARD NOTIFICATION

All City employees should use this form to anonymously report safety concerns, unsafe conditions, or unsafe practices in their area. This form can be turned into the Personnel Division or to the City Safety Officer in City Hall. Employees are encouraged to report the hazard to their direct supervisor before reporting the hazard to the City Safety Officer. The City will investigate any report or question as required by the [Injury and Illness Prevention Program Standard 8 CCR Section 3203](#).

To be completed by employee:

Department:	Bureau/Section:
Describe in detail the nature of the safety concern:	

Where is the exact location of the concern?
What are the causes or contributing factors of the concern?
Where appropriate, list names of individuals involved:
Employee suggestion for correction of safety concern:

To be completed by City Safety Officer:

<b>City Safety Officer's suggestions and/or corrective actions:</b>	
Person contacted for correction:	
City Safety Officer's Signature	Date

### Notification Procedures

The Administrator of the Personnel Division will be notified of all major safety- related incidents that occur during regular business hours and should be consulted when safety issues arise in which appropriate corrective action is difficult to determine or achieve. Routine, non-emergency safety maintenance issues, such as open ceiling tiles, will be reported to the Personnel Division.

### City Safety Officer

Per established City guidelines, the handling supervisor will immediately, or as soon as is practical, notify the City Safety Officer, during business hours at 570-6476 or after hours at (888) 425-4707, when any of the following incidents occur:

- Any time a Department employee is involved in a work-related incident and paramedics respond, whether or not the employee is transported to the hospital;
- Any time a City employee is involved in a work-related incident and the employee receives treatment beyond simple first aid;
- Any time the Fire Department or Police Department responds to an emergency such as a fire, bomb threat, hazardous material spill or rescue at a City facility;
- Any incident involving major damage to City property, facilities, or equipment (including vehicles);
- Any time a Cal/OSHA inspector arrives at a workplace;
- Any time an incident with serious potential liability to the City has occurred,

including on-duty injury traffic collisions.

### **Safety Records Retention**

The Personnel Division maintains records of building safety inspections and health and safety incidents.

- Records must be archived in active files for a minimum of three years and in long-term storage indefinitely
- Bureau, Division, and individual offices will retain inspection checklists for one year

## **6.6.20 MARITAL POLICY – WORK ASSIGNMENTS**

### **POLICY**

[City of Long Beach Administrative Regulation Number 32-1, Article 5, Section D](#) states as follows:

"Except as provided hereunder, an employment decision shall not be based on whether an individual has a spouse presently employed by the City. However, for business reasons of supervision, safety, security or morale, as determined by the City Manager, no spouse shall be appointed or promoted to a position in any department in which the other spouse would be placed in an employment relationship in which either would have the capacity or authority to control the employment circumstances of the other, or where one spouse would be in a position to audit or evaluate the performance of the other, or where a potential conflict of interest or other hazards greater for married couples than for other persons."

### **Management Responsibility**

Department managers shall ensure spouses, sworn or civilian, are not assigned to the same Division or work in such close proximity to create a potential conflict of interest for the Department. Management will be especially conscious of this policy during the deployment process so as not to create undue stress upon spouses.

The deputy chiefs shall review any exceptions to this policy, with input from the Long Beach City Attorney and Human Resources Department. The Chief of Police will make the final decision.

### **SCOPE**

This policy applies to all legally married spouses employed by the Long Beach Police Department and includes all sworn ranks and civilian classifications.

### **REGULATION**

Either spouse may voluntarily transfer from an assignment defined as conflictive to another Department position approved by the Chief of Police. If neither spouse

volunteers, the involuntary transfer policy for POA members will apply to the junior member in seniority. For civilian personnel, the Department will attempt to find an assignment least disruptive to Department operations.

**Future Marriages**

If employees assigned to the same division marry, one spouse must transfer. There will be no circumstances to invoke involuntary transfers from the effective date of this policy. For personnel choosing to marry, one of the newly married spouses will be required to transfer to another location within the Department.

## **6.7 SUPPLIES & MAINTENANCE**

### **6.7.1 PURCHASE REQUISITIONS**

The Fiscal Division, shall review all requisitions. After review, the requisitions shall either be forwarded to the Chief of Police or his designee for final authorization, or returned to the requesting Division for further justification.

Requisitions for consultant/professional services over \$20,000.00 require prior City Council approval.

All requisitions shall be submitted on City of Long Beach "Requisition for Purchase" form #SF-224, Rev. 10/81. Refer to the Budget Section at telephone number 570-7445 for processing.

### **6.7.2 ASSIGNMENT & CONTROL OF PATROL VEHICLES**

The Watch Commander will be responsible for the assignment of patrol vehicles for the oncoming shift, logging vehicle assignments and recording any observed damage.

The Administration Bureau, Fleet Section, will be responsible for patrol vehicle maintenance, tracking patrol vehicles removed from the premises for maintenance or repair.

#### **Watch Commander Responsibility**

- Evaluate all use requests. Approve or deny each request depending upon the appropriateness of the request and the availability of patrol vehicles. All non-patrol use of patrol vehicles will be subordinate to the requirements of oncoming patrol shifts.

#### **Patrol Officer Responsibilities**

- If your choice of a vehicle is B.O., open the hood and place a note on the dash indicating the problem
- If you already logged into service and discover a vehicle malfunction, request, and obtain approval from a Field Sergeant or the Watch Commander to exchange your assigned vehicle. Malfunctions, which do not affect the tactical operation of the vehicle, will not be sufficient for requesting approval. Upon receiving approval to exchange the vehicle, complete a "Vehicle Malfunction" form (PD Form 4300.002) and have the form initialed by the approving supervisor. Raise the hood of the disabled vehicle and place the white copy of the malfunction form on the dash. Submit the yellow copy to the Watch Commander who shall place it into the Fleet Officer's box.

#### **Fleet Officer/Lot Security Officers Responsibilities**

- Ensure that an adequate number of patrol vehicles are serviced, cleaned, and fueled for the oncoming patrol shifts. Vehicles with special equipment shall be monitored closely to ensure an appropriate number is available for patrol at all times
- Require individuals removing a patrol vehicle from the lot for service or repair to check out the vehicle from the lot security officer. The lot security officer will remove the shotgun from the vehicle and update the vehicle status board prior to releasing the

vehicle. The lot security officer shall promptly notify the Fleet Officer of any unsafe vehicle or equipment identified during daily lot operations

### **6.7.3 VEHICLES – PATROL**

#### **Replacement - Black and White Vehicles**

The first priority for assignment of new patrol vehicles will be to the Patrol Divisions. Each Patrol Division is assigned a new patrol vehicle for each current vehicle taken out of service after:

- Reaching its maximum life and mileage of four-years and 95,000 miles
- The vehicle is totaled from an accident, or
- The vehicle is deemed to not be pursuit capable by Fleet Services.
- Patrol Sergeant SUV's follow the same guidelines as above.

#### **Decal Identifiers**

Patrol vehicles shall be identified by decal markings on the roof of the vehicle and on the left portion of the trunk showing the vehicle unit number. Decals with the Patrol Division's name shall be placed on both rear quarter panels. Patrol supervisor units shall be marked with the appropriate rank under the divisional decals.

#### **Replacement – Solid Vehicles**

Solid (single paint color) vehicles are replaced on a seven-year, 95,000-mile rotation or as deemed necessary by the PD fleet coordinators.

#### **Decal Identifiers**

These vehicles will have the vehicle unit numbers placed inside the fuel door.

#### **Specialty Vehicles**

All divisions, on an as needed basis, shall share vehicles such as booking vans and community policing vehicles. Keys to these vehicles are to be obtained from their assigned division.

#### **Maintenance Deficiencies - "B.O." Vehicles**

Vehicles requiring service shall immediately be identified with a Condition Report form. One copy of the form shall be left on top of the dashboard inside the car and the other copy shall be delivered to the appropriate location as designated by each division.

#### **Mobile Work Station (MWS) Problems**

If working dayshift, contact the Records and Technology Section to see if someone is available to fix the problem. If someone is available to fix the MWS, take the vehicle to be fixed during your shift. Afternoon units shall also attempt to get the issues fixed before 1700 hours. If after-hours or on a holiday or weekend, complete a Condition Report form and place one copy on the dash and the other copy in the Divisional Administrative Officer's in-box.

#### **Radio or Public Address System Problems**

During normal business hours, take the car directly to the radio shop to be worked on while you are on-duty. If after hours or on a holiday or weekend, park and lock the vehicle with hood up and complete the Condition Report. Place one copy on the dash and the other copy in the Divisional Administrative Officer's in-box.

**Cleanliness**

Each officer is responsible for keeping his/her vehicle's interior clean. At the end of each shift, officers shall remove all trash and personal items from the vehicle.

Day and afternoon officers have the responsibility of taking vehicles to the contract car wash locations for cleaning.

**Coming Out of Service**

Officers returning from their shift should fill the vehicle with fuel prior to their E.O.W. This allows the on-coming shift to immediately respond to calls for service.

**6.7.4 VEHICLE SYSTEM & MAINTENANCE**

ALL Department employees requesting a Patrol Bureau vehicle, with the exception of oncoming Patrol Shift Team Lieutenants/Sergeants, shall be directed to the Watch Commander for authorization. All non-Patrol uses will be subordinate to the needs of oncoming Patrol Shifts.

The scheduling Lieutenant/Sergeant will be contacted prior to each Section squad meeting to determine the number of vehicles required. Instances of vehicle shortages will be resolved prior to the conclusion of the squad meeting.

Ensure team officers deploy from the police parking lot and clear for calls for service within 15 minutes subsequent to the Section squad meeting.

**Scheduling Lieutenant/Sergeant Responsibilities**

- Provide the Watch Commander with the number of vehicles required prior to each Section squad meeting
- Provide an updated "Patrol Division Assignment" sheet to the Property Staff at 1130 hours, 1930 hours, and 2330 hours daily

**Team Lieutenant Responsibilities**

- Ensure that the Team Sergeants perform their function as outlined
- Conduct weekly audits and document the audit results in the Station Commander's log

**Team Sergeant Responsibilities**

- Perform a minimum of one audit during their Shift of a team officer's vehicle and determine any equipment problems or body damage. Ensure that the vehicle matches the assigned vehicle number. Briefly describe the inspection in the "Field Performance Audit" form

**Team Officer Responsibilities**

- Patrol vehicles shall be assigned at the completion of the Section squad meeting. Specific vehicles will not be requested
- Immediately notify the Watch Commander if you are unable to locate the vehicle assigned
- Prior to entering service, report any vehicle damage, and/or contraband found in the vehicle to the Watch Commander
- Complete the procedure for logging on within 15 minutes subsequent to the Section squad meeting
- The vehicle shall be returned to the line when filing until end of watch, training, or assigned to Station duty until the end of watch

**Gas Pump/Lot Security Officer Responsibilities**

- Complete the "Vehicle Status Log" when other City Departments remove Patrol Bureau vehicles for maintenance and sign off the log when vehicles are returned. The Fleet Section Officer, Administration Bureau shall be advised of any vehicle removed for more than 24 hours
- Promptly inform the Administration Bureau, Fleet Section Officer of any unsafe vehicle or equipment conditions that are identified during daily parking lot operations

**Vehicle Maintenance or Exchange**

- Request approval from the Station Commander or Team Sergeant/Lieutenant to exchange the assigned vehicle. Malfunctions which do not affect the tactical operation of the vehicle will not be sufficient reason for requesting approval
- Upon receiving approval to exchange the vehicle, the requesting officer will complete a Vehicle Malfunction form (PD Form 4300.002) and have the form initialed by the approving supervisor. The completed form will be submitted to the Watch Commander and a copy placed in the vehicle, and vehicle's hood raised

**6.7.5 OPERATION & MAINTENANCE OF SURVEILLANCE VEHICLES**

The Fleet Section shall be responsible for the purchase and assignment of surveillance vehicles. Each detail, section, et cetera, assigned surveillance vehicles shall designate a vehicle coordinator. Vehicle coordinators shall be responsible for vehicle maintenance, conducting a weekly inspection of assigned vehicles, completing a monthly mileage report, coordinating routine and preventive maintenance and advising the Fleet Section of problems or circumstances that require attention.

**Procedure**

The operation of surveillance vehicles shall adhere to the following guidelines:

- Vehicles shall be used for surveillance or undercover investigations only
- Vehicles should not be used for routine patrol, transporting prisoners or any function that would destroy undercover capacity
- Officers shall contact patrol officers for assistance in the event that a suspect vehicle must be stopped, unless impractical



- Vehicles shall not be taken home without prior written approval by the Bureau Chief. The written approval will then be forwarded to the office of the Chief of Police not later than the next business day
- Officers shall not use surveillance vehicles assigned to other details, sections, et cetera, without cooperative authorization from respective coordinators
- Vehicles shall be driven in accordance with the California Vehicle Code and within the parameters of the Long Beach Police Department rules and regulations
- Keys and duplicate keys shall be maintained by the detail to which the vehicle is assigned

### **Vehicle Repair & Maintenance**

Surveillance shall be fueled at the police station using fuel cards assigned to officers using the vehicles. The City garage will not maintain surveillance vehicles. The City garage will perform only minor or safety related repairs on request. All other repair and maintenance shall be secured through a private vendor. Information regarding fuel cards is available shall require prior approval from Fleet Section.

Vehicle service and maintenance shall be the responsibility of each Detail's vehicle coordinator. It is recommended that the vehicles are service every 3,000 miles and preventive maintenance completed every 18,000 miles. Preventive maintenance includes checking fluid levels, belts, shocks, brakes, tires and completion of a major tune up.

### **Traffic Accidents**

Traffic accidents involving surveillance vehicles are processed consistent with the procedures for other City owned vehicles. A copy of the accident report shall be forwarded to the Administration Bureau.

## **6.7.6 DUAL PURPOSE VEHICLES**

Dual-purpose vehicles are assigned to the Fleet Section. The vehicles are authorized for use by sworn personnel only and shall be operated under the following procedures.

Dual-purpose vehicles are plain vehicles equipped with a red beam spotlight to the front, siren, and blue and amber warning lights to the rear.

- Personnel: Officers from the Detective and Patrol Bureaus may operate dual-purpose vehicles. Other Departmental personnel may use the vehicles by requesting them through the Budget Management Division, Fleet Management Section
- Vehicle Log: Dual-purpose vehicles shall be checked out prior to use by completing a log entry and obtaining vehicle keys. The vehicle log and keys are maintained between 0600-1800 hours at the pump house and in the Watch Commander's Office between 1800-0600 hours. After using a vehicle, officers shall return the vehicle to its assigned parking space, return the keys and complete the log entry

- Parking: Designated parking spaces have been identified in the diagonal parking between Magnolia Avenue and the fuel pumps to the rear of the Public Safety Building. The vehicles shall be parked in their assigned spaces

#### **6.7.6.1 EMERGENCY OPERATION**

##### **Vehicle Stops**

- Dual-purpose vehicles shall not be primarily used for traffic violation enforcement
- Uniformed personnel may initiate traffic stops for Vehicle Code violation as a part of their regularly assigned duties
- Non-uniformed personnel shall request a black and white field unit prior to investigative or traffic stops

#### **6.7.7 TAKE HOME VEHICLES**

The following personnel shall have the option of accepting an assigned police vehicle on a permanent basis or being compensated per City Administrative Regulation 4-2:

- Chief of Police
- Deputy Chief of Police
- Commander
- Food Services Administrator
- Information Management Administrator

Vehicle(s) may be assigned for take home use by the following personnel/section:

- Labor Relations Lieutenant
- Academy Lieutenant
- SWAT Tactical Sergeant
- Homicide Detail Sergeants/On-Call Teams
- Accident Investigation
- Internal Affairs Section
- Sex Crimes Detail On-Call Teams

A Bureau Chief may assign a vehicle to be taken home when such action will satisfy a Department need. An assignment of a vehicle in this manner shall be on a day-to-day basis. The involved Division Commander shall maintain a record of all such assignments and a copy forwarded to the Office of the Chief of Police. This record shall include the date, vehicle number, officer to whom the vehicle was assigned, and the purpose for which the vehicle was used.

#### **6.7.8 DEPARTMENT VEHICLES**

Employees shall not use any Department vehicles without the permission of a Commanding Officer. Department vehicles shall not be used for personal business or pleasure.

##### **Transporting Citizens**

Citizens will not be transported in Department vehicles except when necessary to accomplish a police or official City purpose. Such transportation will be done in conformance with Department policy or at the direction of a command officer, immediate supervisor, or the employee in charge of Communications.

### **6.7.9 ACCIDENTS INVOLVING CITY VEHICLES**

When a City vehicle is involved in an accident within the City limits, the City Attorney's Office shall be notified immediately. Whenever possible, officers shall leave the accident scene "as is" until the arrival of investigators from the City Attorney's Office so that photographs can be taken. However, there may be some instances where the discretion of the officer at the scene would dictate that traffic flow is of more importance than preserving the evidence.

Whenever the presence of a City Attorney's investigator is required, the call will be placed to the Public Service dispatcher who will then be responsible for dispatching an investigator. After hours, the Communications Center will contact the investigator at his/her home. However, there will be instances when the City Attorney's investigator is not available or does not deem the accident to be serious enough to warrant his/her presence. In such instances the dispatcher should inform the unit or supervisor at the scene immediately.

When the accident occurs on the freeway system within the City limits, the City of Signal Hill, or areas of close proximity to the City, such as, Wilmington or Lakewood, the City Attorney's Office should be called immediately and a supervisor dispatched to the scene. It will be the responsibility of the supervisor dispatched to the scene to secure the necessary information for a City Property Damage Report and to make any further investigation necessary, taking into consideration the investigation and reporting procedures of the police agency handling.

If the accident occurs well beyond the City limits, do not contact the City Attorney except in extreme situations. If the seriousness of the situation warrants it, where police personnel are involved, the Watch Commander may send a supervisor to the scene no matter how remote the location may be. Any injury accident information is to be forwarded to the City Attorney's office as soon as practicable.

When accident reports involving any City equipment are taken, officers shall refrain from writing a "conclusion" or "opinion" as to whose fault the accident was, not should either driver be cited.

### **6.7.10 ASSET INVENTORY, CONTROL & ACCOUNTABILITY**

Revised 06-29-2009

The Administration Bureau has audit responsibility.

#### **Background**

The Police Department is allocated the resources and assets needed to perform the mission of ensuring public safety. Each piece of equipment (subject to valuation criteria defined below) procured for the use of the Police Department should be maintained,

managed and regularly inventoried by the Department. While every employee of the Long Beach Police Department bears responsibility for the proper use, care and custody of the equipment provided to them, **the ultimate responsibility and accountability for the assets assigned and/or deployed within the Division rests with the Division Commander or Administrator.**

### **Purpose**

The purpose of this Manual Section is to define the processes and procedures to be used throughout the Police Department to identify, track, account for, and manage the Department's Asset Inventory. This section does not supersede or take the place of existing City requirements for asset tracking and reporting.

### **Asset Identification**

Police Department serialized asset criteria generally include items with a purchase price or asset value of **greater than fifty dollars (\$50.00)**, or a high potential for loss, theft, misuse or any serialized property. Examples of asset categories covered by this Section include, but are not limited to the following:

- Any and all weapons, including less-lethal weapons, and ammunition stores
- Individually issued field use and protective equipment (including riot gear)
- Radios, batteries and battery chargers
- Vehicles, aircraft and boats (associated equipment and their contents)
- Consumable items purchased in bulk (aggregate cost qualifies the item)
- Bicycles and Segways (and associated equipment)
- Electronic analog and digital communications equipment (telephones, cellular telephones, pagers, Blackberries, etc.)
- Office equipment and software (computers, peripherals, copiers, fax machines, scanners, etc.)
- Audio-visual equipment (televisions, cable boxes, video cassette recorders [VCR's], DVD players, projectors, stereos, tape recorders, cameras and recording devices, etc.)
- Furniture and appliances (refrigerators, microwaves, desks, chairs, credenzas, file cabinets, workstations, lamps, tables, etc.)
- Specialized equipment such as forensic and/or crime scene equipment, K-9 training devices and/or narcotics, radar guns, intoximeters, radio scanners, bolt cutters, bullhorns, etc.
- Homeland Security First Responder equipment and disaster stores

Assets in the categories listed above will be identified by serial number, asset number, and/or owner applied number and listed in the Department's (MCM Technologies) Inventory Database (DIDB).

### **Acquisition**

Consistent with the procurement process, the new or replacement asset will be delivered to the requesting division(s) prior to redistribution. Upon acceptance from the vendor, the

Shipping and Receiving Clerk/Storekeeper (Fiscal Division) or the Division making the acquisition will complete the Equipment Inventory Control Form (PD Form 2000.025) and will ensure qualifying assets be added to the DIDB. Acquisition and distribution of perishable assets (toner, batteries, and cassette tapes) shall be controlled and recorded as used in a manner consistent with the direction of the appropriate Bureau.

Each Division Commander or Administrator will maintain their assets within the DIDB, which lists, by category, each asset assigned to the Division. Bureau Chiefs shall maintain the Bureau Office assets within the DIDB, as well as those assets assigned to Sections reporting directly to the Bureau Chief. When new or replacement assets are received from the Storekeeper, the asset information will be added to the DIDB via Equipment Inventory Control Form (PD Form 2000.025). The Equipment Inventory Control Form will be provided to the Administration Bureau within four (4) working days of receipt; the appropriate Division and Bureau shall retain a copy of each for inspection and audit purposes. New or replacement assets shall be entered into the DIDB within four (4) days. These records shall be maintained until the Bureau Chief or the Chief of Police authorizes disposal.

### **Tracking**

Each Division Commander or Administrator is responsible for tracking all assigned assets. The DIDB shall be kept current and made available for immediate inspection. Tracking frequency shall be consistent with the type of item or type of stores to be tracked. The process for establishing and maintaining the asset tracking system in each Division is provided by the initial inventory and thereafter updating the DIDB by completing the Equipment Inventory Control Form (PD Form 2000.025). Each Bureau shall ensure that corrections are performed in the DIDB upon notice. This responsibility is non-transferable.

The inventory shall at minimum include:

- Description of equipment (manufacturer's specification or plain language)
- Make
- Model
- Serial Number/City Asset Number/Owner Applied Number
- Physical location
- Division/Section/Detail
- Employee, Supervisor and/or Manager assigned the asset
- Expiration date (if applicable)

### **Inventory**

In this manual section, the term "inventory" has two meanings, as it relates to asset management. "Inventory" refers to the actual list of assets assigned to the Bureau Chief, Division Commander, or Administrator. The second refers to the act of physical counting or the verification of the individual assets, which is the focus of this paragraph. The schedule of physical inventories is dictated by several factors, including:

- The type of asset
- The value of the asset

- The potential impact of the loss or theft of the asset
- The frequency of change of sub custody of the asset
- The history of asset replacement due to loss or theft
- Items on a fixed replacement cycle (vests, filters, etc.)

At a minimum, a complete inventory of all assigned assets will be conducted annually. Results of these annual inventories will be reported to the Chief of Police, via the appropriate Bureau Chief, as an attachment to the Management Performance Planning, Review and Appraisal (MPPRA) of each Bureau Chief, Division Commander or Administrator. An inventory of department-issued personal equipment shall be conducted at least semiannually.

A complete inventory of all assigned assets is also mandated prior to any change of command for a Division or Bureau. The Change of Command Inventory must be conducted jointly by the incoming and outgoing Bureau Chief, Commander or Administrator, and forwarded to the Chief of Police, via the appropriate Bureau Chief. The memo shall document discrepancies and corrective measures taken for accountability.

Fixed asset inventories shall be conducted as requested by the Department of Financial Management and are in addition to the Police Department's normal inventory processes.

### **Accountability**

While the overall responsibility and accountability for the asset inventory rests with the Division Commander or Administrator, every Police Department employee who is issued or otherwise provided an asset to carry out their assigned tasks assumes a share of that responsibility and accountability.

Each Division Commander or Administrator shall track the individual employee's assets by having the employee complete the Personal Equipment Inventory Form (PD Form 2000.026) on an annual basis or as scheduled. Upon transfer of an employee to a new Division, the old Division/Detail shall retain and reissue the Division/Detail asset. Upon transfer, reassignment or separation of employment, the employee shall surrender all issued or assigned asset(s) unless prior written authorization has been obtained by the Bureau Chief or the Chief of Police, or designee.

### **Compliance**

The Chief of Police has designated maintenance and control of inventory and support systems a **Command Staff responsibility**. The Administration Bureau shall be responsible to maintain the Police Department's inventory record-keeping system, coordinating the physical audit of the Department's fixed assets and forwarding recommendations. Periodic inspection and review requires the **active** participation of a designated Lieutenant, Sergeant or Administrative Officer in each Bureau/Division/Unit or office to focus on compliance with this policy. The designated employee will facilitate a physical count and inspection as needed to comply with this policy in accordance with reporting timelines. Administrative rights of access to the DIDB will be restricted to employees and managers tasked with reporting, maintenance, inspection and auditing

the process. The Organizational Review Unit or others will conduct independent compliance reviews, audits and inspections as designated by the Chief of Police.

- It shall be the responsibility of each Bureau Chief to ensure a standardized system of asset inventory accountability, control, and management is in place and functioning in their Bureau. Bureau Chiefs, Division Commanders and Administrators will be held accountable for the asset inventory assigned to their Bureaus/Divisions. They shall designate an individual, by name, to coordinate inventory, complete the Equipment Inventory Control Form (PD Form 2000.025) and to reconcile acquisitions not captured by the Storekeeper; this includes transfer or disposal of equipment, or to report lost/missing equipment. For lost or missing equipment, a crime or property report or memorandum shall be filed as necessary. Technical support, maintenance, formatting and training for the DIDB are the responsibility of the Information Technology Section.

#### **6.7.11 DELETED PER PROJECT 20170042COP 11/10/17**

#### **6.7.12 AUTOMATED VEHICLE LOCATION (AVL) POLICY**

It is the policy of this Department to use Automatic Vehicle Location (AVL) technology for the purpose of officer safety, improved response to Calls for Service (CFS) and improved command and control of critical Department resources.

### **AVL SYSTEM USE**

#### **Communications Personnel Responsibilities**

- Maintain AVL location data as confidential information that will only be used for officer safety and determining the nearest available units for CFS or otherwise necessary. Specific unit location information shall not be discussed or communicated to any other person unless directed by a Communications Supervisor.
- Utilize the AVL system to locate officers needing assistance
- Utilize the AVL system when possible to determine the nearest available unit for high priority calls
- Utilize the AVL system to properly maintain field unit locations. Should a field unit location in Computer Aided Dispatch (CAD) not properly match the AVL location, the assigned dispatcher shall contact the field unit on their radio channel and confirm the unit status and location information

#### **Patrol Personnel Responsibilities**

- Personnel shall not unplug, disconnect, or otherwise tamper with any AVL system component that might render AVL non-functional
- Properly log onto the MDT utilizing the standard log-on process via the MDT air card connection unless directed otherwise by the Watch Commander or Communications. Logging onto an MDT via the Vehicle Radio Modem ("VRM") connection without authorization will constitute misconduct.

- Properly maintain their unit status and location information to prevent discrepancies between CAD location information and AVL location information.

**Management/Supervisory Personnel Responsibilities**

- Ensure that the AVL system is primarily used for officer safety, improved response to calls for service and enhanced command and control of field resources
- Address any issues with field personnel not properly maintaining their status or location information in CAD
- Address any issues of AVL users tampering with AVL equipment or otherwise disabling or circumventing the functionality of the AVL system

**AVL SYSTEM ADMINISTRATION****Communications Section Responsibilities**

- Maintain the AVL system in good working order
- Ensure that AVL system data is properly stored for a three-year record retention period
- Ensure that AVL data is properly destroyed once the AVL data has exceeded the three-year retention period

**ACCESS TO HISTORICAL AVL INFORMATION (AVL PLAYBACK)**

The AVL Playback Module allows the redisplay or playback of stored AVL history data on a digital CAD map. This component of the AVL system can be used to search historical data by time or unit. Either the Watch Commander or the Emergency Operations Division Commander can grant supervisory access to the AVL playback module. It should be noted that access to the AVL playback module during non-business hours requires the call-out of a Communications Section system administrator.

**6.7.13 TACTICAL BLANKETS**

Revised January 30, 2013

Reviewed January 2020

The Support Bureau has audit responsibility.

**DEFINITION**

A tactical blanket, also referred to as a ballistic shield, is a lightweight ballistic fabric designed to provide a protective barrier against most handgun ammunition up to .44 magnum. Tactical blankets are designed for portability, and for quick and easy deployment in high-risk situations.

**POLICY**

Tactical blankets will be distributed to the Patrol Bureau, Investigations Bureau and Support Bureau. Each bureau will deploy all available assigned tactical blanket(s) in the field for response to emergency situations. Sergeants and officers assigned a tactical blanket shall note the presence of the tactical blanket in their unit history.



Bureaus will inspect their tactical blankets quarterly to ensure the equipment is in good working order. Each division will be responsible for auditing tactical blankets on their asset inventory.

## **6.8 TRAINING**

### **6.8.2 TRAINING – MANDATORY & REQUIRED**

The Department shall ensure the scheduling of all personnel in mandatory and required training. The Department shall fulfill the requirements of state law, municipal ordinance, and Department training policy, including, but not limited to California Penal Code Section 13518 which requires that all sworn personnel receive retraining in Cardio-Pulmonary Resuscitation and First Aid every three years. Additionally, supplemental training on Domestic Violence must be provided not later than January 1, 1989, to sworn personnel. Excluded from this requirement are officers whose duties are primarily clerical or administrative, a minimum of 90% of the time.

Police Officers, Corporal and Sergeants shall receive a minimum of 24 hours of in-service training every two years. Peace Officer Standards and Training (POST) mandates that Sergeants have 80 hours of supervisory course training and Lieutenants have 80 hours of management training. Every effort will be made to ensure this training is provided immediately prior to promotion.

It shall be the responsibility of the Administrator, Personnel and the Commander, Training Division, to ensure that all mandatory training is completed within the prescribed period of time.

It shall be the responsibility of the Commander, Police Academy, to plan, implement, coordinate, and provide written documentation of all Department Training.

#### **6.8.2.1 ATTENDANCE AT TRAINING**

Attendance at training is a duty assignment. An employee's conduct can bring credit or discredit to the employee and the Department. Personnel attending training, on- or off-site, will adhere to the following.

### **PROCEDURES**

#### **General Behavior**

##### **Prohibited Conduct**

- Making obscene, racial, sexual, or insubordinate comments.
- Smoking or use of smokeless tobacco products in classrooms or office areas at training locations
- Reading of non-course-related materials during training.
- Placing of feet on furniture.

##### **Punctuality & Attendance**

- Be at the training location and in class at the appointed time.
- Limit breaks and lunch to the prescribed time

- Obtain prior permission from the sergeant or supervisor coordinating the training to be absent for any reason. The training sergeant or supervisor will determine if the absent student needs to repeat the entire training or the training module
- Any unexcused absence will be explained by the absent employee in a memorandum written to the Academy Lieutenant, with a copy to the employee's Division Commander or Administrator
- Doctors' appointments are not to be scheduled during training, if avoidable

**Participation**

- Bring writing materials and requested equipment.
- Participate in assignments as requested, including homework assignments.
- Complete evaluations and tests.

**Dress Attire & Grooming**

- Comply with the stated/provided dress code appropriate to the specified training. If not specified, dress in a manner that presents a professional image.
- No tank tops, T-shirts with inappropriate logos or images, shorts, sandals, bare feet, or other inappropriate attire.
- Grooming standards will be consistent with those required by the Bureau or Division to which the employee is assigned.
- Personnel who report to training inappropriately attired or groomed will be ordered to go home and make a suitable change. Any time incurred as absent from training for this purpose will not be reflected as "scheduled hours" on the "Employee Time Record"

**6.8.3 TRAINING – EXECUTIVE LEVEL SELECTION PROCESS****Program Description**

- Executive Training is limited to Command Officers and Civilian Managers
- The schools and institutions at which Executive Training takes place have their own selection process which is separate and distinct from the process used by sponsoring agencies

Examples of Executive Training includes, but is not limited to, the following:

- FBI National Academy
- FBI National Executive Institute
- POST Command College

The Police Department conducts an in house selection process to identify and present the best candidate(s) for the desired executive training.

The selection criteria will vary according to the school or institution to which the candidate applies, however, the process of selection for each candidate within the Police Department will be the same.

**Selection Criteria**

The Department will encourage Command Officers and Civilian Managers to participate in the Executive Training Selection Program. The Program is voluntary in nature.

**Rank Consideration**

- Sworn Command Officers (Chief of Police, Deputy Chief, Commander and Lieutenant)
- Level II Civilian Managers and above (Department Psychologist; Administrator, Information Technology; and Administrator, Food Services)

**Educational Background**

For the purpose of this program, it is recommended that all candidates possess a minimum of an Associate of Arts degree, or have completed 60 semester units of college credits.

**Process of Selection**

All Command Officers and Level II Civilian Managers and above will be made aware of pending Executive Training in a timely manner through the Academy/Training Section.

Interested candidates who wish to participate in the selection process will indicate the desired school that he/she wishes to attend by filing a memorandum to his/her respective Bureau Chief. The Bureau Chief shall forward all such requests to the Standing Selection Panel, accompanied by the following:

- The employee will submit a current resume.

**Funding**

The funding for attendance of Executive Training Courses will be budgeted as a single, executive training item. No additional funding source, with the exception of scholarships and fully paid training items, will be available.

**Employee/Department Responsibilities****Employee**

Employees selected to attend Executive Training will agree to utilize his/her maximum potential in completing necessary course work recognizing that the Long Beach Police Department is being represented through their attendance and only an image of excellence is acceptable.

**Department**

The Academy/Training Section will locate, maintain and disseminate a current list of all available Executive Training.

**6.8.4 DIVISIONAL TRAINING OFFICER**

Each Division Commander shall appoint one Sergeant in his/her Division to the position of Divisional Training Sergeant. It shall be the responsibility of the appointed Training

Sergeant to identify any need for specialized, in-service training within his/her Division, and to work with the Academy's In-Service Training Coordinator to fill this requirement.

The Divisional Training Sergeant shall also be responsible for the following:

- Coordinating and attempting to fill requests for training which originates within the Division
- Projecting the overall training requirements for employees in the Division
- Assisting the Academy in scheduling employees of the Division-level with the assistance of the Academy
- Working with the Academy's In-Service Training Coordinator to maintain an up to date file of available programs of interest to Division personnel
- Keeping Division personnel informed of available training opportunities, encouraging members of the Division to avail themselves of these opportunities, and working with the Division Commander to schedule personnel for training as practicable
- Instructing personnel on the appropriate filing of reimbursement

#### **6.8.5 DELETED 1/9/23**

#### **6.8.6 AUTHORIZED FIREARMS**

Revised June 2, 2016

Reviewed January 2020

The Support Bureau has audit responsibility.

The Training Division has approved, and the Chief of Police has authorized a list of firearms as either primary uniform, non-uniform holster firearms, or back-up firearms. All authorized personnel may exercise one of the options in the type of firearm they carry on-duty.

Due to constant improvements in firearms and the many new models introduced every year, addendums to this policy have been established.

The addendums will be maintained by the Training Division. The Rangemaster will have the most current list of approved firearms. A new firearm or caliber may be added at any time. If an addition or deletion is made, the Rangemaster will prepare an addendum.

The criteria for adding new firearms are as follows:

- A) The model has been in production for at least 2 years;
- B) Over 1,000 units have been produced;
- C) The manufacturer has a solid reputation in the law enforcement community;
- D) The firearm has been evaluated by the Rangemaster, or the firearm has been evaluated by another law enforcement agency and the evaluation meets the standard of the Long Beach Police Department.

Prior to being deployed, a newly acquired firearm or firearm that has been modified and will be used in a duty capacity, the following shall occur:

- A) The firearm shall be inspected by the Rangemaster.
- B) The firearm shall be test fired for function.
- C) The officer shall pass the 50-round qualification course with a minimum 80% score.

#### **6.8.6.1 AUTHORIZED FIREARMS – TRIGGER PULL WEIGHT**

Revised June 2, 2016  
Reviewed January 2020

- A) **Minimum Trigger Pull Weight Requirement** - The trigger pull weight for all firearms shall be at factory minimum or greater, but in no case shall the trigger pull weight be less than four pounds. Officers are responsible for having the trigger pull weight tested every two years during the scheduled qualification period by the Range staff. Officers will be responsible for correcting any trigger pull weight discrepancies that do not meet factory minimum standards or the four-pound minimum, whichever is greater.
- B) **Sig Sauer Exemption** - Officers who carry a Sig Sauer firearm, as their primary duty weapon, with a trigger pull weight that measures between four and three and a half pounds, may continue to carry that weapon as a primary duty weapon, if they have a current 50 round qualification score on file as of 08/25/2015. The following exceptions will apply:
  - 1) If the trigger pull weight falls below three and a half pounds, the officer shall be responsible for correcting the trigger pull weight to a minimum of three and a half pounds.
  - 2) If the firearm is sold to another officer, this exemption will no longer apply.
  - 3) If an officer, who has qualified with and carried a Sig Sauer with a trigger weight exemption, qualifies with another duty weapon that meets the four-pound trigger pull requirement, this exemption will no longer apply.

#### **6.8.6.2 AUTHORIZED FIREARMS – LASER SIGHTS**

Revised June 2, 2016  
Reviewed January 2020

The use of laser sights on firearms while on-duty is prohibited. SWAT is exempt from this restriction.

#### **6.8.6.3 AUTHORIZED FIREARMS – MAINTENANCE, REPAIR & MODIFICATIONS**

Revised June 2, 2016  
Reviewed January 2020

Officers are responsible for the cleaning and maintenance of their firearms and are required to properly maintain their duty firearm at all times.

The Rangemaster or SWAT armorer shall be the only persons authorized to repair or modify any department-owned firearm.

Any modifications to an officer's personally owned duty firearms shall be done at his or her expense and must be approved by the Rangemaster.

#### **6.8.6.4 AUTHORIZED FIREARMS – SEMI-AUTOMATIC FIREARMS**

Revised June 2, 2016  
Reviewed January 2020

All personnel transitioning from a revolver to a semi-automatic firearm must complete semi-automatic transition training at the Long Beach Police Department Pistol Range and pass the 50-round qualification course with a minimum 80% proficiency prior to deploying the firearm.

Reserve officers must have permission from the full-time reserve program coordinator prior to transitioning from a revolver to a semi-automatic firearm.

All officers who attend semi-automatic transition training must do so at their own expense and on personal time.

#### **6.8.6.5 AUTHORIZED FIREARMS – BACKUP FIREARMS**

Revised June 2, 2016  
Reviewed January 2020

Uniform or plainclothes personnel are authorized to use backup firearms. The backup firearm shall be easily concealed, readily obtainable and carried in a holster.

Sworn personnel shall qualify annually with their backup firearm and must pass the 25-round backup course with a minimum 80% proficiency.

#### **6.8.6.6 AUTHORIZED FIREARMS – PRIMARY UNIFORM HOLSTER FIREARMS**

[See addendum maintained by the Training Division with the Rangemaster.](#)

#### **6.8.6.7 AUTHORIZED FIREARMS – PRIMARY NON-UNIFORM HOLSTER FIREARMS**

[See addendum maintained by the Training Division with the Rangemaster.](#)

#### **6.8.6.8 AUTHORIZED FIREARMS – BACKUP FIREARMS**

[See addendum maintained by the Training Division with the Rangemaster.](#)

#### **6.8.7 AMMUNITION – DEPARTMENT ISSUED & AUTHORIZED MANUFACTURERS**

Revised June 2, 2016  
The Support Bureau shall review this policy on a three-year review cycle.  
Reviewed January 2020

The Long Beach Police Department will issue 50 rounds of Winchester Ranger SXT JHP to each officer annually, during the first quarter qualification period.

All ammunition used or carried by members of this Department shall be new, factory loaded, law enforcement, hollow-point ammunition from the following Department approved manufacturers:

- 1) Winchester
- 2) Federal
- 3) SPEER (excluding Blazer)
- 4) Remington
- 5) Hornady TAP

#### **6.8.7.1 AMMUNITION – AUTHORIZED BY CALIBER**

Revised June 2, 2016  
Reviewed January 2020

Below is a list of authorized ammunition by caliber, gun and bullet weight:

- 1) .45 Auto (ACP) – 185 to 230 grain, jacketed hollow-point and bonded jacketed hollow-point.
- 2) .45 Long Colt (LC) – 225 to 255 grain, jacketed hollow-point and bonded jacketed hollow-point.
- 3) .40 Cal – 160 to 185 grain, jacketed hollow-point and bonded jacketed hollow-point.
- 4) 9MM Luger (Parabellum) – 115 to 147 grain, jacketed hollow-point and bonded jacketed hollow-point.
- 5) .38 Special – 95 to 158 grain, jacketed hollow-point, bonded jacketed hollow-point, +P is authorized for .38 Special only.
- 6) .357 J-frame using .38 special rounds in the specifications above; .38 +P+ are allowed in the .357.
- 7) .380 Auto (ACP) – 85 to 95 grain, jacketed hollow-point and bonded jacketed hollow-point.
- 8) .25 Auto (ACP) – 45 to 50 grain, jacketed hollow-point and bonded jacketed hollow-point;
  - a) Only authorized for firearms purchased and qualified with prior to December 30, 2011.
- 9) .22 Rim fire Magnum – 40 grain, magnum hollow-point;
  - a) Only authorized for firearms purchased and qualified with prior to December 30, 2011.
- 10) .22 Rim fire long rifle, 33 to 40 grain, hollow-point;
  - a) Only authorized for firearms purchased and qualified with prior to December 30, 2011.

#### **6.8.7.2 AMMUNITION – REPLACEMENT**

Revised June 2, 2016  
Reviewed January 2020

All officers will replace the ammunition in their primary duty firearm annually, during the first quarter qualification period.



Officers may purchase their own ammunition from one of the Department approved manufacturers, see Manual § 6.8.7 AMMUNITION – DEPARTMENT ISSUED & Authorized Manufacturers.

### **6.8.7.3 AMMUNITION – PROHIBITED**

Revised June 2, 2016  
Reviewed January 2020

Officers are prohibited from utilizing the following ammunition in their firearm while on-duty:

- 1) Magnum
  - a) With the exception that .22-caliber magnum hollow point rim fire is allowed for backup firearms.
  - b) Only authorized for firearms purchased and qualified with prior to December 30, 2011.
- 2) Armor piercing
- 3) Full metal jacket (FMJ)
- 4) Tracer
- 5) Reloads
- 6) Wad-cutter

The following ammunition is prohibited for use at the Long Beach Police Department Pistol Range:

- 1) Armor piercing
- 2) Tracer
- 3) Reloads

### **6.8.7.4 AMMUNITION – SHOTGUN**

Reviewed January 2020  
Revised June 2, 2016

Only 12-gauge buckshot (00 Buck) issued by the Long Beach Police Department shall be carried on-duty. Specialized units may be approved to use slug ammunition with the approval from their Division Commander and the Range Master. Any approved users within the detail shall pass a qualification course for slug ammunition at the Pistol Range.

### **6.8.7.5 AMMUNITION – AR-15**

Revised June 2, 2016

Only Department authorized 223/5.56 caliber ammunition that has been approved by the AR-15 cadre shall be carried on-duty. See also manual section 10.11.4.

### **6.8.7.6 AMMUNITION – SWAT**

Revised June 2, 2016  
Reviewed January 2020

The SWAT Team will not be limited to the above ammunition. The SWAT Commander will make the determination of the appropriate ammunition to be used by SWAT.

### **6.8.8 FIREARMS QUALIFICATION REQUIREMENT**

Revised June 2, 2016

The Support Bureau shall review this policy on a three-year review cycle.

Reviewed January 2020

Any employee, in a full- or light-duty assignment, authorized to carry a firearm must meet all requirements set forth for firearms qualification.

Employees of all ranks are required to qualify on a regular and pre-determined basis with a firearm approved for primary-duty use. The qualification shooting schedule shall be established annually by the Training Division and distributed as a Watch Report.

All employees authorized to carry firearms shall qualify each shooting period with their primary-duty firearm(s). Each officer shall successfully complete the 50-round qualification course, prior to carrying **any** firearm as a primary-duty firearm. Any change in firearm shall require the employee to requalify with that firearm prior to carrying it on-duty.

If an employee elects to carry a backup firearm as a primary-duty firearm in a non-uniform assignment, he/she shall meet all qualification requirements established for primary-duty firearm(s).

#### **6.8.8.1 FIREARMS QUALIFICATION REQUIREMENT – NON-QUALIFICATION**

Revised June 2, 2016

Reviewed January 2020

- A) Minimum Score - All armed personnel shall receive a passing score prior to returning to duty.
  - 1) Marksmanship Course Qualification – 80% minimum score for duty firearms. Refer to Training Bulletin 134 for further detail.
  - 2) Combat Course Qualification – Pass/Fail.
- B) Failure to Meet Minimum Standard
  - 1) Officers who fail to obtain a passing score will be given remedial training until proficiency is demonstrated and a passing score is achieved.
  - 2) Additional range assignments may be required until consistent firearms proficiency is demonstrated.
  - 3) If a passing score is not obtained, the Range staff will notify the employee's Division Commander who will make the determination as to the officer's duty status.
    - a) If the employee is currently on-duty working in a patrol function the Range Staff will notify the Watch Commander. The Watch Commander will make a determination as to the officer's duty assignment.
- C) Non-qualification – For reasons other than score.

- 1) If an officer does not qualify for reasons such as injury, illness, or duty status, that officer shall submit a memorandum to Internal Affairs prior to the end of the required shooting period.
- D) AR-15
- 1) Marksmanship Course Qualification - All personnel trained to deploy an AR-15 must achieve an 80% minimum qualification score prior to deploying the AR-15. Any officer who does not meet the 80% minimum score, shall not deploy an AR-15 until successfully passing the minimum qualification requirement.
  - 2) Combat Course Qualification – Pass/Fail – All personnel trained to deploy an AR-15 must achieve a passing score in the combat course qualification prior to deploying the AR-15. Any officer who does not meet the minimum combat course requirement, shall not deploy an AR-15 until successfully passing the minimum combat course qualification requirement.

#### **6.8.8.2 QUALIFICATION – AMMUNITION ALLOTMENT**

Revised June 2, 2016  
Reviewed January 2020

Qualifying employees shall be allotted 200 rounds of ammunition each qualification period. Officers wanting to fire more than the 200-round allotment must do so at their own expense and provide their own ammunition. All ammunition is subject to inspection and must be approved by Range personnel.

#### **6.8.8.3 FIREARMS QUALIFICATION REQUIREMENT – RANGE SAFETY**

Revised June 2, 2016  
Reviewed January 2020

All employees shall adhere to the following Range safety guidelines:

- A) Officers shall review the posted Range safety guidelines before using the Long Beach Police Department Pistol Range.
- B) Officers shall check-in with Range staff prior to using the Range.
- C) Shooters are not to draw, load, unload, or handle firearms inside the Range building.
- D) Loading and unloading of firearms shall occur on the firing line facing down-range or using the provided bullet trap.
- E) All firearms are to be treated as loaded at all times.
- F) Shooters are to keep their finger off the trigger until they have target acquisition and are ready to fire.
- G) All firearms are to be cleared on the line after completing the course of fire.
- H) All firearms are to be cleared at the provided bullet trap before entering the cleaning area.
- I) No ammunition or loaded firearms are to be brought into the cleaning area.
- J) Any firearm authorized by the department to be carried that is found by an officer to be malfunctioning or needing service shall not be carried. It shall be promptly presented to the Rangemaster for inspection. Any firearm determined to be in need of service or repair during an inspection by the Rangemaster, will be immediately removed from service. If the firearm is the officer's primary duty firearm, a replacement firearm may be issued to the officer until the duty firearm is serviceable.

**6.8.8.4 FIREARMS QUALIFICATION REQUIREMENT – SCHEDULE**

Revised June 2, 2016  
Reviewed January 2020

The firing schedule shall be established by the Commanding Officer, Training Division, to be published annually. All qualifications shall be conducted at the Long Beach Police Department Pistol Range. The Range Officer shall conduct the entire qualification firing procedure.

**6.8.8.5 FIREARMS QUALIFICATION REQUIREMENT – SCORING AND PAY/SHOOTING BADGES**

Revised June 2, 2016  
Reviewed January 2020

The Range Officer in charge of the qualification relay shall score the qualifying targets and forward the scores for audit and determination of classification at the end of the January/February qualification period. The highest qualifying score during the shooting period of January/February will determine the classification for the year. Marksmanship pay will be paid in accordance with the current applicable Memorandums of Understanding. Marksmanship badges will be issued as follows:

- 1) 80.0 to 84.9 –Marksman badge
- 2) 85.0 to 89.9 –Sharpshooter badge
- 3) 90.0 to 94.9 –Expert badge
- 4) 95.0 to 100 –Master badge

**6.8.8.6 FIREARMS QUALIFICATION REQUIREMENT – CARRYING A CONCEALED WEAPON (CCW) QUALIFICATION REQUIREMENTS FOR RETIRED POLICE OFFICERS**

Revised June 2, 2016

Every peace officer, as designated in [PC §12027](#), employed by the City of Long Beach who retires in good standing may request to receive on their retired identification certificate an endorsement stating that the issuing agency approves the officer carrying a concealed weapon. [PC §12027.1](#) establishes the procedure relative to the certification of retired peace officers to carry concealed firearms, including procedures to deny or revoke such privilege.

Pursuant to the passage of [HR 218, the “Law Enforcement Officers’ Safety Act,”](#) which exempts qualified retired state and local officers from prohibitions on the carrying of concealed firearms, the following also applies:

- 1) A qualified retired law enforcement officer is defined as an individual who has retired in good standing from service with a government agency as a law enforcement officer for an aggregate of fifteen (15) years or more for reasons other than mental instability **or** retired from such an agency due to a service-connected disability after completing any applicable probationary period of such service.

- 2) They were authorized by law to engage in or supervise the prevention, detection, investigation, prosecution or the incarceration of any person for any violation of law.
- 3) They had statutory powers of arrest.
- 4) They have a non-forfeitable right to benefits under the retirement plan of the agency for which he or she was employed.
- 5) They must meet, at their own expense, the same standards for qualification with a firearm as an active officer with the state in which they reside.
- 6) They may not be under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
- 7) Retired officers will be required to go through Live-Scan prior to receiving their renewal.
- 8) If the retired officer lives out of state, they must have two ink fingerprint cards completed.
- 9) They are not prohibited by Federal law from possessing a firearm.

Pursuant to the CCW endorsement, the retiree must conform to a range qualification schedule. Retired officers must qualify every year with the concealed weapon they carry. If the retired officer lives less than 400 miles from the Long Beach Police Department Pistol Range, they must qualify at our range as part of their CCW endorsement renewal.

If the retired officer lives more than 400 miles from the Long Beach Police Department Pistol Range, they must qualify at a range that is part of a certified law enforcement academy. The Long Beach Police Department Pistol Range will validate the certification for the range used for qualification. Each application will be reviewed on an individual basis.

The exception to this policy would be the retired officer who does not wish to be CCW nationwide and therefore does not need to qualify every year or be in compliance with HR 218. For those retirees, qualification every five years will be sufficient for the City of Long Beach and the State of California.

All retired officer ID cards with the CCW endorsement will have an expiration date corresponding to either a one-year qualification requirement or a five-year qualification requirement.

Penal Code Section 12027.1(b)(2) says "a retired police officer may have his or her privilege to carry a concealed firearm revoked or denied by violating any departmental rule, or state or federal laws that, if violated by an officer on active duty, would result in that officer's arrest, suspension, or removal from the agency."

#### **6.8.9 FIREARM MOUNTED TACTICAL FLASHLIGHTS**

Revised June 2, 2016

The Support Bureau has audit responsibility.

Reviewed January 2020

The primary purpose of a high intensity firearm mounted flashlight is to allow officers to maintain better control of their weapon system during critical incidents when illumination is needed.

All officers must attend training at the Long Beach Police Department Pistol Range prior to carrying a firearm mounted tactical light. This training may be accomplished while on-duty during an officer's normal qualification time for the quarter however, no additional overtime is authorized for this training.

A holster designed for the firearm and light combination must be worn if an officer is carrying a firearm mounted tactical light. Firearm mounted flashlights are not a substitute for the officer's hand-held light. Searches of persons, vehicles or property, when no threat can be articulated, must be conducted with a hand-held light. Firearm mounted tactical lights and holsters are optional equipment, purchased at an officer's own expense.

#### **6.8.10 HIGH VELOCITY RIFLE FIRE**

Revised June 2, 2016

Reviewed January 2020

The Support Bureau has audit responsibility.

High velocity rifles, .223 and above, will be allowed at the Long Beach Police Department Pistol Range, after obtaining the approval of the Rangemaster or Range staff, by authorized personnel only and under specified conditions.

A) Authorized Personnel include:

- 1) Range staff,
- 2) Supervisors and officers who are authorized to deploy the AR-15 in the field,
- 3) Supervisors and officers who are participating in department training
- 4) Port Security Detail,
- 5) SWAT members,
- 6) Outside agency Rangemaster, firearms instructor, or range safety officer under contract with the Long Beach Police Department Pistol Range.

B) Conditions for high velocity rifle fire include:

- 1) High velocity rifle fire should be conducted from 0900 - 1700 hours, when possible,
- 2) Department training or qualification,
- 3) Test firing of firearms by Range staff or under Range staff supervision
- 4) Range demonstrations,
- 5) All high-velocity rifle fire must be conducted under the direct supervision of either a Range officer, SWAT team leader or SWAT team safety officer, or an outside agency rangemaster under contract with the Long Beach Police Department Pistol Range.

#### **6.8.11 FIREARMS – PURCHASE & SALE OF FIREARMS UNDER LETTER OF AUTHORIZATION**

Revised June 2, 2016

Reviewed January 2020

The Support Bureau has audit responsibility.

Under the following conditions, the Chief of Police or his designee will issue letters of authorization for the purchase of weapons:

- The weapon(s) must be identified as “approved”
- Control on the number of authorized weapons which an officer may purchase shall be at the discretion of the Chief of Police
- If a weapon is designated “for law enforcement personnel only,” it shall not be sold to anyone outside that designation
- Letters of authorization for the purpose of weapons within the State will be approved by the Commanding Officer of the Training Division
- Letters of authorization for the purchase of weapons out of state will be processed through the Commanding Officer of the Training Division and forwarded to the Chief of Police for signature
- One copy of the letter of authorization will be retained in the officer’s training file
- Any officer relinquishing ownership of a weapon, which has been purchased under a letter of authorization, shall file a memorandum to the Chief of Police

#### **6.8.11.1 FIREARMS – RECORD OF OFFICER’S**

Revised June 2, 2016  
Reviewed January 2020

An officer shall file a written report through established channels to the Administrator, Information Technology, immediately following the purchase, replacement, loss or other disposition of a firearm. The report shall include a complete description including the serial number. A report concerning the loss (including theft) of a firearm shall include all facts surrounding the loss. Changes in approved duty weapons carried by officers shall be filed with the Administrator, Personnel Division.

#### **6.8.12 (INTENTIONALLY LEFT BLANK)**

#### **6.8.13 TRAINING BULLETINS**

The preparation of training bulletins is not the sole responsibility of the Training Division. Each Division Commander and his/her Divisional Training Officer shall be responsible for reviewing existing training bulletins as they apply to their specific area of command. It shall be the additional responsibility of each Division Commander and Divisional Training Officer to identify outdated training bulletins and furnish the Training Division with input to update the document. Research and comments shall address the outdated portions of the training bulletins.

It shall be the responsibility of the Commanding Officer of the Training Division to receive, edit, prepare for distribution, and distribute all training bulletins. It shall be the additional responsibility of the Training Commander and staff to assist in the final drafting of all Police Department Training Bulletins; however, primary responsibility for research and development will remain within the Division or Section that possess the specific expertise.

#### **6.8.14 DELETED 1/9/23**

### **6.8.15 ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) - TRAINING**

Since AIDS is a blood-borne virus, employees are required to provide all members of the community with immediate protective care (including CPR and mouth-to-mouth resuscitation) unless there is an immediate danger to the employee. No person has ever been infected by performing mouth-to-mouth resuscitation.

Employees are reminded that failure to perform first aid care or CPR may result in personal litigation since state law provides immunity for good faith errors and state law requires that they be trained in First Aid/CPR.

#### **Risk Reduction**

Since the virus must have a port of entry into a new host, the most logical method of breaking the chain of infection is to prevent the entry of the virus into one's system.

Employees will take appropriate precautions and use appropriate equipment when contacting all members of the community. Officers will use disposable gloves, or leather gloves that have been treated with a water-resistant substance, if there is any possibility of contact with blood.

Employees will practice sound personal hygiene habits by washing their hands for at least 15 seconds after they come into physical contact with any member of the community. If hand washing is not practical, an alcohol towelette or germicidal solution shall be used followed by a thorough hand washing as soon as possible.

Employees aware of cuts or openings in their skin will wear bandages over the cut or effected area while working. The bandage shall be made of material that prevents moisture from entering the skin area.

Precaution must be taken to prevent injuries caused by hypodermic needles and syringes, or other sharp objects, which may be contaminated with blood or other body secretions. All sharp objects which are placed into evidence will be stored in puncture proof containers clearly marked with a warning and placed in a special section of the evidence storage area.

#### **Safety Equipment**

To meet operational and sound hygienic requirements, all Divisions/Sections of this Department will maintain a supply of:

- Disposable gloves
- Resuscitation masks with one-way valves
- Disposable face masks
- Disposable alcohol towelettes
- Plastic storage bags
- Chlorine bleach (for 1 to 10 solution)



- Disinfectant spray or germicides
- Leather gloves which have been treated with water-proofing solution
- Eye protection

All marked and unmarked vehicles will contain:

- Disposable gloves
- Resuscitation masks with one-way valves
- Disposable face masks
- Disposable alcohol towelettes
- Plastic storage bags

Division Commanders shall ensure that adequate supplies are maintained and distributed to employees, vehicles, and work locations.

### **Decontamination**

Hands should be washed for 15 seconds after each citizen contact. This includes any time gloves are used and removed. Gloves should be turned inside out on removal and placed into a receptacle designated for contaminated materials.

Contaminated surfaces (vehicle interior/exterior, personal equipment) should be cleansed with soap and water or a disinfectant spray followed by a 30-second cleaning of the area with a solution of household bleach to water, diluted 1 to 10.

### **Reporting Infections, Disease or Exposure**

#### **AIDS exposure is broken down into two areas:**

- Any physical contact or injury which results in a direct contact between the employee and the blood or body fluids of another person suspected of having AIDS, or a person identified as being in the "high risk group"
- Physical contact only, where there was no contact between the employee and the blood or body fluids of the suspected person

The report of any exposure is to be completed by the employee's supervisor using the State of California Employer's Report of Occupational Injury or Illness Forms, SF-312 (3/82), and SF-312a (5/82 work copy). The forms should be completed as outlined in Administrative Directive 2-86, IOD Report to Employer.

If the exposure results in contact with the blood or body fluids of a person suspected of having AIDS, both forms SF-312a (5/82 work copy), and SF-312 (3/82) must be completed.

If the exposure was physical contact only, and there was no blood or body fluid contact, complete form SF-312a (5/82 work copy) only.

### **HIV or AIDS Testing**

The Health Department provides anonymous and free in-house testing programs for employees and citizens of the community concerned about HIV and AIDS exposure. If

any employee elects to take advantage of the program, confidentiality of test results is ensured by using coded names.

**Release of Information about AIDS Infection**

Current State Law (199.20 Health and Safety Code) prohibits the release of any information concerning the blood test results of AIDS patients or HIV-infected persons. Disclosure is permissible only on specifically written authorization from the affected patient and a separate written release must be obtained each and every time a release of information is desired.

There are civil damages for accidental release of AIDS-related information and severe civil and criminal penalties for the intentional release of information if done with the intent to harm or harass the victims.

**6.8.16 RESERVE POLICE OFFICER SELECTION PROCESS**

The Commanding Officer of the Training Division and his/her staff will assume responsibility for the selection of Police Reserve Officers. The procedure for selection is as follows:

- The officer assigned as coordinator/liaison to the Reserve Corps Unit will maintain a current list of interested candidates
- Once a need for additional Reserve Officers has been determined, the Training Division will notify applicants of the time, date and location of the written examination. Training personnel will be responsible for administering the written examination
- Candidates successfully completing the written examination will be notified relative to the date, time and location of the physical ability examination
- Candidates successfully completing both the written and physical ability tests will be scheduled for an oral interview. The interview board will consist of a minimum of two sworn officers, at least one of which will be a member of the Training Staff. The other board member shall be from the Patrol Bureau
- Candidates eligible for selection after successfully completing the aforementioned tests will be subject to an extensive background investigation. This investigation will be conducted by Background Investigators assigned to the Commanding Officer, Training Division
- Final selection shall be determined by the Chief of Police in the same manner as the selection process for regular police officers
- Reserve Officers selected for service shall attend a POST certified Reserve Academy Course conducted by the Training Division

## **6.9 UNIFORMS & PERSONAL EQUIPMENT**

### **6.9.1 GENERAL UNIFORM REQUIREMENTS**

All police employees of the Department, except non-uniformed civilian employees, shall maintain a regulation uniform in good order.

All articles of uniform shall conform to the Long Beach Police Department Uniform and Equipment Specifications Manual. Civilian clothing will not be worn with any distinguishable part of the uniform. Employees shall not wear the uniform off duty without the permission of a commanding officer, with the exception of traveling to and from work. The Personnel Division maintains detailed written uniform specifications.

#### **Wearing the Uniform**

Uniforms shall be kept neat, clean and well pressed at all times; leather and shoes polished, badges and metal shined.

#### **6.9.1.1 INSPECTIONS - UNIFORM**

From time to time the Chief of Police may call for full dress inspections of the Department or any part thereof. Employees directed to attend inspections shall report in the uniform prescribed carrying the equipment specified. Unauthorized absence from such inspection is chargeable as "absent without leave".

### **6.9.2 APPEARANCE - ON-DUTY**

Normally, sworn employees will wear the duty uniform on-duty; however, commanding officers may prescribe other clothing as required by the nature of the employee's assignment. Civilian employees will wear and maintain an employee uniform when so directed by the Chief of Police.

#### **6.9.2.1 HELMETS - GENERAL PROVISIONS**

- The regulation safety helmet shall be the property of the Department and shall be issued and controlled by the Property Clerk, Personnel Division
- Personnel, when separated from the Department, shall the helmet to the Property Clerk
- The regulation safety helmet may be issued to lieutenants, Sergeants, Corporals, and Police Officers assigned to the Patrol Bureau, and to any another person so designated by the Chief of Police

#### **6.9.2.2 CIVILIAN CLOTHING**

Male employees permitted to wear civilian clothing on-duty shall wear either a business suit or sports coat and trousers. A dress-type shirt with tie shall be worn. Commanding

officers may prescribe other types of clothing to their employees when required to meet a particular police objective.

Female employees permitted to wear civilian clothing shall conform to the standards normally worn by office personnel in private business firms, unless otherwise directed by their commanding officer. Shorts, t-shirts, jeans, bare midriffs, revealing necklines, athletic shoes or thongs, are NOT considered suitable work attire and will not be permitted.

### **6.9.3 UNIFORM & EQUIPMENT REPLACEMENT**

All requests for uniform and equipment (PD Form 2200.002, revised 2/85) will be submitted to the Personnel Division for processing. The request form will not be processed without the employee's full name, photo number, work assignment and approval signature of the employee's Division Commander.

Personnel will prepare the necessary Purchase Order Requisition form for the employee's use and forward the form, in triplicate, to the employee through his/her Bureau Chief's Office for distribution.

Within 24 hours after the uniform and/or equipment have been received, the employee will acknowledge receipt with his/her signature and date on the triplicate form and return the "pink" copy to the Personnel Division.

Employees shall not sign the Purchase Order Requisition until all the items requested have been received. If any of the items are not available within two weeks from the date of order, the employee shall contact the Personnel Division relative to uniform/equipment status.

### **6.9.4 CORRECT WEARING OF INSIGNIA OF GRADE**

To ensure uniformity within the Department, officers shall adhere to the following procedures relative to the wearing of insignia of grade.

Correct placement of collar and shoulder insignia for all sworn officers:

#### **Chief of Police**

The insignia of Chief of Police has four, gold-colored five-pointed stars, each star measuring 5/8 inch in diameter. The insignia shall be worn on the Class "A" uniform on both collars. The insignia shall be centered, 3/8 inch from the leading edge of the collar, parallel to the lower edge of the collar. On the command officer's dress uniform, the one-inch diameter insignia stars shall be worn centered on the epaulet. Also, for all stars, the single point side of the stars should face the upper edge of the collar.

#### **Deputy Chief of Police**

The insignia for Deputy Chief of Police has two, gold-colored five-pointed stars, each measuring 5/8 inch in diameter. The insignia shall be worn on the Class "A" uniform on both collars. The insignia shall be centered, 3/8 inch from the leading edge of the collar, parallel to the lower edge of the collar. On the command officer's dress uniform, the insignia shall be worn centered on the epaulets.

### **Police Commander**

The insignia for Police Commander has one, gold-colored five-pointed star, measuring 5/8 inch in diameter. The insignia is worn on the Class "A" uniform on both collars. The insignia shall be centered, 3/8 inch from the leading edge of the collar, parallel to the lower edge of the collar.

### **Police Lieutenant**

The insignia for Police Lieutenant consists of a plain, flat silver bar, measuring 3/8-inch wide and 3/4-inch long. The insignia shall be worn on the Class "A" uniform on both collars. The front edge (long side) of the bar shall be 3/8 inch from the leading edge of the collar parallel to the front edge and centered on the collar.

### **Police Sergeant**

The insignia for Police Sergeant shall be three, royal-blue silk thread chevrons bound to a black cloth background with a border of yellow silk thread. Chevrons shall be worn on each sleeve with the point of the chevrons 1 1/2 inches below the bottom edge of the shoulder emblems. Horizontal width of the chevrons shall be 2 5/8 inches with a vertical distance from apex to apex of 2 5/8 inches.

### **Police Corporal**

The insignia for Police Corporal shall be two, royal-blue silk thread chevrons bound to a black cloth background with a border of yellow silk thread. Chevrons shall be worn on each sleeve with the point of the chevrons 1 1/2 inches below the bottom edge of the shoulder emblem. Horizontal width of the chevrons shall be 2 5/8 inches with a vertical distance from apex to apex of 1 7/8 inches.

## **6.9.5 ISSUE AND SEIZURE OF BADGE, CAP PIECE, NAME PLATE & IDENTIFICATION CARD**

The following Department employees may be issued a badge:

- Chief of Police
- Deputy Chief of Police
- Commander
- Lieutenant
- Sergeant
- Corporal
- Detective
- Police Officer
- Motor Officer
- Reserve Officer

- Identification Officer
- Security Officer
- Institutional Cook
- Police Service Assistant

**Issuance**

- The Personnel Division shall be responsible for procurement of Department badges, cap pieces, nameplates and identification cards
- The Personnel Division shall issue all Department badges, cap piece, name plate and identification cards
- Badges shall be permanently serialized with the applicable employee photo number
- Personnel Division shall maintain a permanent record of badge, cap piece, name plate and identification card assignment/issuance
- The employee shall sign for badges, cap pieces, nameplates and identification cards. A copy of the signed document shall be placed in the employee's personnel file
- A comprehensive inventory of all issued and replacement items shall be maintained commencing from the employee's date of appointment

**Maintenance & Replacement**

Employees shall be responsible for maintenance and requesting replacement of issued uniform and equipment items.

- Items shall not be altered
- Loss or theft of an issued badge, name plate, cap piece or identification card shall be reported and the appropriate report filed (see Section 6.9.5.2, Lost, Stolen or Damaged Badges, Cap Pieces, Name Plates and Identification Cards)
- When City-issued personal equipment is lost, stolen, damaged, or worn to the point of being unserviceable during the period of City ownership, and the loss or damage is not the result of negligence on the part of the employee, the employee may request replacement or repair according to current procedures

**6.9.5.1 ISSUANCE OF RETIREMENT BADGES**

- The Personnel Division shall contact retiring employee to coordinate their retirement date
- Have the retirement badge ready for the employee's last day
- Schedule a retirement ceremony with the Chief of Police's officer using the same process as promotions
- Issue the retirement badge when the regular badge has been returned

**6.9.5.2 LOST, STOLEN OR DAMAGED BADGES, CAP PIECES, NAMEPLATES & IDENTIFICATION CARDS**

- Lost or stolen badges, cap pieces, nameplates and identification cards shall be reported to the employee's supervisor immediately. The supervisor shall determine if

the loss or damage was a result of negligence on the part of the employee. The supervisor shall ensure that a lost or stolen report is completed. The supervisor's report and the lost or stolen report shall be forwarded to the Personnel Division

- Replacement of a lost or stolen badge, cap piece, nameplate or identification card shall be obtained from the Personnel Division. The employee shall file an Affidavit of Lost/Stolen Official Badge Form and a copy of the lost or stolen of negligence on the part of the employee, replacement of the item shall be at the employee's expense. The Personnel Division shall maintain a current log of all lost or stolen badges, cap pieces, name plates, identification cards, et cetera, in the Personnel Division for the purpose of facilitating recovery and identification of items
- When a badge or identification card is lost or stolen, the supervisor approving a lost or stolen report shall transmit a teletype indicating the missing property and listing the owner's name, serial number, rank and badge number to all California law enforcement agencies

### **6.9.5.3 MEMORIAL BADGES**

Badges as a memorial to a Police Officer killed in the line of duty shall be mounted in an appropriate display and presented to the officer's family at Department expense (PD Form 2000.14).

### **6.9.5.4 RESERVE POLICE OFFICER BADGES AND IDENTIFICATION CARDS**

Revised May 2003

The Personnel Division has audit responsibility.

#### **Police Officer Badge:**

Level I Long Beach Reserve Police Officers will be issued the silver and gold Police Officer badge provided they are in good standing with the Reserve Unit, possess a POST Reserve Officer Certificate and meet one or more of the following criteria:

Level I Reserve Police Officer who has completed the Level I Field Training Program and is qualified to work alone as a designated beat unit

Level I Reserve Police Officer who has been a member of the Reserve Unit a minimum of three years and primarily works a specialty assignment; e.g., Juvenile Section, Traffic or Reserve Unit administration

Level I Reserve Police Officer who has completed the "Module D" Basic Academy Transitional Course, has the training equivalent to a Basic Academy or has a Basic Academy Certificate

Level I Reserve Police Officer who has been consistently in good standing with the Reserve Unit for five years

Level II Long Beach Reserve Police Officers will be issued the silver and gold Police Officer badge provided they are in good standing with the Reserve Unit and meet the following criteria:

Level II Reserve Police Officer who has consistently been in good standing with the Reserve Unit for five years

Level II Reserve Police Officer who has consistently worked in a patrol unit in excess of the 20 hours required of the Level I Reserve Police Officer

**Identification Card:**

The Police Officer identification card, with the notation "Reserve Police Officer" and the deletion of the words "duly compensated", will be issued to Level I or Level II Reserve Police Officers as is issued to full-time officers in conjunction with the Police Officer badge.

**Procedure**

The Personnel Division will maintain Reserve and Police Officer badges and identification cards for distribution. The below described procedures shall be adhered to for issuance of the Police Officer badge and identification card to qualified Level I Reserve Police Officers.

The Reserve Police Officer who qualifies for the Police Officer badge and identification card will submit a memorandum to the Reserve Unit Coordinator for consideration. Qualifications shall be in accordance with the below listed criteria

The Field Support Division Commander will file a memorandum to the Administrator of the Personnel Division requesting that a Police Officer badge and identification card be issued to the requesting Reserve Police Officer. This memorandum will include a statement listing the specific criteria qualifying the Level I Reserve Police Officer for the badge and identification card

The Field Support Division Commander will have the discretion to either approve the request by forwarding the memorandum to the Administrator of the Personnel Division or deny the request by returning the memorandum to the Reserve Unit Coordinator

The Personnel Division will issue the badge and identification card

**6.9.6 EQUIPMENT**

All equipment must be clean and in good working order and shall conform to Department specifications.

**6.9.7 UNIFORM EQUIPMENT COMMITTEE**

The Uniform and Equipment Committee shall research and review uniform and equipment suggestions submitted by Department Personnel. The Committee may also initiate research and a review process regarding Department uniform and equipment.

The Committee will:

- Review all suggestions for uniform equipment
- Prepare a report relative to findings and recommendations
- Submit the final report to the Chief of Police for approval/denial

**Committee Membership & Meetings**

- The Commanding Officer, Personnel Division, shall act as Chairperson for the Committee, and will review final Committee reports prior to review by commanders and above



- Members of the Committee will be a Commander from each Bureau, selected by their respective Bureau Chief
- The Committee will meet quarterly with an option to meet more often, if necessary

#### **6.9.8 RESPONSIBILITY FOR DEPARTMENT PROPERTY**

Revised December 13, 2023

Employees are responsible for the proper care of Department property and equipment assigned to them or under their control. Damaged or lost property may subject the responsible individual to reimbursement charges and appropriate disciplinary action of the damage or loss is due to negligence.

#### **6.9.9 DAMAGED/INOPERATIVE PROPERTY OR EQUIPMENT**

Employees shall immediately report to their Commanding Officer on designated forms any loss or damage to Department property assigned to or used by them. The immediate supervisor will be notified of any defects or hazardous conditions existing in any Department equipment or property.

#### **6.9.10 CITY-OWNED PROPERTY – PRESUMPTION OF RESPONSIBILITY**

In the event that City-owned property is found damaged, it shall be prima facie evidence that the last person using the property or vehicle was responsible unless otherwise indicated.

#### **6.9.11 SURRENDER OF DEPARTMENT PROPERTY**

Employees are required to return all Department property in their possession to the Commanding Officer, Personnel/Training Division, upon separation from service. Failure to return non-expendable items may cause the person to reimburse the Department for the fair market value of the article. Employees suspended from employment shall be required to surrender their Department-issue badge, weapon and identification to the Commanding Officer, Personnel/Training Division.

#### **6.9.12 RETURNING CITY-OWNED PROPERTY**

An employee shall return all City-owned property in their possession under the following circumstances:

- Resignation or Termination – An employee who resigns or is terminated from the Department shall deliver all City-owned property in his/her possession to the Personnel Division. Property obtained from an employee who is terminated or has resigned shall be reported to the Personnel Division
- EXCEPTION: Any supervisor may take possession of City-owned property from a terminated or separated employee when circumstances indicated that it would be in the best interest of the Department

- Suspension – An officer who is suspended shall relinquish his/her Department issued badge, weapon and identification card to their Division Commanding Officer. It shall be the responsibility of the Commanding Officer to obtain the property from the suspended officer and ensure that it is forwarded to the Internal Affairs, Commanding Officer. The property shall then be forwarded to the Personnel Division, Manager for inventory and maintenance control.
- The Personnel Division, Manager is responsible for securing the return of outstanding City-owned items from separated employees
- An officer shall seize any City of Long Beach badge, cap piece, name plate and identification card, et cetera, in the possession of an individual other than the person authorized to carry these items in the line of duty

#### **6.9.13 CITY-OWNED EQUIPMENT ITEMS - RECOVERED**

- When City-owned personal equipment items are recovered, standard Department procedures
- An officer taking custody of a badge, cap piece, nameplate or identification card, et cetera, shall ensure that the item is properly placed into Property using PD Form 224009, "Report of Property". The filing officer shall forward a copy of the report to the Personnel Division Commanding Officer

## **7 PATROL BUREAU – FIELD OPERATIONS**

### **7.1 FIELD OPERATIONS**

#### **7.1.1 CALLS FOR SERVICE – RESPONSE TO**

##### **Priority One Calls**

Field Officers shall be subject to dispatch for their entire Watch and shall always monitor their radios. When Communications Division personnel review a priority one call, they will assign it to a unit based on the CAD system suggestion process. If units are not available in the entire area, the dispatcher will air the call on the primary channel for “any unit.”

If there is no response, the dispatcher will attempt to notify an area sergeant. The dispatcher and/or the field sergeant will determine which area unit has a call of lesser magnitude and request they clear to handle a priority one call. If the unit is unable to clear, the dispatcher will then simulcast the call sending the closest available unit from another area and advise the concerned area sergeant.

The sergeant will be advised that a unit is being dispatched to handle a priority one call out of their assigned area. The dispatcher will send all call information via KDT to the concerned sergeant.

Upon receiving a dispatch, the assigned unit will respond to the call, giving the dispatcher the location, they are responding from.

If an area unit clears prior to the assigned unit’s arrival, the dispatcher will advise the area unit of the call. If the area unit is closer, they will advise the dispatcher and handle the call. The dispatcher will then cancel the responding out of area unit.

#### **7.1.2 SQUAD MEETINGS**

Squad meetings are to be conducted at the beginning of the patrol shift by a sergeant or designee. They are designed to disseminate information, share crime trends, and develop planned response to current crime trends or special events.

##### **Topics for Squad Meeting**

- Formal In-Service Training (as scheduled from the Training Division)
- Strategies to impact current crime trends; both with info from Divisional Crime Analyst and from personal knowledge of the Beat Officers \*\*AV equipment in squad rooms should be used when available/appropriate
- Watch Reports – DCC locations
- Discuss Current/Relevant Issues (department issues and training issues such as officer safety, timecards, report writing, washing cars, etc.)
- Uniform & Equipment Inspections (follow Bureau’s uniform inspections schedule)
- Interactive/Hands-on Training (Mobile Field Force, Arrest & Control, searching techniques, legal updates/case-law, officer safety videos, etc.)

Lieutenants and Sergeants should ensure that each squad meeting is informative and meets the needs of that watch for that day.

### **7.1.3 ARRESTS – FORCE**

Revised October 20, 2015

When making an arrest, Officers shall strictly observe the laws of arrest and adhere to the following provisions:

- 1) The arresting officer shall use only the amount of restraint necessary to assure the safe custody of the prisoner and his/her own safety.
- 2) The arresting officer is responsible for the safety and protection of the arrested person in his/her custody.
- 3) The arresting officer shall notify Booking Desk personnel or transportation officers, if involved, of any injury, apparent illness or other condition which may indicate that the arrestee would require any special medical care.
- 4) The arresting officer is responsible for the security of all personal property in the possession or under the control of the arrestee at the time of arrest. With the exception of vehicles, this responsibility is transferred to Booking Desk personnel or transporting officers when they accept custody of the arrestee.

### **7.1.4 PHYSICAL SURVEILLANCE AND PLANNED ARREST OPERATIONS**

Revised March 25, 2021

The Investigations Bureau shall review this policy on a three-year cycle.

Reviewed March 25, 2021

Officers conducting physical surveillance or planned arrest operations shall do so with the utmost awareness of the risks to bystanders, officers, and the suspect(s). Officers shall continually assess the dangers and risks posed by the operation and whether the need to immediately apprehend the suspect outweighs the risks. These risk factors include but are not limited to the following:

- Location of arrest,
- Severity of the crime,
- Known weapons,
- Suspect's criminal history.

For operations outside the City of Long Beach, refer to LBPD Manual § 7.3.7  
**FOREIGN JURISDICTION – POLICE INVESTIGATIONS OUTSIDE THE CITY OF LONG BEACH**

#### **7.1.4.1 OFFICER RESPONSIBILITIES**

Revised March 25, 2021

Officers shall do the following prior to the operation:

- Develop a plan and brief involved officers,
- Notify their supervisor.

### 7.1.4.2 SUPERVISOR RESPONSIBILITIES

Revised March 25, 2021

Supervisors shall do the following prior to the operation:

- Review the plan,
- Ensure adequate resources are available,
- Notify the Watch Commander when enforcement action is anticipated,
- Notify the Communications Center, unless otherwise approved by the Watch Commander.

### 7.1.5 CODE THREE RESPONSE

All priority 1 calls will normally be dispatched Code Three. A code three response may be cancelled at the direction of a command officer, supervisor or the communications center.

#### Definitions

**Priority 1** – Calls with the possibility of loss of life, serious injury, major property damage, or other emergencies of a similar magnitude.

**Code Three Response** – A Code Three response is a response to a priority 1 call during which a police vehicle displays a lighted red lamp, visible from the front, and sounds a siren as may be reasonably necessary. A properly performed “Code Three” response exempts the operator of an emergency vehicle from complying with certain rules of the road as defined in [§21055 CVC](#) and [§21056 CVC](#).

#### Procedures

Employees shall adhere to the following procedures when authorizing, dispatching and responding to “Code Three” emergency calls. A supervisor or command officer will specify the number of units initially responding to a dispatch “Code Three”.

Police units may be dispatched “Code Three” under the following circumstances:

- Calls with the possibility of loss of life, serious injury, major property damage, or other emergencies of a similar magnitude
- No detail (possible injury) traffic collisions
- A specific request by a field officer for a specified number of units to respond “Code Three” as approved by a supervisor or command officer
- Firefighter needs help – URGENT – 997
- Officer needs help – SHOTS FIRED – 998
- Officer needs help – URGENT – 999
- As directed /authorized by a field supervisor

The communications center dispatcher shall inform the units that they are to respond to the call “Code Three”. The communication center dispatcher/supervisor should notify units when other units are responding Code Three.

### 7.1.6 CODE THREE – AUTHORITY TO INITIATE/CANCEL

Revised October 24, 2014

The Patrol Bureau has audit responsibility.

The following personnel have the authority to initiate or cancel a code three response:

- 1) Field officers responding to a priority one incident after notifying communications and/or a supervisor
- 2) Field officers initiating a traffic stop or a pursuit
- 3) A supervisor or command officer
- 4) Communications personnel dispatching a priority one incident
- 5) Field officers may initiate a code three response without notifying Communications or a supervisor when the notification will interfere with an ongoing emergency situation
- 6) Cancellation of a code three response should be based on the following criteria:
  - a) Nature of the emergency
  - b) Weather conditions (fog, heavy rain or slippery road conditions)
  - c) Traffic conditions (vehicular and pedestrian)
  - d) Time of day
  - e) Highway conditions
  - f) Area traveled (schools or residential)
  - g) The emergency no longer exists

Upon arrival at the location, officers will advise Communications that they are on scene.

Officers operating a vehicle code three shall use proper defensive driving practices and be aware of other emergency vehicles that may be driving code three.

Officers operating an emergency vehicle must drive with due regard for the safety of all persons using the highway and should, therefore, use caution (§[21056 C.V.C.](#) and §[21807 C.V.C.](#)).

### 7.1.7 VEHICLE PURSUITS

Revised June 2, 2016

The Patrol Bureau will have audit responsibility.

#### 7.1.7.1 DEFINITIONS

Revised June 2, 2016

- A) **Pursuit** – An event involving one or more law enforcement officers attempting to apprehend a suspected or actual violator of the law in a motor vehicle while the driver is using evasive tactics, including, but not limited to, high speed driving, driving off a highway, turning suddenly, or driving in a legal manner but failing to yield to the officer's signal to stop.
- B) **Actively involved units** – The primary unit, the secondary unit, and any other unit pursuing the suspect vehicle.
- C) **Other Involved units, including, but not limited to:**

- 1) Units requested by supervisor for traffic control
  - 2) Units needed to set perimeter
  - 3) Units needed for rescue or arrest teams
  - 4) Units for evidence collection and transportation
  - 5) Air support
- D) **Supervisor** – A sworn employee with the rank of Sergeant or higher.
- E) **Surveillance mode** – Observation of the suspect vehicle, by the Air Support Unit (ASU), after a pursuit has been terminated by ground units.
- F) **Pursuit rated vehicle** – Pursuant to [California Vehicle Code \(CVC\) § 21806](#), vehicles with the following:
- 1) Alternating headlights that flash on and off;
  - 2) A forward facing, fixed red light; and
  - 3) A siren sounding.

#### 7.1.7.2 INITIATING PURSUITS

Revised June 12, 2023

[See Special Order - Vehicle Pursuits - 2023-5](#)

#### 7.1.7.3 OFFICER RESPONSIBILITIES

Revised June 2, 2016

A vehicle pursuit shall be conducted with red light and siren for exemption from compliance with the rules of the road, as required by [CVC § 21055](#). Officers shall drive with due regard and caution for the safety of all persons using the highway, as required by [CVC § 21056](#).

#### 7.1.7.4 ASSESSMENT OF RISK FACTORS

Revised June 12, 2023

[See Special Order - Vehicle Pursuits - 2023-5](#)

#### 7.1.7.5 PURSUIT COORDINATION

Revised June 12, 2023

[See Special Order - Vehicle Pursuits - 2023-5](#)

#### 7.1.7.6 AIR SUPPORT UNIT (ASU) RESPONSIBILITIES

Revised June 2, 2016

When available, the ASU shall respond to the scene of a pursuit and shall assist pursuing units and the supervisor as follows:

- 1) Notify the Communications Center when they have visual contact with a pursuit;
- 2) If requested, assume responsibility for broadcasting locations and the direction of travel of the pursuit;
- 3) Assist ground units and the supervisor monitoring the pursuit by identifying and broadcasting all potential safety risks;

- 4) Once visual contact is made, provide the supervisor with the number of ground units involved;
- 5) When possible, identify units participating in the pursuit for the purpose of management and control;
- 6) Stay in radio contact with assisting ground units to aid in the capture of the suspect(s);
- 7) Electronically record the pursuit and the termination point (the recording shall be placed into evidence);
- 8) When a supervisor terminates a pursuit and surveillance mode is initiated, the ASU will assume a position that affords the suspect little possibility of detecting the ASU. The searchlight will not be used during the surveillance mode. The ASU will follow the suspect vehicle until the vehicle stops, or the surveillance is canceled.

#### **7.1.7.7 FOREIGN JURISDICTION PURSUITS**

Revised June 2, 2016

LBPDP units, including the ASU, shall not engage in pursuits initiated by foreign jurisdictions, unless the pursuit meets the criteria of the LBPDP pursuit policy and assistance is requested by the pursuing agency.

LBPDP units engaged in a foreign jurisdiction's pursuit shall terminate their involvement if the pursuit leaves the Long Beach city limits, unless directed to continue by an LBPDP supervisor.

If a foreign jurisdiction pursuit terminates within the Long Beach city limits, the LBPDP supervisor who approved the pursuit shall verify which agency will coordinate pursuit termination activities.

#### **7.1.7.8 PURSUITS LEAVING CITY LIMITS**

Revised June 12, 2023

[See Special Order - Vehicle Pursuits – 2023-5](#)

#### **7.1.7.9 PURSUIT LIMITATIONS**

Revised June 12, 2023

[See Special Order - Vehicle Pursuits – 2023-5](#)

#### **7.1.7.10 MOTORCYCLE UNITS**

Revised June 2, 2016

A motorcycle unit may only initiate a vehicle pursuit for a violent felony or in other extreme circumstances. The supervisor shall acknowledge that a motorcycle unit is involved and approve or cancel the pursuit. The supervisor must explain the necessity of the motorcycle unit's involvement, per [LBPDP Manual § 7.1.7.14 SUPERVISOR POST-PURSUIT RESPONSIBILITIES](#).



Unless otherwise directed by a supervisor, motorcycle units shall cease their involvement when a four-wheeled, pursuit rated vehicle joins the pursuit and takes over as the primary unit. Once a motorcycle unit ceases involvement in the pursuit, they shall follow all requirements in [LBPD Manual § 7.1.7.12 PURSUIT TERMINATION](#).

#### **7.1.7.11 TIRE DEFLATION DEVICE**

Revised June 12, 2023

[See Special Order - Vehicle Pursuits – 2023-5](#)

#### **7.1.7.12 PURSUIT TERMINATION**

Revised June 2, 2016

A pursuit shall be immediately terminated under the following conditions:

- 1) A field supervisor orders the pursuit terminated;
- 2) Officers lose visual contact with the suspect vehicle and the ASU is not in a position to provide immediate directions;
- 3) Officers lose clear radio contact with the Communications Center;
- 4) Officers lose clear radio contact with the field supervisor authorizing the pursuit.

Once the decision is made to terminate the pursuit, pursuing units shall:

- 1) Obey the rules of the road;
- 2) Deactivate their red lights and siren;
- 3) Turn off from the pursued vehicle's direction of travel (do not follow);
- 4) Notify the Communications Center of the termination;
- 5) ASU will not continue to follow the vehicle unless placed into surveillance mode.

#### **7.1.7.13 SUPERVISOR RESPONSIBILITIES**

Revised June 12, 2023

[See Special Order - Vehicle Pursuits – 2023-5](#)

#### **7.1.7.14 SUPERVISOR POST-PURSUIT RESPONSIBILITIES**

Revised June 2, 2016

A field supervisor shall go to the scene of a terminated pursuit and take command. The supervisor shall be responsible for ensuring all appropriate crime and arrest reports are filed.

On each pursuit, the supervisor shall complete a Supervisor's Vehicle Pursuit Review, which will include the following:

- 1) Identification of all personnel involved both authorized and unauthorized;
- 2) Summary of the events leading up to the pursuit;
- 3) Chronological events of the pursuit;
- 4) Pertinent events occurring after the pursuit;
- 5) Any retraining.

A supervisor who was actively involved in a pursuit shall not file the Supervisor's Vehicle Pursuit Review.

#### **7.1.7.15 DISASTER PREPAREDNESS AND EMERGENCY COMMUNICATIONS DEPARTMENT (COMMUNICATIONS CENTER) RESPONSIBILITIES**

Revised June 2, 2016

Upon notification by a unit that he or she is in pursuit, the Communications Center will contact a sworn field supervisor to take supervisory control of the pursuit. The supervisor will be informed of all available information including the units involved.

The dispatcher handling communications for the pursuit will provide all necessary information to the field units. All units will be advised when the pursuit is terminated or a supervisor requests a surveillance mode. Any necessary information will then be conveyed to the ground units to avoid unnecessary contact with the suspect during the surveillance operation.

The cancellation of a pursuit will be broadcast to all units along with the suspect's direction of travel, so units may stay clear of the suspect vehicle.

#### **7.1.7.16 REVIEW OF PURSUITS – POLICE VEHICLE AND AIR SUPPORT UNIT**

Revised June 2, 2016

The Collision Investigation Detail shall gather all pertinent pursuit information and generate a Pursuit Review Report. This report shall contain an analysis summary of the pursuit reports, supervisor's report, video recordings, audio recordings, and any other information related to the pursuit.

#### **7.1.7.17 REVIEW OF PURSUITS – TIME PERIOD**

Revised June 2, 2016

Pursuant to [CVC § 14602.1](#), the Collision Investigation Detail shall complete all State-mandated reporting requirements within 30 days.

#### **7.1.7.18 REVIEW OF PURSUITS – COMMANDER RESPONSIBILITIES**

Revised June 2, 2016

The involved employee's Commander will review the Pursuit Review Report, provide recommendations and administrative insight for the recommended action, and forward the Pursuit Review Report to the involved employee's Bureau Deputy Chief.

#### **7.1.7.19 REVIEW OF PURSUITS – BUREAU RESPONSIBILITIES**

Revised June 2, 2016

The involved employee's Bureau Chief will review the Pursuit Review Report, and forward the Pursuit Review Report to the Internal Affairs Division.

The involved employee's Division Commander and the CID supervisor will be notified of any action to be taken.

#### **7.1.7.20 TRAINING**

Revised June 12, 2023

[See Special Order - Vehicle Pursuits – 2023-5](#)

#### **7.1.8 DELETED 1/9/23**

#### **7.1.9 FIELD SERGEANT RESPONSIBILITIES**

Revised July 1, 2019

The Patrol Bureau has review responsibility.

Field sergeants will monitor the daily activities of their employees and conduct reviews as necessary. Field sergeants shall be responsible for approving units checking out of service in the following circumstances:

- 1) Any station detail (924) that renders a unit unavailable to handle calls for service;
- 2) Out-of-service for an extended period of time (e.g., firearms qualification, training, special assignment, etc.);
- 3) Early end of watch;
- 4) Request to leave city limits for any reason.

The approving sergeant's unit designator shall be entered into CAD for the above requests.

#### **7.1.9.1 SITUATIONS REQUIRING FIELD SERGEANT RESPONSE**

Revised July 1, 2019

Unless an exception applies and is granted per LBPDP Manual § 7.1.9.2, a field sergeant shall respond to the following incidents:

- a) Deployment of, or request for a patrol rifle;
- b) Bias-motivated incidents;
- c) Incidents involving critical missing subjects;
- d) Explosives - threats, devices or detonation;
- e) Homicides and/or in-custody death incidents;
- f) Violent crimes with serious injury;
- g) Request for emergency assistance by law enforcement or public safety personnel (997, 998, 999);
- h) Radio emergency via computer when there is no response from the officer (Code 1000);
- i) Situations involving barricaded suspects;
- j) Situations involving hostages;
- k) Fatal traffic collisions;
- l) Incidents involving forced entry;
- m) Incidents involving sworn personnel, from any jurisdiction, or any City of Long Beach employee, in the following situations:

- 1) Any discharge of a firearm;
- 2) Incidents involving a use of force;
- 3) On-duty traffic collisions;
- 4) Off-duty incidents with an allegation of misconduct, or the seriousness of the incident requires a supervisor response;
- 5) Traffic collisions where the employee was driving after having consumed an alcoholic beverage;
- n) Occupational injuries requiring hospitalization or emergency treatment;
- o) Pursuits;
- p) Airplane crashes;
- q) Any incident that requires a substantial commitment of resources over a sustained period of time;
- r) Hazardous material incidents;
- s) Any major Fire Department incident which requires a unified command, a sergeant will be dispatched to the Fire Department command post to manage Police Department resources;
- t) Labor disputes, or a public assembly which causes a disruption or disturbance to the public;
- u) Arrest or detention of public figures, or foreign delegates;
- v) Anytime a person refuses to sign a citation;
- w) Any request from the public for a supervisor to respond.

#### **7.1.9.2 EXCEPTION TO MANDATORY RESPONSE**

Revised July 1, 2019

The Watch Commander may make an exception to a field sergeant's obligation to respond to any item listed in § [7.1.9.1 SITUATIONS REQUIRING FIELD SERGEANT RESPONSE](#).

#### **7.1.9.3 SITUATIONS REQUIRING FIELD SERGEANT NOTIFICATION**

Revised July 1, 2019

Field sergeants will be advised of, and respond at their discretion to the following:

- a) Unit at lunch (Code 7) in excess of the allotted time;
- b) When a Communications Center dispatcher checks on the well-being of an officer who has been out-of-service for an extended period of time;
- c) When three or more units respond to a call;
- d) Collisions involving the A-Line train;
- e) When an officer encounters any subject who displays unusual, strange, or violent behavior that presents a threat to the safety of an officer(s) or the public;
- f) Impending suicide or suicide that has just occurred.

#### **7.1.10 WATCH COMMANDER RESPONSIBILITIES**

Revised July 1, 2019

The Watch Commander shall ensure the following:

- a) Each Patrol Division has a supervisor assigned for every shift;

- b) Field sergeants monitor their radio;
- c) Field sergeants enter all applicable critical incidents in the electronic Watch Commander Log.

#### **7.1.11 BEAT INTEGRITY/REDEPLOYMENT**

In order to provide the highest level of police service to the public, there will be times when units will be re-deployed into areas and beats other than their own. The redeployment of units may be requested by the communications supervisor and ordered by a field sergeant or command officer. The reallocation of units will occur in instances where: (1) an area is experiencing a high volume of calls for service/field activity and a low volume of calls for service/field activities or (2) for accomplishing a directed patrol mission.

A unit's primary patrol responsibility is to its assigned beat.

Officers shall remain in their beat EXCEPT for the following circumstances:

- The response is necessary to provide officer safety
- The response of an additional unit would increase the possibility of apprehension, saving a life or reducing property damage
- The response is necessary to preserve a crime scene or other evidence
- When re-deployed or reassigned

#### **7.1.12 CAD TRACKING**

End of watch "logging off" by officers and supervisors shall be done by radio. "Logging off" prior to EOW shall be accomplished by a field supervisor advising communications that a unit is approved for EOW.

#### **Reports**

Arrest reports shall be filed prior to officers returning to the field unless:

- The watch commander directs them to return to the field
- The report is handwritten or tape-recorded with the prior approval of the watch commander
- There are no Reporting Office personnel available for direct dictation
- Field officers who have complex or lengthy reports to file, which will require working past the end of watch, shall request permission to file from a field sergeant/command officer. Decisions to allow or deny the request will be based upon:
  - Unit availability
  - Calls for service waiting
  - The circumstances of the case

#### **7.1.13 DRIVING UNDER THE INFLUENCE (DUI) ARREST**

Revised December 21, 2016

The Patrol Bureau will have audit responsibility.

**7.1.13.1 PURPOSE AND SCOPE**

Revised December 21, 2016

This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI). The Long Beach Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of California's impaired driving laws.

**7.1.13.2 FIELD TESTS**

Revised December 21, 2016

Based on National Highway Traffic Safety Administration (NHTSA) recognized testing protocols, the Traffic Section Lieutenant shall identify the standardized field sobriety tests (SFSTs) and any approved alternate tests for officers to use when investigating violations of DUI laws.

**7.1.13.3 TRANSPORTATION PRIOR TO ARREST**

Revised December 21, 2016

An officer may transport a driver suspected of impaired driving to a safer location to conduct an SFST. Officers should not transport suspected DUI drivers to DUI checkpoint locations for evaluation. If an officer needs assistance with an investigation, the officer may contact the DUI checkpoint command post. If an officer assigned to the DUI checkpoint is available, the DUI checkpoint supervisor may send the available officer to assist.

**7.1.13.4 CHEMICAL TESTS**

Revised December 21, 2016

A person is deemed to have consented to a chemical test(s) under any of the following ([Vehicle Code § 23612](#)):

- 1) The person is arrested for driving a vehicle while under the influence ([Vehicle Code § 23152](#)).
- 2) The person is under 21 years of age and is arrested by an officer having reasonable cause to believe that the person's blood alcohol content is 0.05% or more ([Vehicle Code § 23140](#)).
- 3) The person is under 21 years of age and detained by an officer having reasonable cause to believe that the person was driving a vehicle while having a blood alcohol content of 0.01% or more ([Vehicle Code § 23136](#)).
- 4) The person was operating a vehicle while under the influence and proximately caused bodily injury to another person ([Vehicle Code § 23153](#)).
- 5) The person is dead, unconscious or otherwise in a condition that renders him or her incapable of refusal ([Vehicle Code § 23612\(a\)\(5\)](#)).

**7.1.13.5 CHOICE OF TEST**

Revised December 21, 2016

A person arrested for DUI has the choice of whether the test is of his or her blood or breath, and the officer shall advise the person that he or she has that choice. If the person arrested is incapable, or states that he or she is incapable, of completing the chosen test, the person shall submit to the remaining alternative test.

An officer requesting that a person submit to chemical testing shall provide the person with the mandatory warning pursuant to [Vehicle Code § 23612\(a\)\(1\)\(D\)](#) and [Vehicle Code § 23612\(a\)\(4\)](#).

If the person chooses to submit to a breath test and there is reasonable cause to believe that the person is under the influence of a drug or the combined influence of alcohol and any drug, the officer may also request that the person submit to a blood test.

#### **7.1.13.6 BREATH TEST**

Revised December 21, 2016

The Forensic Science Services Division Administrator shall ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested and that a record of such service and testing is properly maintained.

Officers obtaining a breath sample shall monitor the device for any sign of malfunction. Any anomalies or equipment failures must be noted in the appropriate report and promptly reported to the Forensic Science Services Division.

When the arrested person chooses a breath test, the handling officer shall make the Trombetta Advisement to the person informing them that the breath-testing equipment does not retain a sample, and the person may, if desired, provide a blood specimen, which will be retained to facilitate subsequent verification testing ([Vehicle Code § 23614](#)).

The officer should also require the person to submit to a blood test if the officer has a clear indication that a blood test will reveal evidence of any drug or the combined influence of an alcoholic beverage and any drug. Evidence of the officer's belief shall be included in the officer's report ([Vehicle Code § 23612\(a\)\(2\)\(C\)](#)).

#### **7.1.13.7 BLOOD TEST**

Revised December 21, 2016

Only persons authorized by law to withdraw blood shall collect blood samples ([Vehicle Code § 23158](#)). The assigned officer should witness the withdrawal of the blood sample. No officer, even if properly certified, should conduct the blood withdrawal.

Officers should inform an arrestee that if he or she chooses to provide a blood sample; a separate sample can be drawn for alternate testing ([Vehicle Code § 23614](#)). If a second sample is drawn, the second sample must be placed in a separate evidence package.

If an arrestee cannot submit to a blood test because he or she is a hemophiliac or is using an anticoagulant, he or she shall not be required to take a blood test. Such inability to take a blood test should not be treated as a refusal. However, the person may be required to complete another available and viable test.

**7.1.13.8 REFUSALS**

Revised December 21, 2016

When a person refuses to provide a viable chemical sample, officers should:

- 1) Advise the person of the requirement to provide a sample ([Vehicle Code § 23612](#));
- 2) Audio-record the admonishment and the response, if practicable; and
- 3) Document the refusal in the arrest report.

Upon refusal to submit to a chemical test, as required by law, officers shall personally serve the notice of order of suspension or revocation of the person's privilege to operate a motor vehicle upon the person and take possession of any driver's license, issued by this state, that is held by that person ([Vehicle Code § 23612\(e\)](#) and [Vehicle Code § 23612\(f\)](#)).

**7.1.13.9 BLOOD SAMPLE WITHOUT CONSENT**

Revised December 21, 2016

A blood sample may be obtained from a person who refuses a chemical test when one of the following conditions exist:

- 1) A search warrant has been obtained ([Penal Code § 1524](#)); or
- 2) The officer can articulate that exigent circumstances exist. Exigency does not exist solely because of the short time-period associated with the natural dissipation of alcohol in the person's blood stream. The totality of the circumstances must establish that the need to obtain the blood sample is so compelling that a warrantless blood draw is objectively reasonable. For example, exigency can be established by a lengthy delay in obtaining a blood sample due to an accident investigation or medical treatment of the person.

If a person indicates by word or action that he or she will physically resist a blood draw, the officer shall request a supervisor to respond. The responding supervisor should:

- 1) Ensure the withdrawal is recorded on audio and/or video when practicable; and
- 2) Ensure the methods used to accomplish the blood sample draw are documented in the related report.

**7.1.13.10 WARRANTLESS ARREST**

Revised December 21, 2016

In addition to the arrest authority granted to officers pursuant to [Penal Code § 836](#), an officer may make a warrantless arrest of a person that the officer has reasonable cause to believe has been driving under the influence of an alcoholic beverage or any drug, or under the combined influence of the same, when ([Vehicle Code § 40300.5](#)):

- 1) The person is involved in a traffic accident.
- 2) The person is observed in or about a vehicle that is obstructing the roadway.
- 3) The person will not be apprehended unless immediately arrested.



- 4) The person may cause injury to him or herself or damage property unless immediately arrested.
- 5) The person may destroy or conceal evidence of a crime unless immediately arrested.

#### **7.1.13.11 PRELIMINARY ALCOHOL SCREENING**

Revised December 21, 2016

Officers may use a preliminary alcohol screening device (PAS) test to assist in establishing reasonable cause to believe a person is DUI. The PAS is a field sobriety test under the California Vehicle Code. The officer shall advise the person that the PAS test is being requested to assist in determining whether the person is under the influence of alcohol. Unless the person is under the age of 21, he or she shall be advised that the PAS test is voluntary. The officer shall also advise the person that submitting to a PAS test does not satisfy his or her obligation to submit to a chemical test as otherwise required by law ([Vehicle Code § 23612](#)).

#### **7.1.13.12 PRELIMINARY ALCOHOL SCREENING FOR INDIVIDUALS UNDER 21 YEARS OF AGE**

Revised December 21, 2016

If an officer lawfully detains a person under 21 years of age who is driving a motor vehicle, the officer has reasonable cause to believe that the person has a blood alcohol content of 0.01% or more, and a PAS test device is immediately available, the officer shall request that the person take a PAS test. If a PAS test device is not immediately available, the officer may request that the person submit to chemical testing of his or her blood or breath conducted pursuant to [Vehicle Code § 23612](#) ([Vehicle Code § 13388](#)).

If the person refuses to take or fails to complete the PAS test or other chemical test, or if the result of either test reveals a blood alcohol content of 0.01% or more, the officer shall proceed to serve the person with a notice of order of suspension pursuant to this policy ([Vehicle Code § 13388](#)).

#### **7.1.13.13 PRELIMINARY ALCOHOL SCREENING (PAS) DEVICE MAINTENANCE**

Revised November 19, 2020

Reviewed November 19, 2020

A PAS device shall be calibrated each month to confirm the accuracy of the device. Monthly testing of a PAS device is a necessary component of a successful prosecution in a DUI case in which the device was used.

Personnel issued a PAS device will be notified by email from the Forensic Science Services Division a week prior to calibration testing being conducted. It is the officer's responsibility to submit the device issued to them for calibration each month. PAS devices that have missed two successive calibrations will be removed from the field by the Traffic Section.

Once calibration testing is completed, the Forensic Science Services Division will forward a list of PAS devices that were submitted for calibration and the results to the Traffic Section Lieutenant. The Traffic Section Lieutenant or designee will review the list and take appropriate action for any devices that were not calibrated.

If an issued PAS device is found to be inoperative, the officer issued the device shall contact the Traffic Section to request a replacement. At no time should a PAS device be used that could not be calibrated or is inoperative.

A yearly review of PAS device usage will be conducted by the Traffic Section Lieutenant, or designee. Those devices found to be used infrequently, may be reassigned at the discretion of the Traffic Section Lieutenant, or designee.

#### **7.1.13.14 DUI PROBATION/COURT ORDERED IGNITION INTERLOCK DEVICE**

Revised December 21, 2016

If an officer lawfully detains a driver with a prior DUI conviction, and is determined to be on DUI Probation at the time of the detention ([Vehicle Code 23154](#)), or is required to have an ignition interlock device installed ([Vehicle Code 23247\(e\)](#)), officers should ensure the driver is complying. DUI Probation restrictions can be found on the driver's CDL return. A driver on DUI probation is required to provide a chemical sample if the officer has reasonable cause to believe the driver has a blood alcohol content of 0.01% or more. If the person refuses to provide a chemical sample, officers shall proceed to serve the person a notice of order of suspension.

#### **7.1.14 VICTIMS OF VIOLENT CRIMES NOTIFICATION REQUIREMENTS**

Revised May 10, 2021

The Investigation Bureau shall review this policy on a three-year review cycle.

Reviewed May 10, 2121

The Long Beach Police Department is committed to ensuring victims of crime are treated with compassion and understanding, while providing guidance and assistance in the reporting process. This policy establishes requirements of related legal mandates and how Department personnel will facilitate such assistance through available governmental assistance.

It is in the public interest to assist residents of the State of California in obtaining restitution for financial losses they suffer as a direct result of criminal acts ([Government Code §13950](#)).

This section establishes a program to indemnify and assist in the rehabilitation of residents of California who have, as the direct result of a crime, suffered a financial loss that they are unable to recoup without suffering serious financial hardship. Claims must be filed with the California Victim Compensation Board.

#### **Requirements**

It shall be the duty of every local law enforcement agency to inform victims of violent crimes of the provisions of this chapter, and to provide application forms to victims who desire to seek assistance ([Government Code §13962\(b\)](#)).

The LBPD Report Receipt ([PD Form 2310-004](#)) provides instructions to victims regarding who is eligible and how to apply for victim compensation. The Report Receipt also supplies victims with an application to obtain a copy of the related crime report. Filing officers shall provide a Report Receipt to all crime victims.

Filing officers shall indicate in their reports that the victim, or potential victim, was notified of these available benefits. The report shall indicate the date this notification was made. In a case where the notification was made to a person other than the victim, this shall also be noted in the report.

In the event the victim is deceased, and their dependents are not immediately available for notification, it shall be the responsibility of the assigned detective to ensure the notification is made.

#### **7.1.15 CRIMES AGAINST POLICE OFFICERS – ARREST APPROVAL**

REVISED DATED 04/15/97

The Booking Sergeant will be responsible to review the arrest circumstances for each of the following crimes against officers:

- **§245 PC** - Assault with a deadly weapon (against a police officer)
- **§243(b) PC**- Battery against a police officer (misdemeanor)
- **§243(c) PC** - Battery against a police officer (felony)
- **§148 PC** - Resisting a police officer in the discharge of his/her duties
- **§148.9 PC** - Falsely reporting self as another person to a police officer
- **§69 PC** - Resisting executive officers
- **§31 CVC** - False information to a police officer

The Booking Sergeant shall then make notification to the watch commander. The watch commander will approve or deny the arrest and make an appropriate entry in the watch commander's log.

The arresting officers shall include the names of both the booking sergeant and the approving watch commander in the arrest report. The arresting officers shall also include in the arrest report any observations and/or comments made during the booking review.

#### **7.1.16 GANG RELATED - CRIME**

All gang definitions, to follow later, shall be used to standardize and document the investigative crime reports assigned to the gang detail.

The department shall recognize a homicide as gang-related if one of the following factors are present:

- The suspect is a known, identified gang member
- The victim of the crime is a known, identified gang member
- The victim of the homicide is killed in any type of gang related crime

Situations may occur where a gang member is a victim of a crime, but where gang affiliation has no bearing on preparation or victimization. In incidents such as these, discretion should be used in recognizing this killing as gang related.

Employees of this Department shall not release the names of involved gangs to members of the media/press in an effort to prevent retaliation and glorification of criminal gang activity.

The Department shall ascribe to the following gang and gang-related definitions as used by the California State Task Force on Youth Gang Violence.

#### **7.1.16.1 GANG - DEFINED**

A gang is a group of individuals who form an allegiance for a common purpose. The individuals engage in acts injurious to public health and public morals, and obstruct justice or the due administration of laws, or engage in (or have engaged in) criminal activity, either individually or collectively, and they can create an atmosphere of fear and intimidation within the community.

##### **Definition of “Gang Activity”**

- An incident wherein all or a majority of participants are identified gang members or associates, and the incident is consistent with usual gang activity
- An incident or aggression occurs wherein the perpetrators are identified gang members or associates, and it is known that a state of conflict exists between their gang and another, and the incident is consistent with such conflict
- An informant of previously untested reliability identifies an incident as gang activity, and is corroborated by other attendant circumstances or independent information
- There are strong indications that an incident is gang-related but it does not fit the above criteria, it shall be termed “possible gang activity”

##### **Definition of “Gang-Related Crime”**

A reported homicide, attempt murder, assault with a deadly weapon, robbery, rape, kidnapping, shooting at an inhabited dwelling, battery on a police officer, or arson, and the suspect or victim is on file as an active gang or associate gang member.

An investigation reveals that the incident involved a gang member, although neither the victim nor the suspect is known to be an active or associate gang member; i.e., “A” shoots “B” and yells the name of a gang during the commission of the crime, et cetera.

#### **Distribution of Crime Reports**

The Reporting Office will route copies of crime reports to the Gang Detail. Criteria for distribution shall include any one of the following circumstances:

- Drive-by shooting
- 594 Graffiti
- Any report involving a possible gang member

Identification of a Gang Member:

- The subject admits or claims to be a member of a certain gang
- The subject had distinctive gang tattoos identifying the subject as a gang member
- The subject's mode of dress, in gang attire, identifies the subject as a gang member
- The subject's associates are known identified gang members
- The subject is a victim or suspect of an identifiable gang-related crime
- The subject is identified as a gang member by other reliable source
- The subject frequently uses identifiable gang hand signs

There shall be two classifications for gang homicide tabulation:

- Gang homicides – A homicide in which the suspect or victim had a connection with a street gang crime or occurrence
- Gang-related homicides – A traditional drive-by shooting in which gang members shout gang slogans and murder a rival gang member

Additionally, the Gang Violence Suppression Grant (G.V.S.) is subject to Penal Code Sections §13826.3, Individuals Subject to Gang Violence Prosecution Efforts, and §13826.4, Enhanced Law Enforcement Efforts. Applicable excerpts are as follows:

### **§13826.3 Individuals Subject to Gang Violence Prosecution Efforts**

An individual shall be subject to gang violence prosecution efforts who is under arrest for the commission or attempted commission of any gang-related violent crime where the individual is (1) a known member of a gang, and (2) has exhibited a prior criminal background.

For purposes of this chapter, gang-related means that the suspect or victim of the crime is a known member of a gang.

For purposes of this chapter, gang violence prosecution includes both criminal prosecutions and proceedings in Juvenile Court in which a petition is filed pursuant to §602 of the Welfare and Institutions Code (1981 Chapter 1030.1).

#### **7.1.17 ARREST – PRIVATE PERSONS**

A "Private Person's Arrest Report" (PD Form 4100.021) will be completed and signed by any person making such an arrest. The Private Person's Arrest Report will accompany the regular arrest report or misdemeanor citation completed by the officer taking custody of the arrestee.

All officers called to take custody of an individual who has been arrested by a private person shall ascertain that:

- Such arrest is lawful and at the time of taking into police custody, the officer had reasonable cause to believe such arrest was lawful, or
- Such arrest is made pursuant to a charge made, upon reasonable cause, of the commission of a felony by the person to be arrested, or
- Such arrest is made pursuant to the requirements of Penal Code Section 837 (Circumstances Authorizing Arrests by Private Persons)

If it is determined the citizen's arrest meets the above criteria, the officer shall:

- Explain the Private Person's Arrest Report to the person making the arrest and have them complete and sign the form
- Take the arrestee into custody and complete an arrest report as with any other arrest
- The arrest report and Private Person's Arrest Report will be fastened together and forwarded to the Records Section for processing

If in the case of a felony, the private person refuses to sign the form and there appears to the police officer to be sufficient probable cause to arrest the prisoner, the officer should take the prisoner into custody. Write "refused to sign" on the line for the signature of the arresting party. The circumstances surrounding the refusal to sign should be included in the body of the officer's arrest report.

#### **7.1.18 PUBLIC INTOXICATION – ARRESTS OF SUBJECTS**

Revised July 22, 2021

The Patrol Bureau shall review this policy on a three-year review cycle.

Reviewed July 22, 2021

Officers may arrest subjects who are found in any public place intoxicated and in such condition that they are unable to care for their own safety or the safety of others, or by reason of their intoxication interferes with, obstructs, or prevents the free use of any street, sidewalk, or other public way ([Penal Code §647\(f\)](#)).

Officers shall adhere to the following procedures when booking a subject for public intoxication:

- Attempt to corroborate an arrested subject's intoxication by obtaining a blood alcohol level (BAC) through administering an Intoxilyzer test.
- The on-duty booking sergeant must observe the arrested subject and approve all bookings for Penal Code §647(f). The decision will be based on the arrested subject's objective signs/symptoms, behavior, and BAC, if known.
- Arrested subjects believed to be under the influence of any drug, controlled substance, toluene, or any combination thereof should be examined by a Drug Recognition Expert (DRE) officer, if one is available.

- Arrest reports shall provide a detailed account of how officers came in contact with the arrestee, probable cause for the arrest, signs and symptoms of impairment, a summary of any field sobriety test(s) administered, by whom, and results/opinions thereof. Copies of all Intoxilyzer results, completed or not, must accompany the arrest report.
- If the subject is not booked, a Release Not Booked (RNB) report shall be filed consistent with Departmental policy.

#### **7.1.19 INTENTIONALLY BLANK – HELD FOR NEW POLICY**

#### **7.1.20 SEARCH, SEIZURE & ARREST**

When two or more officers are at the scene of a crime or location of an arrest, and when practical, only one officer shall handle all aspects of the incident relating to court documentation and presentation. This officer shall complete all forms and/or required reports and adhere to the following procedures:

- If possible, observe the violation(s), make the arrest, conduct searches and collect all evidence
- Advise the arrestee that he/she is under arrest
- Advise the arrestee of his/her constitutional rights and other required admonishments
- Question the arrestee and record and record statements for inclusion in the arrest report
- Administer tests as required
- Conduct inventory search at booking
- Maintain, mark and deliver any evidence to the property section
- File appropriate reports (Crime Report, Arrest Report, Evidence, et cetera)
- Include a statement in the arrest report as to his/her ability to testify to all the facts that are related to the crime and/or arrest

In the event that more than one officer is present (two-person unit or assisting unit), the second officer shall assist with non-critical tasks including, but not limited to:

- Providing back up during the arrest, handcuffing and transporting of an arrestee
- Requesting tow truck and completing the necessary stored/impound report form
- Complete the booking form
- If an arrest occurs near the end of watch (EOW), the second officer shall utilize his/her time to complete any unfinished reports or tasks accumulated during their shift

Examples of exceptions, which may require officers to deviate from this standard procedure, are:

- Arrest involving drug or narcotic influence (narcotic expert)
- Arrest of combative or violent subjects
- Arrest of non-English speaking persons

- Arrest by probationary officers while in training
- Arrest made by field sergeants or lieutenants
- Additional crimes which the handling officer did not observe
- Accident (injury or non-injury) involving DUI arrest

#### **7.1.21 CRIME SCENES – GENERAL RESPONSIBILITIES**

The first officer to arrive at the scene of a crime or other police incident is responsible for the following actions as they may apply to the situation:

- Summoning emergency equipment necessary to prevent loss of life and/or property
- Summoning medical assistance and the administration of first aid as required to prevent further injury or loss of life
- Arrest of violator(s)
- Securing the scene
- Completion of Crime Scene Log, PD Form 3111.001(A)
- Completion of Witness list, PD Form 3111.001(B)
- Completion of Chronological Record, PD Form 3111.001(C)

**NOTE:** These forms shall be used at all major incidents such as homicides, officer involved shootings, barricaded suspects, natural disasters, et cetera.

##### **7.1.21.1 CRIME SCENES – ASSIGNED OFFICER**

Officers assigned to perform the preliminary or other investigation of an alleged crime scene or other incident are responsible for the duties described in section 7.1.21, entitled “Crime Scenes – General Responsibilities”, and the completion of the preliminary or other investigations, as directed.

##### **7.1.21.2 RELIEF OF ASSIGNED OFFICER**

Upon completion of the preliminary investigation, the assigned officer shall stand relieved of that particular assignment and shall be available for further assignments, unless otherwise directed by a superior officer or other officer specifically assigned to the investigation.

##### **7.1.21.3 DETECTIVE NOTIFICATION**

All officers and/or supervisors who respond to or discover a major crime, shall notify the watch commander that a detective team is required if any of the following circumstances exist:

- Actual or suspected explosive device is located – notify the Violent Crimes Detail and the Los Angeles County Sheriff’s Department Arson/Explosives Detail (See Training Bulletin #120)
- Bank and Savings & Loan robberies – Notify the Robbery Detail Monday through Friday, 0800-1700 hours only



- Incidents involving political figures as victims or suspects and acts considered terrorist in nature – Notify the Chief of Police, Deputy Chief of Investigations Bureau and appropriate Detail sergeant
- Sexual assaults – Notify the Sexual Assault Response Team (SART) per criteria set forth in Manual Section 8.4.10
- Homicides/officer involved shootings (officers are fired upon and/or shots are exchanged between officers and suspects, hit or no-hit) – Notify the Homicide Detail per criteria set forth in Manual Section 8.1.3
- Crimes involving an extensive loss of \$20,000 or more, excluding vehicle, boat and aircraft thefts – Notify appropriate Detail sergeant
- Critical Missing where foul play is suspected – Notify the Homicide Detail
- In-Custody Deaths – Notify the Homicide Detail

Between 0800-1700 hours, Monday through Friday, the watch commander shall notify the appropriate investigative Detail and advise detectives of the situation. During other hours, the watch commander shall make an incident evaluation and determine if detectives shall be called. The watch commander is to log all such incidents and notifications in the watch commander's log.

The watch commander shall also make notification to the Office of the Chief of Police during normal business hours from 0800-1700 hours when any of the above are reported.

#### **7.1.21.4 DEATH DETERMINATION**

Police Personnel on scene of a possible death shall request Long Beach Fire Department Paramedics to confirm death.

**EXCEPTIONS:** Victims having one or more of the following signs:

- Decapitation
- Incineration
- Decomposition
- Evisceration of a heart, lung or brain

Authority for dealing with a crime scene is vested in law enforcement. In these sensitive crime scene situations, Emergency Medical Services (EMS) personnel should be careful not to disturb possible evidence. Law enforcement should assist in creating a "safe path" into the scene to access the patient and minimize scene contamination. One paramedic is sufficient to confirm death.

#### **7.1.21.5 PHOTOGRAPHY AND DIGITAL IMAGES**

Revised October 20, 2015  
The Investigations Bureau has audit responsibility.

See [Special Order - 7.1.21.5 Mobile Devices 12-6-18](#)

Digital cameras will be issued to select members of the Long Beach Police Department and may be used to document injuries or evidence during criminal or administrative investigations. All images taken during the course and scope of an employee's job are the property of the Long Beach Police Department.

Employees who take photographs, digital images, or video during an investigation will document in a report that images were captured. Employees SHALL NOT take personal photographs, digital images, or video of any crime scene or potential evidence.

- A) Uploading and deleting images, video and audio
  - 1) Employees taking photographs, video or audio recordings are responsible for ensuring this data is inputted into the Digital Imaging Management System (DIMS).
  - 2) Once data is uploaded from the media card to the DIMS, the reusable media card shall be formatted to remove all previous files in preparation for reuse.
  - 3) Employees SHALL NOT make personal copies of images, video or audio recordings and if the employee used their personal device, the data must be deleted after uploading.

Note: Use of personal devices could result in subpoenas and/or warrants being issued for those devices.

- B) Distribution of images
  - 1) Employees shall not distribute images to anyone not involved in official police business.
  - 2) Images shall not be distributed to the media or any non-law enforcement entity without the approval of a Command Officer.
  - 3) All printing and copying must be done through the DIMS to ensure an audit log of the images.

For additional information on distribution refer to manual sections 6.1.1.2 and 6.1.1.3.

- C) Editing and deleting images
  - 1) To preserve the integrity of the process, no images shall be deleted once uploaded in DIMS. This includes images that were inadvertently taken or that are of poor quality, such as images that are too dark to see detail. The images should be left intact on that storage media to preserve the continuity of the imaging session. The only exception is prior authorization from the DIMS Administrator.

#### **7.1.22 RELEASED NOT BOOKED (RNB)**

Revised January 26, 2016  
The Patrol Bureau will have audit responsibility.

Arresting officers shall complete a Long Beach Police Arrest/Released Not Booked Form (PD 4102.013 (A)), FI/RNB Card (PD 4100.007), or complete an RNB on the Automated

Reporting System (ARS) whenever a subject is arrested or handcuffed and subsequently released prior to booking; this form shall be forwarded to the Records Section.

This policy shall pertain to field releases, station releases and conditions of exigent circumstances; in all of these cases a field supervisor shall be notified.

### **7.1.23 TRANSPORTATION OF PRISONERS IN POLICE VEHICLES**

Revised October 20, 2015

The Patrol Bureau has audit responsibility.

Prisoners shall be transported in police vehicles in a manner compatible with the safety and security of both the prisoner and transporting personnel. All persons arrested by officers and transported to the station for booking shall be handcuffed. There is no room for discretion when the subject is charged with a criminal offense. The only viable exception to this policy is when a person is taken into custody for something other than a criminal offense and exigent circumstances apply. For example:

- 1) The person suffers from Alzheimer's or is senile;
- 2) The person is seriously ill;
- 3) The person is a victim being transported.

In such cases, the transporting officer must be reasonably certain a decision not to handcuff will not place him/her or the prisoner at any increased risk. In no event shall a prisoner be restrained with a leg hobble in a hog-tied position (feet hobbled to the handcuffs), nor shall officers transport a prisoner in the prone position, since it can increase the risk of positional asphyxia.

The handcuffing provision shall not apply to the transporting of inmate workers to their off-site work assignments. Applicable vehicle passenger safety sections of the California Vehicle Code shall be followed.

#### **7.1.23.1 NONVIOLENT PRISONERS WITH ONE OFFICER**

Revised October 20, 2015

Nonviolent prisoners transported by one officer shall be:

- 1) Handcuffed;
- 2) Seat belted in the rear seat of a caged transporting vehicle;
- 3) Seat belted in the front seat of a non-caged transporting vehicle.

Discretion should be used when one officer transports more than one nonviolent prisoner.

#### **7.1.23.2 NONVIOLENT PRISONERS WITH TWO OFFICERS**

Revised October 20, 2015

Nonviolent prisoners transported by two officers shall be:

- 1) Handcuffed;
- 2) Seat belted in the rear seat of a caged transporting vehicle;

- 3) Monitored by the assisting officer, who shall ride in the front seat of a caged transporting vehicle;
- 4) Monitored by the assisting officer, who shall ride in the rear seat of a non-caged transporting vehicle, with the prisoner;
- 5) Observed by the assisting officer, who will monitoring the prisoner's color, breathing, and level of consciousness; during the hours of darkness, an internal light source (flashlight, dome light, et cetera), can be used to maintain a clear view of the prisoner, as long as the light does not interfere with the driver.

#### **7.1.23.3 VIOLENT PRISONERS WITH ONE OFFICER – WITHIN THE CITY**

Revised October 20, 2015

Violent prisoners transported by one officer shall be:

- 1) Handcuffed;
- 2) Hobble restrained;
- 3) Seat belted in the rear seat of a caged transporting vehicle.

In all cases, a second officer must follow the transporting officer during the transportation of a violent prisoner. If at any time the prisoner becomes uncontrollable, the transporting officer shall stop the vehicle and the second officer will assist with controlling the violent prisoner.

#### **7.1.23.4 VIOLENT PRISONERS WITH TWO OFFICERS – WITHIN THE CITY**

Revised October 20, 2015

Violent prisoners transported by two officers shall be:

- 1) Handcuffed;
- 2) Hobble restrained;
- 3) Seat belted in the rear seat of a caged transporting vehicle;
- 4) Monitored by the assisting officer, who shall ride in the front seat of a caged transporting vehicle;
- 5) Monitored by the assisting officer, who shall ride in the rear seat of a non-caged transporting vehicle, with the prisoner;
- 6) Observed by the assisting officer, who will monitor the prisoner's color, breathing, and level of consciousness; during the hours of darkness, an internal light source (flashlight, dome light, et cetera), can be used to maintain a clear view of the prisoner, as long as the light does not interfere with the driver.

#### **7.1.23.5 TRANSPORTATION OF PRISONERS OUTSIDE OF THE CITY**

Revised October 20, 2015

When transporting prisoners outside of the City, including the pick-up of warrant subjects, a two-officer transport is required, unless otherwise approved by the Watch Commander. One officer must be armed.

#### **7.1.23.6 CARE OF IN-CUSTODY PRISONERS**

Revised October 20, 2015

Prior to transport, in cases where a prisoner is controlled and handcuffed in the prone position, the prisoner shall be placed in the seated position as soon as reasonably possible. In no event shall a prisoner be handcuffed in a prone position and left unmonitored.

It is the officer's responsibility to ensure the prisoner is breathing adequately once the prisoner is controlled and handcuffed. Officers shall monitor the prisoner's color, breathing, and the level of consciousness throughout their contact with the prisoner.

#### **7.1.23.7      PREEMPTING PRISONER TRANSPORTATION TO RESPOND TO A CALL**

Revised October 20, 2015

Exceptional circumstances, such as a life-threatening situation, may arise requiring response to a call by a unit transporting a prisoner. Prior to responding to any call while transporting a prisoner, consideration must be given to the nature and urgency of the call.

The transporting unit shall:

- 1) Obtain **PRIOR** permission from a supervisor to preempt. Immediately contact a supervisor if the decision is made to postpone a prisoner's transportation to respond to a call. Upon being advised of the circumstances, the supervisor, will evaluate the need and approve or disapprove the request. If the request is approved, the involved unit must provide supervision for the safety and custody of the prisoner and resume transportation as soon as practicable. The unit shall document all of the details of the preemption in the arrest report, documenting the name of the approving supervisor.
- 2) Obtain **PRIOR** permission from a supervisor for a Code 3 response.
- 3) Consider the charges facing the prisoner, the prisoner's demeanor and attitude, and the number of officers in the transporting unit.
- 4) NOT be allowed to preempt if the prisoner requires medical treatment or evaluation prior to booking.
- 5) NOT go in pursuit under any circumstances.
- 6) Follow all the rules of the road, per 21052 C.V.C.
- 7) Maintain proper custody and ensure the safety of the prisoner.

#### **7.1.24      ARRESTEES      TRANSPORTATION      OF      UNCONSCIOUS      – UNRESPONSIVE**

The transportation of unconscious of unresponsive arrestees by employees of this Department is **PROHIBITED**.

- Officers shall not transport unconscious/unresponsive arrestees
- Officers confronted with an unconscious/unresponsive arrestee situation shall summon Paramedics for arrestee transport to a local hospital

- Medical personnel shall be called immediately to evaluate an arrestee who becomes unconscious en route to jail. Officers shall use discretion dependent on time and medical circumstances whether to transport the arrestee to the nearest hospital or request Paramedic response to the scene or specified location. Officers shall advise the communications center and request supervisory authorization to proceed "Code 3" or regular, dependent on medical and traffic conditions.
- In all incidents where an arrestee is unconscious/unresponsive, medical personnel shall immediately evaluate the arrestee
- The aforementioned shall apply to the transport of all other individuals (ride-alongs, City employees, et cetera)

#### **7.1.25 DISPOSITION OF DEPENDENT CHILDREN TAKEN INTO PROTECTIVE CUSTODY**

Dependent and found children will NOT be temporarily housed in the Public Safety Building while awaiting final disposition by a County of Los Angeles Department of Children's Service (DCS) employee. All dependent children, as described in §300 of the Welfare and Institutions Code and taken into temporary custody under authority of §305 of the Welfare and Institutions Code, shall be delivered directly to DCS in the manner prescribed in the following procedure section.

All found children that are in custody of the police may be released to their parent or legal guardian. If a parent or legal guardian cannot be found, the found child shall be released to Department of Children's Services in the manner prescribed in the following procedure section. Officers shall not direct a citizen who has found a child to take the found child back to the parent. A police unit shall be dispatched to take care of the child.

##### **Procedure**

Police officers who take into custody dependent children described in §300 of the Welfare and Institutions Code, and non-dependents in temporary custody pursuant to Welfare and Institutions Code §305, shall, while at the scene, or as soon as practical, call the Youth Services Division, at telephone number 570-1425. During off hours, contact the Department of Children's Services 24 Hour Hotline at 800 540-4000.

The Youth Services Division shall assess the incident and advise the officer of an appropriate disposition. In cases of severe physical abuse or sexual molestation, a Child Abuse Investigator may respond to direct a coordinated investigation with Patrol personnel.

Weekdays/Business Hours 0800-1700: Dependent children shall be taken to the Department of Children Services regional office, 4060 Watson Plaza Dr., Lakewood CA, 90712, phone number 562 497-3500.

Officers shall release dependent children to the DCS supervisor on-duty and submit all related police reports not later than the end of watch. All protective custodies of dependent children require an arrest report.

If a DCS Employee is not available, the officer shall call MacLaren Children's Center Command Post, telephone number (818) 575-4196, for instructions. Children shall remain in police custody until their release to a DCS employee.

#### **7.1.26 MEDICAL RECORDS FOR PERSON IN CUSTODY (ARRESTEES)**

A "Medical Record for Person In-Custody" form, PD Form 2100.56 (revised 6/87), shall be initiated by the arresting or transporting officer each time a person in-custody (or a person to be taken into custody) is examined or treated by a physician outside of the Department jail facility.

All medical treatment and/or examination of obvious injuries/illnesses to recently arrested individuals shall be completed PRIOR TO BOOKING AT THE LONG BEACH JAIL. These shall include, but not be limited to, injuries or medical conditions; i.e., complaints of pain. Officers shall not book a person in the Long Beach City Jail knowing that he/she requires immediate medical attention.

#### **"Medical Records for Persons In-Custody" Form Procedure**

Personnel involved in the arrest, booking or processing of a prisoner who receives medical treatment shall:

##### **Officer Responsibility**

Prepare a copy of the Long Beach Police Department "Medical Record for Person In-Custody" form (PD Form 2100.56). Officers shall complete the first portion. Officers shall advise the hospital admittance clerk as to whether the treatment is prior to booking or subsequent to booking. This shall determine the responsible party relative to the Los Angeles County Payment for Treatment Policy. Officers shall call the booking sergeant at 570-7431 or 570-7234 and obtain a Booking Number for the form when the treatment is being given prior to booking.

##### **Officer/Hospital Employee Responsibility**

- Ensure that the hospital employee receiving the individual for treatment completes the second portion of the report. The hospital employee receiving the individual for treatment will give the on-duty physician the form.
- Officer/Physician Responsibility
- Ensure that the third portion of the report is completed and signed by the physician who examined the person-in-custody. The physician, prior to the patient leaving the facility, must complete this part of the form. The treating physician shall determine whether the person in-custody is acceptable for booking at the Long Beach City Jail or should be transferred to the Los Angeles County Jail Ward (USC Medical Center) or the Los Angeles County Main Jail.

##### **Booking Supervisor Responsibility**

- Ensure at the time of booking the treated arrestee that the “Medical Record for Person In-Custody” form is presented by the transporting/arresting officer. The Booking Supervisor shall review, initial and write his/her photo number on the form, if booking is approved. The “Medical Record for Person In-Custody” form shall be taken with the prisoner to the jail floor and reviewed by the on-duty supervisor

### **Jail Supervisor Responsibility**

- The jail supervisor shall write his/her name and photo number on the form. The supervisor shall ensure that the “Medical Record for Person In-Custody” form remains in jail with the prisoner until his/her release so that the Jail Physician may refer to the form and record any follow-up treatment or medication. The Jail Division will make a copy of the form and forward it to the Long Beach Health Department, Attention: Manager, Medical Service Bureau, via inter-city mail. The original copy of the form shall be forwarded to the Information Management Division upon the prisoner’s release or transfer and placed in the prisoner’s record jacket.

### **Information Management Division Responsibility**

- Ensure that the original of the “Medical Record for Person In-Custody” form is filed in the prisoner’s record jacket

## **7.1.27 MOTORIST – DISABLED**

§20018 of the California Vehicle Code, entitled to “Assistance to Motorists”, reads in part:

“Every law enforcement agency having traffic law enforcement responsibility as specified in subdivision (a) of §830.1 and in subdivision (a) of Section 830.2 of the Penal Code shall develop, adopt, and implement a written policy for its officers to provide assistance to disabled motorists on highways within its primary jurisdiction...”

It is the policy of the Department that uniformed officers shall respond and assist, whether dispatched or observed, any disabled motorist on a street or highway within the City. Officers shall request assistance if appropriate and shall remain at the scene until motorists and bystanders are no longer subjected to hazardous conditions.

When assistance is required on a freeway bordering or within the City, officers shall provide assistance as required. Officers may advise the Communications Center to request that CHP unit responds to the location.

## **7.1.28 DEATH NOTIFICATION**

When the identity of a decedent has been established, every attempt to notify the next of kin shall be made. Notification shall be made. Notification shall not be made by telephone to the family by any member of this Department unless the family is already aware of the death and is only awaiting positive identification or if in-person notification is impossible.



When a dead body report is completed, the reporting officer, irrespective of his/her assignment within the Department, shall make every reasonable attempt to identify the decedent and notify his/her next of kin. The officer shall contact the Information Management Division, researching files for any reports listing the decedent as either a victim or a suspect. Information may be obtained from these documents that will assist in the notification. **ALL INFORMATION REGARDING WHETHER THE NEXT OF KIN HAS BEEN NOTIFIED OR WHAT ATTEMPTS WERE MADE WHICH WERE UNSUCCESSFUL SHALL BE INCLUDED IN THE REPORT.** The officer shall include in the Crime Report narrative to whom the death notification was made and who made the notification.

If the next of kin does not reside in Long Beach or have not been identified, all available pertinent information will be provided to the Los Angeles County Coroner's Office Investigator, who in turn will assume responsibility for making death notification to the next of kin or other police agency.

When the watch commander receives a request from the Coroner's Office to notify the next of kin of a death, a uniformed patrol unit shall be contacted. The watch commander shall advise the patrol officer of the circumstances involving the death notification and the individual or individuals to be contacted. **DO NOT BROADCAST.**

- Police Officer(s) making a death notification shall ascertain with certainty that the individual concerned is the individual to whom the notification shall be given
- Officers should attempt to have a relative or friend present at the time of notification
- Officers should utilize tact and diplomacy when notifying family or friends of a death. Particular consideration should be used when the individual informed is elderly or in poor health
- Officers should, when appropriate, have the individual seated prior to notification
- Pertinent instructions for the individual being notified (such as who to contact, where, when, phone numbers, et cetera) shall be provided in written form by the officer after he/she has personally made the notification
- When notifications are requested by the Los Angeles County Coroner's Office, it is required that the Coroner's Officer be immediately informed by the watch commander of the disposition at telephone number (213) 343 0711, or (213) 343 0714
- Death notifications are not made by letter or telephone, except with the authorization of the watch commander and only in situations where in person notification is impossible, or the family is already aware of the death and is only awaiting positive identification
- Officers shall use courtesy and compassion when making a death notification

## **7.1.29 ANIMAL BITES**

### **Reporting Bites**

Long Beach Animal Control acts on behalf of the Long Beach Health Department, receiving reports of animal bites and posting quarantines.

Citizens who are bitten or scratched by an animal, and doctors and hospitals that treat bite victims are required by law to report the bite to their local Health Department or Animal Control agency.

Citizens, doctors or hospital who contact members of the Police Department to report bites should be advised to call Animal Control during regular business hours, 0800 to 1700 hours on weekdays and 0800 to 1600 hours on Saturday at telephone number 570 7387. Sunday, Animal Control may be reached during the day 1000 to 1600 hours at the same number.

The aforementioned does not apply if unusual bite circumstances are involved requiring immediate response from police and/or Animal Control.

Animal Control will handle animal bites that apply to the following circumstances:

- Bites that occur in the City of Long Beach involving Long Beach animals
- Bites that occur in the City of Long Beach, but the animal lives outside the City
- Bites that occur outside the City of Long Beach, but the animal lives in Long Beach

### **Routine Bites – Procedures for Handling & Reporting**

A routine bite is one where the animal bites a person (minor bite), the animal owner's address is known and the animal is confined.

Routine bites are to be reported to Animal Control at telephone number 570 7387 during business hours, 1000 to 1700 hours weekdays and 0800 to 1600 hours on Saturday. A bite report will be taken and an Animal Control Officer will follow it up and quarantine the animal.

### **For Animal Control Officer Assistance**

If Animal Control assistance is needed during the day hours, 0800 to 1700 hours, Animal Control Officers will be dispatched from the Animal Control Center to the location.

Between the hours of 1530 and 0800, one Animal Control Officer is on-duty and may be contacted until 1700 hours at telephone number 570 7387 and after 1700 hours through the communications center.

### **Police Assistance**

Police Assistance is needed when requested by Animal Control Officers for back up or when an animal is attacking people and causing an immediate hazard to the community.

### **Unusual Bites**

- Cases involving severe wounds caused by dogs or other animals
- Cases involving animal bites about the neck or head of the victim
- Cases involving bites caused by skunks, fox or coyotes

An all-out effort should be made to locate the biting animals in the situations described above. It is very important to locate stray animals involved in bites.

### **Loose/Stray/Free Roaming Animals**

Usually police officers will either provide assistance for Animal Control Officers or just keep the peace.

Citizens who have questions on the aforementioned should be referred to Animal Control at 570 7387.

### **7.1.30 POST STORAGE HEARING (PSH)**

Revised November 19, 2020

The Patrol Bureau shall review this policy on a three-year review cycle.

Reviewed November 19, 2020

California Vehicle Code (CVC) § 22852, requires an agency that stores vehicles to have a PSH process to determine the validity of a storage. This hearing will be conducted within 48 hours of the request, excluding weekends and holidays. The agency employing the person who directed the storage will be responsible for the costs incurred for towing and storage, if it is determined in the PSH that reasonable grounds for storage were not established.

CVC § 22655.5(c) dictates that an impounded vehicle shall be released to the owner and all fees waived whenever the vehicle was taken as evidence in a crime and there is no indication that the owner was involved in the crime, has participated in the crime, or loaned the vehicle knowing it was to be used in the crime. CVC §22655.5(c) also requires that the costs of towing and storage shall be borne by the agency ordering the impoundment.

Impounding is discouraged if the registered owner of the vehicle is not involved and there are other satisfactory means of preserving the evidence of vehicle use with the exception of vehicles impounded for §14602.6 CVC.

### **7.1.30.1 FEE WAIVER REQUEST**

Revised November 19, 2020

During normal business hours, any request to waive tow or storage fees shall be directed to the Collision Investigation Detail (CID). An *Authorization to Waive Storage and/or Towing Fees* (PD Form 4100.024) form shall be completed when towing or storage fees are waived.

Fees may be waived under the following circumstances:

- A vehicle has been improperly stored or impounded due to error or invalid information.
- The Department failed to notify the registered owner of the storage causing additional storage fees to incur.
- Special circumstances exist causing the Watch Commander or CID Lieutenant to waive all or part of the towing or storage fees.

**7.1.30.2 COLLISION INVESTIGATION DETAIL (CID) RESPONSIBILITY**

Revised November 19, 2020

CID is responsible for the following:

- Conducting all PSHs during normal business hours.
- Contacting Fleet Services Division, Towing Operations regarding additional holds on the vehicle.
- If a crime is involved, contact the applicable Detective Division Lieutenant for waiver approval.
- If storage is deemed invalid or fees should be waived, contact the CID Sergeant or Lieutenant for waiver approval.
- Conduct monthly post storage reviews.

**7.1.30.3 WATCH COMMANDER RESPONSIBILITY**

Revised November 19, 2020

The Watch Commander is responsible for the following:

- Conducting a PSH if exigent circumstances exist where there is an immediate need to release a vehicle or refer non-exigent PSH requests to CID.
- Approve waiver requests.
- Ensure the original form is routed to the Patrol Bureau.
- Ensure that a copy of the form is sent to the Fleet Services tow yard.

**7.1.30.4 PATROL BUREAU RESPONSIBILITY**

Revised November 19, 2020

The Patrol Bureau Deputy Chief, or designee will ensure that the *Authorization to Waive Storage and/or Fees* form is reviewed, and the original forwarded to CID for document retention.

**7.1.31 MARIJUANA POSSESSION - ISSUANCE OF CITATIONS**

Revision: February 9, 2009

The following procedures shall apply when citing subjects in possession of one ounce or less of marijuana. If the offender is not driving a motor vehicle, he/she shall be cited using Section 11357(b) of the Health & Safety Code.

The date to appear for arraignment in Municipal Court shall be set for 1300 hours on the 60th day following the date on which the citation was issued. If the 60th day falls on a weekend or legal holiday, the court date shall be set for the first business day following that weekend or legal holiday.

A DR Follow-up and an Evidence Report shall be filed with each citation issued. In the event that a subject in possession of one ounce or less of marijuana is the driver of a vehicle, he/she shall be cited using Section 23222(b) of the California Vehicle Code. The procedure used in completing the associated paper work will be similar to that used for

citing under Section 11357(b) H&S. If the driver is cited for additional Vehicle Code violations, he/she will be cited on the same citation, and a follow up must be included for the 23222(b) charge.

#### **7.1.31.1 MEDICAL MARIJUANA – PROPOSITION 215 – THE COMPASSIONATE USE ACT OF 1996**

##### **Background**

In October 2003 new State Legislation (SB420) was signed which clarified the scope and application of the Compassionate Use Act of 1996. Proposition 215 allows the medicinal use of marijuana by ill Californians where such use would be beneficial in the treatment of any illness where marijuana would provide relief. The rights granted to "patients" also extend to persons identified as patient "caregivers."

In addition, the State Department of Health Services (SDHS) must establish a voluntary program for the issuance of medical marijuana identification cards to qualified patients. These identification cards and guidelines have yet to be developed by the SDHS; however, the new laws are in effect.

##### **Purpose**

The purpose of this manual section is to provide officers with procedures related to enforcing marijuana laws when the issue of medical possession has been presented. This procedure is not intended to discourage illegal drug enforcement in the city of Long Beach. In contrast, the procedure is to provide clear direction for a convoluted law.

##### **Procedure**

**This procedure does not apply to those incidents where there is evidence of possession of marijuana for sale. This activity does not fall under the medical marijuana criteria. In these incidents, the suspect will be arrested and the contraband seized.**

It is not incumbent on a police officer to inquire whether a suspect cultivating, possessing, or using marijuana is doing so for medicinal purposes. It is the responsibility of the suspect to claim an affirmative defense under the law as either a "qualified patient" or "caregiver". Should the person make such a claim, the officer should detain the person and conduct an investigation.

Upon encountering a person (patient or caregiver) in possession of medical marijuana and the person has "oral or written documentation" authorizing medical use of the drug, an officer shall:

- Request a field supervisor respond to the location
- Contact the attending physician to verify authorization
  - When verification cannot be accomplished, document such in the Incident Report
  - If authorization is verified, officers should not ask any further questions of a medical nature

- File an Incident Report detailing circumstances of the incident. The report will include information received from asking the following questions of a “qualified patient”:
  - Are you taking medication and if so, what medication?
  - For what condition are you taking medication?
  - What is the name, office address and office telephone number of the prescribing physician?
  - What is the duration of treatment?
- The report will include information received from asking the following questions of a “primary caregiver”:
  - For whom are you a primary caregiver?
  - How long have you been a primary caregiver?
  - What type of primary caregiver services do you provide?
  - For what condition is the patient being treated?
  - What is the name, office address and office telephone number of the prescribing physician?

If after a thorough investigation, officers and supervisor determine that a person is in possession of marijuana for medical reasons as described and authorized under the law, the marijuana shall not be seized. In lieu of arrest or citation, the officer shall file an Incident Report documenting the contact and actions.

**If the person does not claim a medical affirmative defense, the investigation will be handled in the normal manner. Possession of marijuana is still illegal in the State of California.**

Upon encountering a person claiming to be in possession of medical marijuana and the possession is questionable, officers shall follow the same investigative procedure as described for persons with oral or written authorization. If after a thorough investigation, officers and supervisor determine that a person is not in possession of marijuana for medical reasons as described and authorized under the law, the Watch Commander will be notified and respond to the scene.

The Watch Commander shall evaluate the facts and exercise the discretion required to resolve the incident in accordance with this policy.

If enforcement action is necessary, officers shall not arrest the individual without the approval of the Watch Commander. Officers should obtain the necessary information to complete an Incident Report that will be forwarded to the appropriate prosecuting agency for consideration.

If a court orders the return of marijuana to a person who has successfully established a medical marijuana defense and the department is ordered to return the seized marijuana, the officer handling the marijuana will have immunity from liability.

### **Procedure for Return of Marijuana**

- Only the property sergeant can release marijuana
  - The subject receiving a court order for return of marijuana must take the order to the detective handling the case

- The detective will fill out the Department's release form which must then be signed by the Division Lieutenant, the Division Commander and the Bureau Chief
- The signed form is faxed to property sergeant
- The subject is notified that he has 90 days to pick up his marijuana or it will be destroyed

## Health & Safety (H&S) Laws Related to Medical Marijuana

**H&S §11362.5** provides that seriously ill Californians have the right to obtain and use marijuana for medical purposes where that medical use is deemed appropriate and has been recommended by a physician. It also ensures that patients, and their primary caregivers, who cultivate, possess and use marijuana for medical purposes upon the oral or written recommendation of a physician are not subject to criminal prosecution or sanction.

**H&S §11362.71(a)** requires the State Department of Health Services (SDHS) to establish a voluntary program for the issuance of medical marijuana identification cards to qualified patients and would establish procedures under which a qualified patient with an identification card may use marijuana for medical purposes. However, a qualified patient need not possess such an identification card in order to claim protection by the act. The SDHS has yet to work out the procedures for issuing of identification cards and our Health Department is awaiting their guidelines before acting.

**H&S §11362.71(e)** states that no person or designated primary caregiver in possession of a valid identification card shall be subject to arrest for possession, transportation, delivery, or cultivation of medical marijuana in the established amount, unless there is reasonable cause to believe that the information contained in the card is false, falsified, the card has been obtained by fraud, or the person is otherwise in violation of the provisions of this article. Subsection (f) states that it is not necessary for a person to obtain an identification card in order to claim protections of H&S §11362.5.

**H&S §11362.71(g)** defines an Identification Card. Identification Card means a **document issued by the State Department of Health Services.** The document identifies a person authorized to engage in the medical use of marijuana.

**H&S §11362.735 (a)** an identification card issued by the county health department shall be serially numbered and shall contain **all** of the following:

- A unique user identification number of the cardholder
- The date of expiration of the identification card
- The name and telephone number of the county health department or the county's designee that has approved the application
- A 24-hour, toll-free telephone number, to be maintained by the department, that will enable state and local law enforcement officers to have immediate access to information necessary to verify the validity of the card
- Photo identification of the cardholder

(b) A separate identification card shall be issued to the person's designated primary caregiver, if any, and shall include a photo identification of the caregiver.

**H&S §11362.77** establishes that:

- A qualified patient or primary caregiver may possess no more than eight ounces of dried marijuana per qualified patient
- A qualified patient or primary caregiver may also maintain no more than six mature or 12 immature marijuana plants per qualified patient
- If the qualified patient or primary caregiver has a doctor's recommendation that this quantity does not meet the qualified patient's needs, the qualified patient or primary caregiver may possess an amount of marijuana consistent with the patient's needs

**H&S §11362.785(a)** states the law does not require accommodation of medical use of marijuana at places of employment, or during the hours of employment, or on the premises of any jail.

**H&S §11362.79** states the law does not authorize the smoking of medical marijuana in any place where smoking is prohibited by law; within 1,000 feet of a school, recreation center or youth center unless the use occurs within a residence; on a school bus; while in a motor vehicle that is being operated; or while operating a boat.

## Definitions

**“Qualified Patient”** H&S §11362.7(f) – To qualify as a patient, a person must be a seriously ill California resident and have been examined by a physician, where the physician has determined that the specific patient's health would benefit from marijuana as a treatment for a specific illness.

**“Serious Medical Condition”** H&S §11362.7(h) – means all of the following:

- Acquired immune deficiency syndrome (AIDS)
- Anorexia
- Arthritis
- Cachexia
- Cancer
- Chronic Pain
- Glaucoma
- Migraine
- Persistent muscle spasms, including, but not limited to, spasm associated with multiple sclerosis
- Seizures, including, but not limited to, seizures associated with epilepsy
- Severe nausea
- Any other chronic or persistent medical symptom that either:
  - Substantially limits the ability of the person to conduct one or more major life activities as defined in the Americans with Disabilities Act of 1990



- If not alleviated, may cause serious harm to the patient's safety or physical or mental health

**“Primary Caregiver”** H&S §11362.7(d) – means the individual designated by the person exempted under H&S §11362.5 who has consistently assumed responsibility for the housing, health, or safety of that person.

**“Written Documentation”** H&S §11362.7(i) – means accurate reproductions of those portions of a patient's medical records that have been created by the attending physician stating that the subject has been diagnosed with a serious medical condition and that the medical use of marijuana is appropriate.

“Acceptable” amount of marijuana for qualified patients to possess – eight (8) ounces of dried marijuana and up to six (6) mature or twelve (12) immature plants unless the patient or primary caregiver has a doctor's recommendation stating that the patients need is great.

- **Business Forms** – Any group that is collectively or cooperatively cultivating and distributing marijuana for medical purpose should be organized and operated in a manner that ensures the security of the crop and safeguards against diversion for non-medical purposes. There is to be no profit from the sale of marijuana whether it is a collective, cooperative or individuals distributing marijuana.

### **7.1.33 DRUGS FOR K-9 RECOGNITION TRAINING**

The K-9 Unit shall provide the Crime Lab with an estimate of annual controlled substance requirements. This request shall be completed during the annual budget preparation (B-prep) process. Amounts of controlled substances requisitioned for K-9 training shall be kept to a minimum.

The Crime Lab will obtain the needed controlled substances by purchase, transfer from closed cases (court order secured by K-9 Unit sergeant), or transfer from other agencies. Controlled substances shall be maintained in a secured and inventory controlled environment by the crime lab. (Purchase shall be the option only when all other avenues have been exhausted.)

#### **Release of Controlled Substances**

As needed, the Deputy Chief, Patrol Bureau, shall prepare a memorandum to the Deputy Chief, Investigations Bureau, with approval of the Chief of Police, requesting the transfer of controlled substances from the Crime Lab to the K-9 Lieutenant or designee. This transfer request shall specify the type of drug, packaging size and number of packages needed. Due to security and toxicity, a minimum size package of drugs shall be used for K-9 training.

To assure accountability prior to transfer, the controlled substance shall be documented as to its weight and purity. The Crime Lab shall maintain a representative sample of weight and purity documentation for future comparison.

Transfer of all controlled substances shall be documented. The documented release shall be prepared and signed by the issuing criminalist and signed by the receiving officer. The release shall document the type of drug, weight, and number of packages. The Crime Lab shall maintain the original "Document of Release". Copies shall be provided to the receiving officer, Chief of Police, Deputy Chief of Detective Bureau, Deputy Chief of Patrol Bureau and Crime Lab.

#### K-9 Accountability

All controlled substances shall be distributed to K-9 officers by the K-9 Lieutenant. Each package of controlled substance shall be labeled with the receiving officer's name, date of issuance and shall be initialed by the receiving K-9 officer. The K-9 Lieutenant shall maintain a log, which documents the receiving officer's name, date, time, amount of packages, and type of drug issued. A copy of this log shall be provided to each officer and maintained with the controlled substance.

All controlled substances in the K-9 officer's possession not being used for training purposes shall be maintained in a locked metal box secured within the trunk of the officer's vehicle.

All controlled substances possessed by K-9 officers shall be inspected monthly by the K-9 sergeant and a report filed to the Deputy Chief, Patrol Bureau.

All losses or destruction/damage to controlled substances shall be reported immediately to the K-9 supervisor. The K-9 supervisor shall file a memorandum to the Deputy Chief, Patrol Bureau, relative to the loss or destruction/damage and forward a copy to the Chief of Police.

#### **Return of Controlled Substances to the Crime Lab**

The K-9 Lieutenant shall return all expired, or no longer needed, controlled substances to the Crime Lab. The Deputy Chief, Patrol Bureau, shall prepare a memorandum to the Crime Lab documenting the type of controlled substances and number of packages being returned.

The receiving Criminalist shall compare the returned drugs to the memorandum of returned controlled substances and sign the memorandum if they are in agreement. A copy of the "documented return" shall be provided to the K-9 Lieutenant, Chief of Police, Deputy Chief of Investigations Bureau, and Crime Lab.

All returned packages shall be inspected for broken seals or tampering. Quantitative analysis shall be performed on all returned packages. Once the returned controlled substances have been tested and their contents confirmed, they shall be transferred to property for destruction. A copy of the Laboratory Analysis shall be forwarded to the Chief of Police, Deputy Chief of Detective Bureau, and Deputy Chief of Patrol Bureau.

**Training**

The K-9 Lieutenant shall be responsible for training K-9 officers on the proper handling of controlled substances.

**7.1.34 POLICE OFFICERS ASSOCIATION (POA) DIRECTORS SPEAKING AT SQUAD MEETINGS**

It shall be the policy of the Long Beach Police Department to allow POA Directors address the Patrol Division squad meetings under the following conditions:

- The POA Director shall obtain permission to address the squad meeting from the ranking Patrol Command Officer on-duty. Permission and topic advisement shall be accomplished prior to the beginning of the squad meetings
- At the conclusion of the regular squad meeting, the ranking Patrol Command Officer shall announce that a member of the Board of Directors of the POA will make a presentation. Attendance is not mandatory
- Presentations by POA Directors shall not exceed 10 minutes unless permission is granted by the ranking Patrol Command Officer on-duty. The POA director shall not speak to a point that would cause delay in relief of the Watch going off-duty
- Topics shall be related to wages, hours and working conditions
- At no time shall a POA Director ridicule members or organizational units of the Department by name. This does not preclude legitimate constructive criticism regarding police departmental policies, practices and procedures

The above procedures shall be subject to the existing grievance procedure.

**7.1.35 RIDE-ALONG OBSERVER PROGRAM**

Revised November 19, 2020

The Patrol Bureau shall review this policy on a three-year review cycle.

Reviewed November 19, 2020

This policy provides guidelines for the Ride-Along Observer Program. The program provides an opportunity for eligible citizens to experience law enforcement functions firsthand by accompanying a uniformed police officer during a work shift. Ride-along observers will be limited to riding in marked police cars, aircraft, and vessels.

This program may be suspended during special events, occasions where resources are at a premium or during instances of a tactical alert, citywide emergency, or at the sole discretion of the Chief of Police, his or her designee, or the Patrol Bureau.

**7.1.35.1 ELIGIBILITY – COMMUNITY MEMBERS**

Revised November 19, 2020

A ride-along may be denied or an applicant disqualified from participation for any of, but not limited to, the following reasons:

- 1) Outstanding warrants,

- 2) Convicted, under indictment, or currently charged with any felony offense,
- 3) Convicted for any sexual related offense,
- 4) Convicted for any domestic violence related offense,
- 5) Suspended driver's license,
- 6) Applicant is a named suspect in a crime report by any law enforcement agency,
- 7) Applicant is a known member of, or associated with any person or organization that advocates hatred, prejudice, or oppression of any person or group or which disseminates such material,
- 8) Applicant is a known member of, or associated with any organization, association, movement, or group which advocates the commission of acts of force or violence to deny others of their rights under the Constitution of the United States, or which seeks to alter the form of government of the United States by unconstitutional means,
- 9) Any other indications of criminal history or criminal involvement,
- 10) Persons under the age of fifteen (15) shall not be permitted to participate,
- 11) Persons who have a pending lawsuit against the City of Long Beach or Police Department shall not be allowed to ride as an observer while the lawsuit is active,
- 12) The Chief of Police, or designee, may deny a ride-along at his or her sole discretion.

#### **7.1.35.2 ELIGIBILITY – CIVILIAN EMPLOYEES, LAW ENFORCEMENT VOLUNTEERS, OR OTHER LAW ENFORCEMENT AGENCIES**

Revised November 19, 2020

On-duty LBPB civilian employees may ride as an observer with the approval of their supervisor; a signed waiver is not required.

Off-duty LBPB civilian employees may ride as an observer; a signed waiver is required.

Long Beach Police Department employees shall not ride as an observer while on IOD, modified duty, transitional duty, during a suspension, or under administrative or criminal investigation.

Active Police or Search and Rescue Explorers must have permission from their Explorer Advisor or Post Coordinator prior to participation in a ride-along.

Sworn or civilian employees from other law enforcement agencies may ride with on-duty LBPB employees only if they are engaged in active operations and approved by the Patrol Bureau.

If an off-duty peace officer from another law enforcement agency wishes to ride as an off-duty observer, they must comply with all regulations set out in this policy as a citizen observer. If such a ride-along is permitted, the off-duty peace officer shall not be considered on-duty and shall not represent themselves as a peace officer or participate in any law enforcement activity except as emergency circumstances require.

#### **7.1.35.3 REQUESTING A RIDE-ALONG**

Revised November 19, 2020

The Patrol Bureau is responsible for evaluating all potential ride-along participants for eligibility. Once eligibility has been determined the ride-along will be scheduled as follows:

- 1) The Patrol Bureau will schedule any citizen request to ride with a Patrol Bureau resource.
- 2) The Patrol Bureau will evaluate for eligibility, any citizen request to ride with any LBPB resource. Once preliminarily approved, the Patrol Bureau will forward the request to the appropriate bureau for final approval and scheduling.
- 3) The Office of the Chief of Police has the sole discretion to approve special and/or VIP requests to ride.

Eligible citizens may participate in a ride-along once every six (6) months, unless otherwise approved by the Patrol Bureau.

Participants of Department programs such as Police Explorers, Senior Police Partners, Police Chaplains, or other similar programs may participate more frequently with the approval of the Patrol Bureau.

#### **7.1.35.4 RIDE-ALONG WAIVERS**

Revised November 19, 2020

All ride-along participants shall complete and sign a Ride-Along Waiver Form prior to the start of the ride-along.

In order to maintain consistency and proper recordkeeping of the Ride-Along Observer Program, signed waivers for all ride-along participants shall be forwarded to the Patrol Bureau; this includes waivers for ride-along participants personally known to and arranged by an employee.

The Patrol Bureau will retain all signed Ride-Along Waiver Forms for two years.

#### **7.1.35.5 RIDE-ALONG GUIDELINES**

Revised November 19, 2020

The following guidelines will apply to all ride-alongs:

- 1) Only one ride-along participant may accompany a unit at a time, unless otherwise approved by a supervisor.
- 2) When an employee is transporting a prisoner in a one-officer unit with a security screen, the ride-along participant shall ride in the front.
  - a) Employees with a ride-along participant may not transport a prisoner in a car not equipped with a security screen.
- 3) A ride-along may not accompany any probationary employee.

#### **7.1.35.6 RIDE-ALONG PARTICIPANT RULES**

Revised November 19, 2020

If a ride-along observer violates any direction of the host officer, or a ride-along is terminated, the host officer shall immediately notify a supervisor. The supervisor will ensure that the Patrol Bureau is notified regarding the circumstances of the ride-along termination.

#### **7.1.35.7 OFFICER RESPONSIBILITIES**

Revised November 19, 2020

Officers will provide the ride-along participant with an identification badge at the start of the ride-along. It is the officer's responsibility to collect the identification badge at the end of the ride-along. Officers will ensure that the ride-along participant, or his or her parent or legal guardian, has signed the *Ride-Along Waiver Form* prior to starting the ride-along. Officers will provide the ride-along participant with a copy of the ride-along participation rules prior to starting the ride-along.

Officers will notify Communications or indicate in their unit history the presence of a ride-along.

#### **7.1.36 WORKPLACE VIOLENCE INVOLVING CITY EMPLOYEES**

##### **PURPOSE**

The purpose of this addendum is to establish policy and procedure relative to the response documentation of any City employee involved in a potential or actual workplace violence incident.

##### **POLICY**

In an effort to more effectively respond to potential or actual workplace violence incidents where city employees are involved as victims or suspects, the following policy will apply:

- A unit and a sergeant will be dispatched to the scene
- The unit, under the supervision of the sergeant, will investigate the incident, determine whether a crime has been committed, and ensure that all appropriate reports are filed
- The sergeant will ensure that, as a minimum level, a memorandum is filed and/or a copy of all other related reports are forwarded to the Chief of Police prior to his/her end of watch
- If the incident occurs Monday through Friday between 0800-1700 hours, the Chief of Police will be notified telephonically by the assigned field sergeant at the incident
- The Watch Commander will be notified and cause an entry to be made in the Watch Commander's log

#### **7.1.37 ARRESTS BY CITY SECURITY OFFICERS**

Revised May 1, 1998

##### **PURPOSE**

The purpose of this General Order is to define policy and procedure relating to the responsibility and/or authority of security officers. This includes security officers employed by the Police, Public Works/Airport and Harbor Departments and park rangers employed by the Parks, Recreation and Marine Department. The policy pertains to transporting, booking, and filing Incident and Arrest Reports.

## **POLICY**

Each department (Police, Public Works/Airport, Harbor, and Parks, Recreation and Marine) derives its power of arrest from various provisions of the California Penal Code, the Long Beach Municipal Code, and the Code of Federal Regulations. These departments are not equal in regard to their powers to arrest, detain, or transport subjects.

### **JAIL DIVISION SECURITY OFFICERS (DETENTION OFFICERS) - POLICE DEPARTMENT**

Detention Officers (Security Officers) in the Jail Division are Custodial Officers as described in [Section 831 \(a\) of the Penal Code](#). A custodial officer is a public officer, not a peace officer, who has the authority and responsibility for maintaining the custody of prisoners and performs tasks related to the operation of a local detention facility. Penal Code Section 831 (b) states that a custodial officer shall have no right to carry or possess firearms in the performance of his or her prescribed duties.

#### **Police Powers**

Private citizen arrest powers. Jail Division Custodial Officers (Security Officers) do not have peace officer powers of arrest. Section 831 (f) of the Penal Code states that custodial officers may make arrests for misdemeanors and felonies within the Jail Division pursuant to a warrant.

### **MARINE PATROL SECURITY OFFICERS - POLICE DEPARTMENT**

Security officers employed by the Police Department are not peace officers within the meaning of the Penal Code. Police Department security officers have the power to make a "citizen's arrest" pursuant to [Penal Code Section 837](#).

#### **Limited Police Powers**

- Private citizen arrest powers, however, can issue citations and complete Incident and Arrest Reports pertaining to citations.
- Will not transport - Long Beach Police Department will transport.
- All reports involving arrests, as well as serious and sensitive reports, will be filed by Long Beach Police Department police officers.

### **CITY HALL SECURITY OFFICERS - POLICE DEPARTMENT**

City Hall security officers employed by the Police Department are not peace officers within the meaning of the Penal Code. Police Department security officers have the power to make a "citizen's arrest" pursuant to [Penal Code Section 837](#).

**Limited Police Powers**

- Private citizen arrest powers pursuant to Penal Code Section 837.
- Will not transport - Long Beach Police Department will transport.
- The Long Beach Police Department will file all reports.

**SUB-STATION SECURITY OFFICERS - POLICE DEPARTMENT**

Sub-station security officers employed by the Police Department are not peace officers within the meaning of the Penal Code. Police Department security officers have the power to make a "citizen's arrest" pursuant to Penal Code Section 837.

**Limited Police Powers**

- Private citizen arrest powers pursuant to Penal Code Section 837.
- Can transport, if equipped and trained.
- All reports involving arrests, as well as serious and sensitive reports, will be filed by Long Beach Police Department police officers.

**AIRPORT SECURITY OFFICERS - PUBLIC WORKS DEPARTMENT**

See [Special Order – Airport SSO 8-2-19](#)

**HARBOR SECURITY OFFICERS - HARBOR DEPARTMENT**

Security officers employed by the Harbor Department are not peace officers within the meaning of the Penal Code. However, [Penal Code Section 836.5](#) empowers Harbor Department security officers to make misdemeanor arrests when authorized to do so by local ordinance. [Harbor Department Ordinances 1295 and 1401](#) set forth numerous Vehicle Code, Penal Code and Long Beach Municipal Code sections that are to be enforced by Harbor Department security officers. In addition, the security officers have the power to make a 'citizen's arrest' pursuant to [Penal Code Section 837](#).

When an arrest is made by Harbor Department security officers, pursuant to Penal Code Section 836.5, the security officer generally is obligated to "cite and release". If the arrestee demands to be taken immediately before a Magistrate, the Long Beach police will respond to transport. In the case of a citizen's arrest, the Harbor Department security officer should detain the suspect until the Long Beach police officer(s) arrives to provide the necessary transportation.

In most instances, it would be inappropriate for Harbor Department security officers to transport arrestees. There is no specific authorization in the Penal Code for such transportation and, in many cases, issues of employee safety would preclude such transportation.



**Limited Police Powers**

- Private citizen arrest powers, however, can issue citations and complete Incident and Arrest Reports pertaining to citations.
- Will not transport - Long Beach Police Department will transport.
- Long Beach Police Department officers will file all reports involving arrests, as well as serious and sensitive reports.

**PARK RANGERS - PARKS, RECREATION AND MARINE DEPARTMENT**

- Park Rangers are "peace officers" pursuant to Section 830.31(b) of the Penal Code. Peace officer status for Park Rangers is also recognized in Section 16.16.080 of the Long Beach Municipal Code.
- Full Police Powers - Limited to Designated City Parks Only While On-Duty (Per City Policy)
- Can make detentions and arrests while providing peace officer services at designated City parks.
- Can transport, if equipped and trained.
- Will take own reports (both Incident and Arrest Reports).

**PROCEDURE**

If the Police Department is requested to respond and assist the involved City park ranger or security officer(s), the responding police officer should carefully evaluate the information and, if necessary, follow through with the investigation and take the appropriate action.

If the involved City security officer does not have the level of training or ability to complete reports at an acceptable level, the Police Department will assume responsibility and ensure the reports are properly completed in a timely manner. Should a conflict arise, a police supervisor will be dispatched and have the ultimate responsibility and authority to resolve conflicts.

The Report Review Sergeant is responsible for ensuring all forms are complete and accurate prior to the security officer going back in service after an arrest.

**7.1.38 CODE 7 (MEAL) POLICY**

The following Code 7 guidelines are meant to ensure adequate patrol coverage and address officer safety considerations.

Officer's requests for a meal period shall be approved if:

- The request is not within the first 45 or last 45 minutes of the shift
- There are no priority 1 calls holding in the division
- The request does not exceed the maximum number of units allowed per division:
  - South Division: 2 units

- East Division: 2 units
- North Division: 2 units
- West Division: 2 units
- Other division units are available for dispatch
- The primary or secondary units within a beat are not already Code 7

**Code 7 locations:**

- Ten minutes of travel time shall be allowed after receiving clearance
- Thirty minutes shall be allowed for the meal break
- Meals shall be taken within the officer's beat or a neighboring beat
- The Code 7 location will be identified by exact address and business name
- The only exception is Code 7 at home. If the residence is within the guidelines, the location may be reported as "Code 7H"
- Officers shall monitor the radio while on meal break
- No more than two units are allowed to eat at the same location at the same time
- Deviations from this policy shall be approved by the field or communications supervisor and noted in the supervisor's daily log.

**Audit Responsibility**

The Patrol Bureau will monitor compliance with this section.

**7.1.39 FIELD TRAINING PROGRAM**

Section numbers revised October 24, 2014

**7.1.39.1 PHASE I - ACADEMY**

Reviewed by Training Division January 21, 2020

The evaluation of a Police Recruit while at the Academy is the responsibility of the Training Division.

**7.1.39.2 PHASE II – FIELD TRAINING & EVALUATION PROGRAM****Field Training Program**

The Department shall maintain a Peace Officer Standards and Training (POST) approved Field Training Program as required by the POST Administrative Manual Procedure D-13 – Field Training.

**Program Description**

The Field Training Program is designed to educate, evaluate and supervise Police Officer Trainees and Field Training Officers. The Field Training Program's role is as follows:

- Select Field Training Officers
- Train Field Training Officers (FTO)
- Supervise Police Officer Trainees

**Program Requirements**

- The Police Officer Trainee shall have successfully completed a Regular Basic Course

- The Field Training Program shall be delivered over a 52-week period and be based on structured learning content approved by POST
- The Program shall have a Field Training Supervisor – Administrator - Coordinator who:
  - Has been awarded or is eligible for a POST Supervisory Certificate or has been appointed by the Chief of Police and;
  - Has successfully completed a POST certified Field Training Supervisor/Administrator/Coordinator Course prior to or within 12 months of appointment, promotion or transfer to position

Field Training Officers shall meet the following criteria:

- Possess a POST Basic Certificate
- Have a minimum of four years' general law enforcement uniformed patrol experience (exceptions to the time limit can be approved by the FTO staff); and
- Been selected using a Department-specific selection process; and
- Successfully completed a POST certified Field Training Course

### **FTO Divisional Sergeants**

- Directly supervise and monitor FTOs and their trainees within their Division
- Read all DORs filed on trainees in their Division and keep FTO Coordinator and Administrator apprised of the results
- Attend bi-weekly meetings

### **FTO Selection Process**

A selection committee will convene to select potential Field Training Officers. The selection committee will consist of the following:

- Field Training Program Administrator (Lieutenant)
- Field Training Coordinator
- Four Division Field Training Program Sergeants
- An Academy representative
- A minimum of one peer FTO from each of the four patrol divisions

The selection committee will review each officer's name and credentials for participation in the Field Training Program. The committee must positively recommend each potential FTO for the position.

The list of potential FTOs will be submitted to each of the four Patrol Division Commanders for review and approval. The approved list of potential FTOs will then be submitted to the Deputy Chief of Police, Patrol Bureau for final review and approval.

### **FTO Responsibilities**

- Complete a daily, written evaluation on the recruit's performance according to standardized evaluation guidelines
- Provide remedial and weekly, in-service training using the recruit checklist
- Keep his/her FTO Sergeant apprised of the recruit's progress

- Promptly notify his/her FTO Sergeant if the recruit exhibits a lack of performance in the area of officer safety
- On an alternate week basis, the FTO shall prepare a verbal and written report on the relative progress of the recruit officer and present this report to the training team in the bi-weekly assessment session

### **Field Training Sergeant Responsibilities**

- Schedule, supervise, and assist all field patrol units in accomplishing the overall police mission in addition to the responsibilities of the Field Training Program
- Insure that the training and evaluation goals are accomplished. Various sources of information must be utilized to achieve these goals. Daily observation reports and oral communications will be used to summarize the recruit's weekly progress. This summary will be filed by the Sergeant each week
- Weekly review of the recruit's training guide to determine if it is being used according to the schedule provided
- Coordinate alternate week FTO meeting. The Sergeant will ensure that personnel attend these meetings and bring all required documentation for the assessment session. The Sergeant will assist the FTOs in areas of remedial training required by the recruit officer
- Address areas of unsatisfactory work performance individually with trainees on an as needed basis

### **Patrol Bureau Training Lieutenant Responsibilities**

- Command responsibility for the Field Training and Evaluation Program. The Lieutenant has staff responsibility for the supervision of all Field Training Sergeants during the field training and evaluation of the recruit class
- Maintaining all records relative to the recruit's development
- Coordinate with the Training Division areas of mutual responsibility
- Monitor the evaluation program
- Develop a recruit training guide for weekly in-service training and remedial training for recruit officers
- Coordinate a bi-weekly meeting for FTOs to discuss the progress of trainees and develop individual remedial training plan for recruits identified as having problems
- Oversee, review and evaluate the program and, if necessary, implement any organizational changes during the period when recruits are not assigned to the Field Training Program
- Ensure compliance with the POST Administrative Manual's guidelines

### **Evaluation of the FTO**

The Police Officer Trainee shall anonymously evaluate each assigned FTO at the end of the Field Training Program.

### **Evaluation of the Field Training Program**

The Police Officer Trainee shall anonymously evaluate the Field Training Program at the end of the program.

**Training Division Responsibilities**

The Training Division shall provide input to the FTO Program by:

- Attending bi-weekly assessment meetings as requested by the Patrol Training Lieutenant to provide transitional information from Phase I to Phase II of the recruit's training

**7.1.39.3 PHASE III – PROBATIONARY OFFICER**

A Phase III officer is a probationary officer who has successfully graduated from the Academy and completed the requirements of the Field Training and Evaluation Program. While on probation, the officer will have limited supervision and be under the functional supervision of the Patrol Training Sergeant and Lieutenant. The following officers will have supervisory responsibility over Phase III – Probationary Officers while in training.

**Senior Patrol Officer**

The Phase III recruit will be assigned, on a monthly basis, to a senior patrol officer who must be a qualified FTO. The senior officer will provide a limited amount of supervision. At the end of the month assignment, the senior officer will file an evaluation. The senior officer has the responsibility to notify the assigned Patrol Sergeant if a problem arises that should be resolved by remedial training, placing the recruit back into the Field Training Program, or through administrative action.

**FTO Divisional Sergeant**

The FTO sergeant shall routinely evaluate the performance of the Phase III officer and read the weekly reports by FTOs and summarize and grade their performance.

**Field Training Lieutenant**

The responsibility of the Field Training Lieutenant shall remain the same for Phase III officers as it does for Phase II officers. The Field Lieutenant may return the Phase III officer into Phase II at any time that he/she feels it would benefit the recruit officer and the Department. The Lieutenant may call for an evaluation panel if termination of the probationary officer appears necessary.

**Recruit Evaluation Panel**

The responsibility of the Recruit Evaluation Panel is to review the performance of recruits working at a level unacceptable to the standards of the FTO Program. The Panel shall meet on an as-needed basis and shall consist of the Deputy Chief of Patrol, the FTO Administrator, FTO Coordinator and Academy Lieutenant. The Panel will review all of the recruits training records and make a recommendation to the Chief of Police as to whether or not the recruit should be dismissed.

The Recruit Evaluation Panel may recommend:

- Additional documentation or verbal statements from the FTO
- Remedial training
- Dismissal

- The Panel will then submit the recommendations to the Chief of Police for approval. The Panel shall ensure that adequate documentation is provided to the Chief of Police so that the Chief can make an immediate decision in situations where dismissal is recommended

### **Security of Training Records**

Probationary employees training records shall be maintained in a secure location within the Patrol Bureau. Access to individual records shall be limited to Patrol Supervisors, FTOs, and Field Training Supervisors. Trainees shall be permitted to review their own records when supervised. Trainees may not review the records of other recruit officers. Violation by a trainee can result in termination. Training records that are compiled during the probationary period shall be transferred to the Training Division upon completion of probation or, upon resignation or termination of the employee; the records shall be transferred to the Personnel Division.

## **7.1.39.4 PATROL SERGEANT & LIEUTENANT FIELD TRAINING PROGRAM**

All newly promoted sergeants and lieutenants assigned to the Patrol Bureau, and those transferred from another bureau to the Patrol Bureau, are required to complete the Patrol Sergeant Field Training Program or Patrol Lieutenant Field Training Program. The training program is mandatory and scheduled immediately upon assignment to the Patrol Bureau. A training matrix will be completed and the original will be maintained by the Training Division, with copies to the employee's divisional file and Personnel file.

### **Divisional Senior Sergeant & Lieutenant Responsibility**

Newly-promoted or transferred Patrol Sergeants and Lieutenants will be assigned to a Divisional senior sergeant or lieutenant for a period of not less than one work week (40 hours). The senior sergeant or lieutenant will be responsible for reviewing and demonstrating all tasks and duties outlined in the appropriate training matrix.

### **Patrol Bureau Lieutenant Responsibility**

The Patrol Bureau Lieutenant, assigned the responsibility of the Sergeant & Lieutenant Field Training Program, will monitor the assignment and training progress of all participants.

### **Patrol Division Commander Responsibility**

Each Patrol Division Commander will be responsible for ensuring the affected sergeants and lieutenants are assigned to the program and the required training and matrix is completed.

## **7.1.39.5 PATROL SERGEANT & LIEUTENANT MENTOR PROGRAM**

The program is designed to assist officers awaiting promotion while on a current sergeant or lieutenant Civil Service eligibility list.

The goals of the Sergeant & Lieutenant Mentor Training Program are:

- Familiarize candidates with Patrol Bureau supervisory responsibilities
- Familiarize candidates with the department's policies and procedures
- Familiarize candidates with basic supervisory tools that will enable them to make effective decisions

The Sergeant & Lieutenant Mentor Program is voluntary and will be coordinated by a lieutenant assigned by the Deputy Chief of Patrol. This person will:

- Identify candidates on the sergeant and/or lieutenant eligibility list who are likely to be promoted
- Meet with the candidates and review the program to determine if the candidate wishes to participate
- If the candidate chooses to participate, find a mutually agreed upon Mentor
- Plan the training program to meet the candidate's needs
- The length of the mentoring process will also be tailored to the candidate's needs
- The program will be coordinated with the candidate's Division Commander

#### **7.1.39.6 PATROL OFFICER RETRAINING**

The Patrol Bureau is responsible for maintaining a standardized and proper level of training for all assigned personnel. All officers returning to the Patrol Bureau for a uniformed duty assignment shall participate in a re-acclimation, re-training program. This is a mandatory duty assignment and all officers shall complete the assignment prior to working in the field in a solo officer capacity.

##### **Patrol Bureau Field Training Lieutenant's Responsibility**

- The Field Training Officer Program (FTO) Lieutenant will be notified by either Personnel or the Patrol Bureau Deputy Chief of the pending transfer or return to patrol of any officer from another assignment, extended leave or return from a leave of absence
- The FTO Lieutenant will be responsible for evaluating and facilitating the necessary training to re-acclimate officers returning to patrol from other duty assignments
- The FTO Lieutenant or FTO Coordinator Sergeant will meet with the officer that is returning to determine the exact training needs of the individual
- Each returning officer who has not worked in patrol for more than one year will be evaluated on an individual basis

##### **Minimum guidelines are as follows:**

- 40 hours of structured training is recommended for officers returning from other than a semi-patrol related assignment (i.e., SES or GES)
- Officers returning from field enforcement assignments may not require a full 40-hour re-acclimation period. It will be the discretion of the FTO Lieutenant to determine any modification to the above referenced schedule
- Officers assigned to patrol retraining will be required to work with another senior officer from their assigned watch, not necessarily an FTO
- Officers who provide this retraining will be eligible for FTO pay

- The FTO Lieutenant will be responsible for notifying the respective Division Commander by memorandum for officer's completion of training

### **Patrol Division Commander's Responsibility**

Each Patrol Division Commander is responsible for ensuring the affected officers are assigned to the program and that the required training has been completed.

## **7.1.40 SPECIAL EVENTS**

The Special Events unit coordinates the Police Department's involvement by providing officers for preplanned community and commercial events such as security or traffic control for parades, movie filming, sporting events, etc. The Special Events unit shall maintain a fair system for identifying and contracting officers who wish to work an overtime Special Events assignment. A written description of the selection procedures for working a special event shall be contained within the Division Manual of the Field Support Division.

### **Duty Assignment**

Once assigned by the Special Events Coordinator to work a Special Event it becomes a temporary Patrol Bureau duty assignment and assigned personnel shall conform to all Police Department rules and regulations. As with all duty assignments, personnel assigned to a Special Event shall report to the assignment as instructed. Unless instructed otherwise by Special-events personnel, officers will wear the standard issue Sam Browne and navy blue wool uniform.

Should an officer wish to cancel working a Special Event, that desire shall be made known to the Special Events coordinator well in advance of the event so as to allow the coordinator to find a replacement. In a non-emergency, the Special-Events coordinator is under no obligation to find a replacement if it is short notice. If the Special Events coordinator is unable to find a replacement, the officer shall report to the Special Event as instructed. An officer assigned to work a Special Event shall not arrange for a substitute replacement.

## **7.1.41 PROPER USE OF THE SEGWAY**

**Section 313 CVC** - Defines the term "electric personal assistive mobility device" and establishes that the two-wheeled SEGWAY transportation device is not a motor vehicle and that it can be used on pedestrian walkways.

All personnel who are trained on the Segway follow the same rules and regulations as if they were working Bike Patrol. Only those personnel trained on how to properly operate the Segway shall be allowed to use it.

- All riders are required to wear bike helmet during operation of the Segway
- All riders are subject to the same California Vehicle Code sections as a bicyclist



- If ridden at night, the Segway must be equipped with a lighting system (similar to the Night Rider System) that uses a nickel cadmium rechargeable battery system visible from 300 ft. away

The following is prohibited on the Segway:

- Jumping off when the Segway is near or at top speed
- Any use of the Segway other than what is authorized or intended through applicable policy and California Vehicle Codes

## **TRAFFIC (NOW INCORPORATED IN SECTION 7.4 ACCIDENT INVESTIGATION)**

### **7.1.42 PARADE PARTICIPATION**

The Patrol Bureau has audit responsibility

Long Beach Police Department employees who wish to attend or participate in an authorized community parade may do so with the following provisions:

- Approval to attend must be obtained from the employee's Division Commander and attendance must not require overtime. The employee will be allowed a maximum of four hours for their participation, which includes any and all work-related activities performed before or after the shift
- A maximum of six employees will be allowed to attend in an on-duty status (excluding Command Staff) or may be permitted to adjust their schedules to attend. The adjusted work hours must be completed within the same workweek
- Any employee wishing to attend, beyond the maximum allowed to attend on-duty, may not participate in uniform and must be on a volunteer basis. If an employee participates on their own time they must not wear any department related apparel
- Employee participation for a parade shall be coordinated through the Patrol Bureau Office

### **7.1.43 DAYLIGHT SAVING TIME**

The following procedures will be used when modifying Patrol schedules to accommodate daylight saving time. On the first Sunday in November, clocks will be moved back one hour at 0200 hrs. On the second Sunday in March, clocks will be moved ahead one hour at 0200 hrs.

#### **FALL**

- Watch I:** The Watch will work a 10-hour shift. The end time of the shift will be moved from 0745 to 0645
- Watch II:** The Watch will start their shift one hour earlier, 0550 instead of 0650, and will have a new end of watch at 1545 instead of 1645
- Watch III:** The Watch will work their normal scheduled time

#### **SPRING**

- Watch I:** The Watch will work a 10-hour shift. The end time of the shift will be moved from 0745 to 0845
- Watch II:** The Watch will work their normal scheduled time

**Watch III:** The Watch will work their normal scheduled time

## **7.2 CRIMINAL INTELLIGENCE SECTION (CIS)**

### **7.2.1 SUSPICIOUS ACTIVITY REPORTING (SAR) INCIDENTS POTENTIALLY RELATED TO FOREIGN OR DOMESTIC TERRORISM**

Revised July 1, 2013

The Investigations Bureau has audit responsibility.

#### **PURPOSE**

Current anti-terrorism philosophy embraces the concept that, in the United States, law enforcement officers fill a critical position in terrorism prevention. Law enforcement authorities must carry out counterterrorism responsibilities within a broader context of the core mission of providing emergency and non-emergency services in order to prevent crime, violence and disorder. In support of this, the Criminal Intelligence Section (CIS) is engaging in an effort to more thoroughly gather, analyze and disseminate information and observations, of either a criminal or suspicious nature, which may prove critical to the intelligence cycle.

#### **POLICY**

It is the policy of the Long Beach Police Department to make every effort to accurately and appropriately gather, record, and analyze information, which could indicate activity or intentions related to terrorism. These efforts shall be carried out in a manner that protects the information privacy and legal rights of Americans, and therefore such information shall be recorded and maintained in strict compliance with existing federal, state and department guidelines regarding Criminal Intelligence Systems (28 Code of Federal Regulations (CFR), part 23 and applicable California State Guidelines).

A Suspicious Activity Report (SAR) is used to document any reported or observed activity, or any criminal act or attempted criminal act, which an officer believes may reveal a nexus to terrorism. The information reported in a SAR may be the result of observations or investigations by police officers, or may be reported by private parties.

Any employee receiving information regarding suspicious activity, with a potential nexus to terrorism, shall investigate and take appropriate action, which may include a tactical response or notification to specialized entities.

If the activity is not directly related to a reportable crime, employees shall submit a SAR to CIS.

Should officers come across information that indicates possible terrorism related activity while investigating a crime or incident, or conducting an impound or found property investigation which is suspicious in nature, the officer shall make no mention of this potential terrorism related activity or material in the written report. Under these circumstances, the officer will file the main incident report, and a SAR. The officer shall cross-reference the criminal investigation, impound or found property report in the SAR. However, officers shall not cross-reference a SAR in any written police report.

If the report involves an arrest or a crime with follow-up potential, officers shall immediately notify CIS.

## **7.3 COMMUNICATIONS**

### **7.3.1 COMMUNICATIONS POLICIES**

#### **General Radio Procedures**

- The Communications Division is authorized Patrol "Code 7" requests based on the Patrol Bureau "Code 7" policy
- Relative to Disturbing the Peace Calls (415) when units are not available, nor dispatched within one hour of the original request, Communications personnel will call the citizen to determine if a police unit is still required
- The patrol Field Sergeant or any Patrol Command Officer directing the Communications Division will have the final decision in all field-related matters. All directions will be recorded in the call history of the affected calls and logged in the Communication Division shift notes. This Division serves as a clearing and coordinating center, but at no time will assume control over Field Sergeants or Command Officers

#### **Call Code Changes**

The Communications Division will continue to dispatch priority calls based on existing procedures with the following modifications:

#### **Priority 1 Calls:**

- 273.5 P Felony Spouse Beating in Progress
- 920C Missing Critical Child Under 12
- Unknown Trouble
- SHOTS Shots Fired – "Just Occurred" with Suspect Information, or exact location known
- 242P Battery In Progress
- 246P Shooting Into an Inhabited Dwelling Just Occurred

#### **Priority 2 Calls**

- Child Concealment
- Arson
- CCW Carrying a Concealed Weapon
- 22500E Vehicle Blocking Driveway
- SHOTS – H - Shots Heard – No suspect description, exact location unknown
- 647F Intoxicated Person
- 10851R Stolen Vehicle Reports

#### **Priority 3 Calls**

- 5150 - Psycho Investigation Non-Violent
- 919 - Keep the Peace No Violence
- 920J - Missing or Found Juvenile Over 12 Years
- AST-NU - Assistance Request: Non-Urgent
- ACIT - Assist the Citizen: No Other Information

- SHOTS – F - Possible Shots Heard in Area: No Further

**Information/Information Only – No Unit Dispatched**

Eliminated Calls:

- 921P Peeping Tom – 921 Call replaces this
- 500J BB Gun – handled in other calls
- 907B Baseball Game in Street

**Channel Four Utilization**

The Communications Division is responsible for coordinating and advising Patrol personnel regarding radio channel utilization. In an effort to minimize radio channel overcrowding, the following policy is to be implemented with the Communications Division responsible to coordinate and allocate the use of all radio channels based upon need from the field.

- Radio Channel Four is no longer to be utilized as a car-to-car channel by Department personnel between 0600 and 2400 hours unless approved by Communications. Channel Four is to be routinely utilized by the Special Investigations Division, Gang Task Force, and in tactical situations when directed by a Field Sergeant of Command Officer; or when specifically reserved through the Communications Supervisor for special operations. Channel Four is not for general use by field personnel

**7.3.2 KDT USAGE**

Available radio airtime is a major concern. Officer safety can be adversely affected by saturation of radio frequencies.

In an effort to provide increased radio airtime, the KDT shall be utilized as a primary method of dispatch. It shall be used for official police communications only. Unless officer safety is jeopardized, field officers are required to use their KDT's to:

- Change location on a current call
- Go 10-15
- Check 10-97
- Look at their current call
- Check out of service
- Initiate field requests
- Clear calls for service (except calls involving information of a life-threatening nature, suspect information or hazardous locations)
- Running subjects/vehicles
- Transmit business messages only
- Check-out on or clear "Code 7" (after obtaining 913 clearance from communications)

**Non-business "to" messages are an FCC violation**

Officers shall take KDT-equipped vehicles, when available, and promptly complete a Vehicle Malfunction Form (PD Form 4300.002) for vehicles with KDT malfunctions. This

shall be in accordance with General Order 26/90, Patrol Bureau Vehicle System and Maintenance Policy.

The Communications Division shall dispatch units on non-emergency calls as follows:

- Unit designator: 1A2
- Broadcast type of call: 459 report
- Broadcast location of call: 123 Pine
- Send all other information via KDT: Copy KDT

### **7.3.3 COMMUNICATIONS – MUTUAL AID WITH ORANGE COUNTY LAW ENFORCEMENT**

Long Beach Police Department Supervisors and Command Officers will be provided specially programmed portable radios, which can access Orange County emergency radio channels. This communications link will be established only for incidents which include both Long Beach Police Department and one or more Orange County law enforcement agencies. All radio communications will be under the authority and control of the Orange County Communications Division (Control-1).

Only Long Beach Police Field Supervisors and Command Personnel shall communicate with Orange County law enforcement agencies. This includes:

- Orange County Control-1
- Individual Police Dispatch Centers
- Law Enforcement Field Personnel

#### **Orange County Incident Involving Long Beach**

- Long Beach Department contacted via direct ring down or telephone line
- Orange County requests assistance through Long Beach Police Department Communications Center
- Orange County identifies which radio frequency will handle
- Communications Supervisor notifies Field Supervisor
- Field Supervisor will be directed to switch to the designated Orange County radio frequency and contact either the Control-1 Dispatcher, or the individual agency Incident Commander, if so designated
- The Field Supervisor will utilize portable radio for accessing Orange County frequencies and remain in contact at all times with our Communications Center by using the vehicle's mobile radio

#### **Long Beach Incident Involving Orange County**

- Field Supervisor or Command-Level Officer contacts Communications Center and requests communications link to Orange County
- The request shall include:
- Nature of incident

- Type and amount of assistance required
- Long Beach Police Department Communications Center Supervisor will contact Orange County Communications (Control-1) and advise of incident
- Orange County Communications will establish a “conference call” for purposes of coordination between agencies
- The involved, Orange County agencies will direct their field personnel to contact the designated Incident Commander on the radio channel specified by Orange County Control-1

**Transmitting Wanted Information**

Be specific. State the type of crime and whether or not the request is for a field interrogation, or for an arrest. Ensure after transmitting that the request was understood. This may prevent a suspect from being unlawfully arrested.

**Receiving Wanted Information**

Obtain specific information relative to the type of crime and what is requested, e.g., field interrogation, probable cause arrest, or arrest warrant. Receiver of information must understand completely what is requested before any action shall be taken.

#### **7.3.4 TRANSLATOR PROGRAM – VOLUNTEER BILINGUAL EMERGENCY TRANSLATORS (ET)**

**Operational Procedure**

Police personnel shall determine if there is an on-duty employee who can provide the required language translation. If personnel are not available for the requested translation, the requesting employee shall contact the Communications Center for the use of an emergency translator.

The employee should advise if the translation could be conducted by the telephone. If so, the telephone number for the emergency translator to call will be provided to the Communications Center. Translation in the field may involve the transportation of a non-English speaking person to a telephone location.

Patrol officers shall provide a location and any data the volunteer should be made aware of prior to the volunteer responding to the scene. In field situations where translation by telephone is not feasible, officers should alert the facility, such as a hospital emergency room or the Police Department, of the pending arrival of an emergency translator volunteer.

Personnel using volunteer translators should be aware that volunteers are not police employees. A volunteer translator does have the right to refuse to translate. Both officers and Communications Center personnel should remember that volunteers are not trained in police procedures of police terminology, and should not expect such performance from them.



The Communications Center will maintain the volunteer on-call list and will be responsible for all calls to the volunteers for their services.

Each time a translator is called, Communications personnel will send a message, via "electronic mail" system, to the coordinator of the program so that a record can be maintained.

#### **7.3.4.1 COMMUNICATING WITH PEOPLE WHO ARE DEAF OR HARD OF HEARING**

Revised June 2012  
The Patrol Bureau has audit responsibility.

The Long Beach Police Department shall ensure that a consistently high level of service is provided to all community members, including people who are deaf or hard of hearing. LBPD has specific legal obligations under the Americans with Disabilities Act and the Rehabilitation Act to communicate effectively with people who are deaf or hard of hearing.

A qualified sign language interpreter can be obtained at any time by contacting the LBPD Communications Division. Officers should provide the following information, if known:

- The nature of the interaction for which the interpreter is needed
- When and for how long the interpreter is needed
- The location where the interpreter is needed
- A contact person who will be available at the location when the interpreter arrives
- Any other special requirements

#### **ON-CALL INTERPRETING SERVICES**

The LBPD Communications Section maintains a list of sign language and oral interpreting services that are available and on-call 24-hours per day and willing to provide interpretive services. The LBPD Communications Section will update this list annually.

#### **TTY/TDD, VIDEO RELAY SERVICE AND CALIFORNIA RELAY SERVICE**

Where warranted, officers must provide people who are deaf or hard of hearing the opportunity to place telecommunications calls. These calls may be made using a teletypewriter (TTY, also known as a telecommunications device for deaf people (TDD)), a Video Relay Service (VRS system) or the California Relay Service (CRS).

LBPD will ensure an operable TTY/TDD device is available at the main station. TTY/TDD phones will comply with requirements for TTY/TDD phones as set forth in the ADA Accessibility Guidelines.

Personnel assigned to the main station front business desk duties will be trained in the answering, handling, and placing of text telephone calls. Officers must be familiar with the usage of TTY/TDD and recognize the unique tones emitted by TTY/TDD devices.

Officers must also accept telephone calls placed by persons who are deaf or hard of hearing through the Telecommunications Relay Service.

TTY/TDD devices are located in 4<sup>th</sup> and 6<sup>th</sup> floor jails and at the main police station business desk. TTY/TDD devices are portable and can be requested from the jail supervisor for use where needed. TTY/TDD devices will work with pay phones in the station and also with house phones.

If an officer needs to use a TTY/TDD device with a juvenile subject/suspect, the device must be used in an area other than booking or the jail because juveniles may not have contact with adult inmates.

Video Relay Service or VRS allows a subject to communicate through sign language via video conferencing, which is relayed by an interpreter to a third party. VRS systems are located on the first floor lobby of the main station and the 6<sup>th</sup> floor men's jail.

The California Relay Service (CRS) enables a person using a text telephone device to communicate by phone with a person who does not use a text telephone device. The service also works in reverse, allowing a non-text telephone user to call a person utilizing such a device. To reach a toll-free CRS operator, dial 7-1-1. Additional information about the services provided by CRS is available on-line at <http://www.ddtp.org>.

People who are deaf or hard of hearing must not be charged for the cost of an auxiliary aid or service needed for effective communication.

For further, refer to Training Bulletin 186 "Communicating with People Who Are Deaf or Hard of Hearing"

### **7.3.5 MONITORING OR RECORDING RADIO & TELEPHONIC TRANSMISSIONS BY COMMUNICATIONS DIVISION**

The Communications Section will NOT make taped copies of telephone and radio calls for individual officers for training purposes.

Taped copies of telephone and radio calls can be made for the following:

- City Attorney's Office
- City Prosecutor's Office
- Response to Subpoenas
- Internal Affairs
- Homicide
- Accident Investigation

Officers who feel they need additional training may contact the Lieutenant, Communications Section, who will provide appropriate training opportunities.

When an investigating officer or the officer's supervisor determines the necessity of monitoring or acquiring a tape-recorded transcript of information contained on our Communications Center tapes, the following rules and procedures shall be followed:

- To monitor, or tape-record specific information, an investigating officer will contact the Watch Commander and make his request known
- The Watch Commander will then notify the Communication Supervisor by direct line of the officer's name and the time and date requested to obtain the information
- The investigating officer will proceed to Communications at the appointed time where he will be assisted by the Communications staff in obtaining the requested information. If a tape-recorded copy is needed, the investigating officer will take a clean cassette tape with him to the Communications Center. During the daytime hours, tapes may be acquired from Internal Affairs
- If City Hall is locked, arrangements must be made to have a Communications employee allow the officer access to the building

An Attorney (including a District Attorney or City Prosecutor) will not be provided a tape recording or information acquired from such tape recording without a subpoena duces tecum. The investigator should prepare a memorandum to Communications (for the signature of the Chief of Police) requesting the particular tape to be held for evidence. This memorandum should contain the investigator's name, the case name and number, the prosecutor handling the case, and the Deputy City Attorney authorizing the release of the taped information. The Communications Center will then store the tape until needed for court. Investigators should notify Communications, by memorandum through the Chief of Police, at such time that an impounded evidence tape can be released for reuse.

### **7.3.6 COMPUTER AIDED DISPATCH (CAD) PREMISE HISTORY FILE**

#### **Introduction**

Premise History information is automatically searched and displayed to the dispatcher each time an address is accessed at a telephone position or a dispatch is received at a radio position. Those units equipped with KDT's may also receive Premise History information. Information may be entered by exact location (numerical address) or 100-block for a period of:

- 72 hours
- 30 days

**NOTE:** Retention period is based on type of information, nature of prior, degree of hazard, et cetera:

- 60 days
- 90 days
- 180 days

#### **Premise History**

Premise History File provides officers with information concerning a specific address or location. In addition to "Code 9" locations, the following examples are some of the types of information that would be appropriate for Premise History entry:

- Threats to witness involved in a court case
  - An officer's residence, due to threats received
  - Chronic, Complaining Parties wherein there is a reason to carefully question the complaint
- NOTE:** Under no circumstances shall an entry be made indicating, "DO NOT SEND UNIT" or "DISREGARD ADDITIONAL CALLS". The entry should rather read "SCREEN CALLS CAREFULLY."
- Any general information about a specific location that assist the field officer in the performance of duty (i.e., guard dogs on the premise, crime MO, stored hazardous materials, et cetera.)

#### Criteria for Declaring a Location Dangerous

- Where an officer was attacked, or threatened with firearms or other weapons and the danger may be ongoing
- Where firearms or weapons were observed inside a premise which is inhabited or frequented by individual that are generally hostile to officers
- A residence or location that is inhabited by an emotionally unstable individual (5150) who has posed a threat to officers in the past
- A location where acts of vandalism have been committed on police vehicle(s)

#### Premise History Entry Procedures

Following are the procedures for entering a message:

**NOTE:** The computer-stored message cannot exceed 300 words.

- 72-Hour Entry:
- Field Officers can make an entry, as a result of a dispatch, by radio. All officers may make an entry by phoning Communications Supervisor, telephone number 570-7491. This information will be automatically purged after 72 hours.
- 30/60/90/180-Day Entry:

Entry for longer than 72 hours requires a memorandum directed to the Commanding Officer, Communications Division and approved by a Lieutenant or above. The memorandum should give a brief description of the problem and indicate the desired length of retention in the system.

**NOTE:** Allow time for memorandum entry by also making 72-hour telephone entry.

#### Purging & Re-Entry of Information

- The CAD system will not display Premise History data after the programmed retention period is completed

- The purged Premise History information will be forwarded weekly to the Deputy Chief, Patrol Bureau
- To effect a re-entry of a purged location the Deputy Chief, Patrol Bureau, will return the CAD printout indicating those locations where re-entry into the system is desired, and also indicate retention period of 30, 60, 90 or 180 days
- Each item will be re-entered exactly as shown on the original entry unless there is a notation indicating a desired change or supplement

It is the intent of the Department to provide the most convenient and reliable information available for the purpose of decreasing the likelihood of serious injury to officers. Strict adherence to the above procedures will ensure the integrity of this system.

**NOTE:** Under no circumstances, will officers consider a broadcast of a premise history information to be probable cause to approach a situation in any other manner than would be acceptable under critical review. Do not react in a manner that would create a problem in itself.

Under no circumstances, will a Communications Dispatcher consider premise history information to be probable cause to process a call for service in any other manner than would be acceptable under critical review.

### **7.3.7 FOREIGN JURISDICTION – POLICE INVESTIGATIONS OUTSIDE THE CITY OF LONG BEACH**

Section 830.1(a)(2) of the California Penal Code empowers a police officer to perform police activities outside his/her jurisdiction with the consent of the Chief of Police/Sheriff of that jurisdiction, the jurisdiction being within the State of California.

## **Procedures**

### **Officer Responsibilities**

- Patrol officer required to conduct an investigation outside the City of Long Beach shall have the authorization of the Watch Commander. A field Supervisor shall accompany the officers to the location
- Detectives required to conduct an investigation outside the City of Long Beach shall notify their supervisor as soon as practical. Notification shall be made (prior notification, whenever practical) to the Watch Commander, or equivalent, at the local law enforcement agency whenever the Long Beach Police Department conducts or anticipates conducting investigations within that agency's jurisdiction
- Officer may request the Communications Division to make the supervisory notification if personal notification is not practical
- The on-duty Communications Division Supervisor shall be advised, as soon as practical, of any on-duty personnel operating in a foreign jurisdiction

The Special Investigation Division (SID), Criminal Intelligence Section and Internal Affairs Division are excluded from the requirement to advise the Long Beach Police Department Communications Division.

**Supervisory Responsibilities**

- Evaluate requests to conduct investigation in foreign jurisdictions, and provide supervision for those investigations

**7.3.8 REVERSE 911**

Reverse 911 is the brand name for an automatic dialer system recently purchased by the City. This project is administered and managed by the City Hall Information Technology Division. The police Department is authorized as a program user in the system,

Reverse 911 functions as a community alert system, which can be used during emergency situations. Program users first record a phone message to be played for citizens in the city. Using Reverse 911 software, program users can then identify specific geographical areas of the city to receive this phone message. Once activated, the system will call every Verizon phone number within that area and play the pre-recorded message once the phone line has been answered.

The automatic dialer system utilizes 48 phone lines to call Verizon numbers with a pre-recorded message. The system can normally place approximately 4,860 calls per hour. Depending on the severity of the incident, Reverse 911 offers the capability for the department to increase the number of out-going calls per hour. This feature is known as "mass calling" and can be used to reach approximately 30,000 phones per hour. Additional fees are imposed upon the city for activation of this feature.

**Situations Warranting Use of the Automatic Dialer System**

The Reverse 911 software can be used in the following situations:

- Tactical situations requiring information dissemination to nearby residents (e.g.. SWAT grid-searches for armed suspects)
- HAZMAT emergencies
- Missing/abducted juveniles (in situations similar to those that would generate an Amber Alert)
- Critical Missing Persons alert (at the discretion of the Watch Commander)
- Information regarding on-going serial crimes in an identified area
- Other emergency situations as deemed appropriate by the on-duty Watch Commander

**Requests from City Departments**

Other city departments (e.g. Fire, Public Service, Health) are users on this system as well and may record their own messages to be disseminated in the event of an emergency. If personnel from these departments are unable to utilize the system themselves, they may request, through the on-duty Watch Commander, that the Police Department Communications Supervisor record the message and activate the system.

**Officer Responsibilities**

- If an officer is involved in a situation which might warrant the activation of the automatic dialer system, the officer must notify his/her field sergeant of all the facts justifying request of the activation,

**Supervisor Responsibilities**

- Evaluate the situation to determine if application of the Reverse 911 system is warranted
- If warranted, notified the Watch Commander requesting activation
- Provide the Watch Commander with all facts pertinent to the content of the recorded message as well as the specific geographical area to be notified

**Watch Commander Responsibilities**

- Evaluate the situation to determine if application of the Reverse 911 system is appropriate
- If approved, he/she will call on the on-duty Communications Center supervisor at extension 9650 and provide all facts and information to be included in the pre-recorded message as well as the specific geographical area to be notified
- Notify the Duty Chief of a reverse 911 activation
- Ensure a notation is made in the Watch Commander's Log identifying the reason for the Reverse 911 activation, the geographic location called and any other facts pertinent to the event
- Approve or deny requests from other city departments that Police Communication Center personnel activate the Reverse 911 system on their behalf. If approved, the Watch Commander must verify that the situation is emergent in nature

**Communications Center Supervisor Responsibilities:**

- At the direction of the Watch Commander, the Communications Center supervisor will ensure that the necessary phone message is recorded in English and Spanish and then activate the Reverse 911 system

**Duty Chief Responsibilities**

- In a situation where the Watch Commander requests that the mass calling feature be used, the Duty Chief will be responsible for authorizing its use.

**7.3.9 SILENT DISPATCHING**

Effective date, June 12, 2012

Silent dispatching is the method of dispatching a unit without making a radio broadcast, traditionally accomplished by utilizing a police unit's mobile data center (MDC). The implementation of a silent dispatch prevents suspects who are monitoring police radio frequencies from becoming forewarned of a police response.

The use of silent dispatching has proven its effectiveness as a field response tactic when responding to crimes being committed by organized criminals, such as responding to robberies, gang activity or the sales of narcotics, etc. Silent dispatching should also be

considered when responding to calls believed to be connected to a series of crimes with identifiable modus operandi or suspect information. The type of crime, factors associated with the crime and current crime trends should all be taken into consideration before implementing the silent dispatch technique.

Only the watch commander, lieutenant, or command officer may authorize the use of silent dispatching. The Communications Center will facilitate and ensure the silent dispatching procedure is followed on a short-term basis.

To request silent dispatching, a memorandum shall be sent to the Communications Center lieutenant for implementation. The memorandum will minimally contain the following:

- Affected time period
- Hours of operation (start - end)
- Crime classification(s) to be silently dispatched
- Specifics of crime spree (if possible/applicable)
- Field supervisor(s) to be notified when the dispatch is generated and their responsibilities
- Identification of what field units are to be sent (city wide or division response)
- The watch commander or field lieutenant to be notified
- Evaluation period

An evaluation period shall be in place at each situation where silent dispatching is requested. The initiating watch commander, lieutenant, command officer or their designee shall review the use of the silent dispatches and determine whether or not to continue its use.

**Additional Consideration**

Response training should be considered and given prior to the use of this tactic.



## **7.4 ACCIDENT INVESTIGATION & TRAFFIC**

### **7.4.1 TRAFFIC COLLISIONS – CITY VEHICLES**

All traffic collisions involving vehicles driven by Department employees and authorized for Department use or City business shall be reported immediately by the employee. These collisions shall be subject to review by a supervisor, AID Fleet Safety Unit, and management. It is the responsibility of Communications to dispatch a field supervisor to any such collision and notify the Watch Commander.

#### **7.4.1.1 CITY ATTORNEY RESPONSE**

When a City vehicle is involved in an accident within the City limits, the City Attorney's Office shall be notified immediately. Whenever possible, officers shall leave the accident scene "as is" until the arrival of investigators from the City Attorney's Office so that photographs can be taken. However, there may be some instances where the discretion of the officer at the scene would dictate that traffic flow is of more importance than preserving the evidence.

Whenever the presence of a City Attorney's investigator is required, the call will be placed to the Public Service dispatcher who will then be responsible for dispatching an investigator. After hours, the Communications Center will contact the investigator at his/her home. When the City Attorney's investigator is not available or does not deem the accident to be serious enough to warrant his/her presence, the dispatcher should immediately inform the unit or supervisor at the scene and provide them the name of the investigator.

When the accident occurs within close proximity to the City, the City Attorney's Office should be called immediately, and a police supervisor dispatched to the scene. It will be the responsibility of the supervisor dispatched to the scene to secure the necessary information for a City Property Damage Report and to make any further investigation necessary, taking into consideration the investigation and reporting procedures of the handling police agency.

Even if the accident occurs well beyond the City limits, contact the City Attorney. If the seriousness of the situation warrants it, the Watch Commander may send a supervisor to the scene no matter how remote the location may be.

When accident reports involving any City equipment are taken, officers shall refrain from writing a primary collision factor, conclusion, or opinion as to who was at fault. Neither driver should be cited for the violation that caused the accident; however, officers may cite or arrest for administrative or other criminal violations. For example: 12500, 14601, 16025, etc., or arrest for 20002, 23152, etc.

### **Watch Commander Responsibilities**

If a collision occurs outside the City, the Watch Commander shall be notified and determine whether or not to dispatch a supervisor to the scene. The Watch Commander's determination shall be based on the following factors:

- Geographical location
- Severity of injury/damage
- Request by law enforcement jurisdiction where the collision occurred

### **Supervisory Responsibility at the Scene**

The supervisor shall assume command of all operations at the scene of a collision. He/she shall ensure a complete and thorough investigation is conducted in compliance with Training Bulletin #122. The supervisor shall be responsible for reviewing all collision reports and ensuring they are complete, consistent, and concise. The reports shall be completed prior to the end of shift.

### **Supervisor's Report of Collision**

The supervisor must personally deliver the original Supervisor's Report of Collision memorandum and original (pink) Collision Report to the Accident Investigation Detail (AID). No copies of the original collision report shall be made or distributed.

A copy of the Supervisor's Report of Collision memorandum must be forwarded to the Chief of Police, the Deputy Chief of Patrol Bureau, and Division Commander(s) of personnel involved.

The completed Collision Report will be available ONLY through AID upon request.

Supervisor's Report of Collision MUST include the following:

- The events leading to the collision, call number, en route to dispatch/on routine patrol, dispatched Code Three, pursuit, etc.
- Unusual events and associated factors that will enable the Vehicle Accident Review Board (VARB) to have a complete understanding of the collision scene and events; i.e., weather conditions, during criminal apprehension, mechanical defects, medical/mental condition
- Injuries to Department personnel and other individuals, including the status of hospitalized employees

### **Accident Investigation Detail**

The AID supervisor will review the Supervisor's Report of Collision memorandum and Traffic Collision Report, and consider the following factors:

- Completeness and accuracy of the Collision Report
- Deficiency in employee performance
- Deficiency in Department equipment
- Training problems

The AID supervisor shall prepare a report of the collision, which shall include the employee's department traffic accident record for the previous three years. The completed report shall be forwarded to the VARB.

### **Push-Bar Incidents**

A supervisor shall be notified in any incident involving the use of a Police Vehicle's push-bar that results in any damage to another vehicle.

- City Property Damage Form must be filled out listing all party's information and damage
- All damage should be photographed
- Push-bar incidents shall not be presented to the VARB and shall not go on the officer's driving record
- Officers shall document in their unit history all push-bar incidents resulting in NO damage to vehicles. If the unit is not logged on, the officer shall immediately notify a field supervisor, who shall complete the log entry for the officer.

#### **7.4.1.2 COLLISION INVESTIGATION DETAIL (CID)**

Revised April 29, 2011

##### **CALL-OUT PROCEDURE**

Department employees shall adhere to the following conditions and procedures for the occurrence of a serious, or fatal injury collision, and serious injury collision involving City personnel and property.

##### **Procedures**

The supervisor at the scene must make notification to the Collision Investigation Detail (CID) when advised of any of the following circumstances:

- Fatal injuries or serious injuries (or death appears imminent)
- Fatal injuries involving a vehicle or a pedestrian and the A-Line LRV (excluding a pedestrian suicide)
- Serious injury collisions involving City vehicles, personnel, or property; i.e., pursuit
- Any Command Officer at the scene requests AID to respond

Considerations on whether to make a notification:

- The age of the victim
- Any previous medical conditions
- Vehicle versus pedestrian or bicycle (possible unknown internal injuries at the scene)

If an CID Detective responds, the Watch Commander shall:

- Coordinate with the field supervisor at the scene and ensure the collision scene remains intact
- Request Public Works as necessary; i.e., barricades
- Request Crime Lab to respond and standby for photographs
- Provide continual updates of injuries to AID Detectives

When a Police Department vehicle is involved, or there may be City liability due to some sort of Police involvement prior to the accident (i.e., pursuit or any other associated factor), and the accident results in a serious injury or fatality, the AID Sergeant shall be notified to respond along with the on-call AID Detectives.

#### **7.4.1.3 VEHICLE ACCIDENT REVIEW BOARD (VARB)**

The Vehicle Accident Review Board (VARB) shall determine if the accident was preventable or non-preventable and make recommendations for counseling or retraining. The recommendations of the Board, as to counseling, retraining, and discipline shall be reviewed by the Traffic Section Lieutenant and Division Commander of the involved employee, then forwarded to the Deputy Chief of the involved employee for final approval. The completed package will then be returned to the AID supervisor for final disposition.

The voting members of the VARB are the sergeant of the Accident Investigation Detail and the assigned investigators. The Fleet Safety Officer shall serve as a resource, but not as a voting member of the Board unless a tie occurs. The Review Board shall convene as needed. The Sergeant of the Accident Investigation Detail shall officiate at the Board meetings.

#### **Employee Accidents**

Employee accidents will be classified as:

- Preventable
- Non-preventable

Any of the findings may require training or counseling depending on the total collision analysis by the VARB. The training may require involvement in a formal driver-training course or behind-the-wheel training session by a POST certified Department Driver Awareness Instructor.

All counseling and training will be coordinated, in a timely manner, by the Fleet Safety Officer through the employee's Division Commander.

In cases where an employee's retraining has shown no effect in correcting his/her driving habits, or where actions of the employee in the collision were flagrant misconduct, review through the disciplinary process will be requested.

#### **7.4.2 CITATIONS – ACCOUNTABILITY & VOIDING**

Revised October 24, 2014

The Financial Bureau Supply Section shall be responsible for issuing all Department citation books (traffic/misdemeanor and parking) to each of the Divisions. It is the responsibility of each Division to track the issuance of citations to their respective officers.

Officers issuing moving and/or parking citations shall turn them in at the completion of their shift. All officers, excluding Traffic Section officers, shall deposit completed citations

in the designated container. Traffic Section officers shall return citations to their supervisor as directed.

#### **7.4.2.1 ACCOUNTING FOR CITATIONS**

Revised October 24, 2014

The disposition of all citations is documented in the Department's RMS/ARS system. Under no circumstances shall officers destroy or dispose of citations in a manner not in accordance with this policy. Unused, outdated citation books shall be returned to the Financial Bureau Supply Section.

#### **7.4.2.2 PROCEDURE FOR VOIDING CITATIONS ISSUED BY THE POLICE DEPARTMENT**

Revised October 24, 2014

Requests to void citations shall be submitted on PD Form 2314.001, "Request to Void Citation," with all available copies of the citation and related reports attached. Completed "Request to Void Citation" forms shall be provided to the requesting officer's immediate supervisor. After review, the form shall be forwarded to the officer's Division Commander for approval. In cases where the intended recipient is unaware the citation is being voided, a notice shall be mailed to the violator. A copy of this notice shall be attached to the "Request to Void Citation" form.

After approval by the officer's Division Commander, "Request to Void" forms and attached documents shall be forwarded to the officer's Bureau Chief for approval and then sent to the Administration Bureau, Records Division, Warrants Section for processing. For additional information relative to misdemeanor citations, refer to [Training Bulletin #123](#). The Administration Bureau, Records Division, Warrants Section will forward traffic citations to the County of Los Angeles, Long Beach Superior Court, Traffic Section.

#### **7.4.2.3 LOST OR STOLEN CITATIONS**

Revised October 24, 2014

If a citation is lost or stolen, the officer shall immediately advise his/her supervisor and file the appropriate lost or stolen report. Copies of the reports shall be forwarded to the Records Division.

#### **7.4.2.4 CITATION ISSUED BY OTHER CITY DEPARTMENTS**

Revised October 24, 2014

With the exception of parking citations issued to stolen vehicles, all requests to void citations issued by other City departments should be forwarded with a cover letter signed by either a Bureau Chief or the Chief of Police to the Department Head.

#### **7.4.2.5 PARKING CITATIONS**

Revised October 24, 2014

The Records Division will forward parking citations to the Commercial Services Bureau/City Hall. Requests to void parking citations should be forwarded to the Traffic Section for review. This includes parking citations issued to stolen vehicles.

#### **7.4.2.6 THUMBPRINT ON TRAFFIC & MISDEMEANOR CITATIONS**

Revised October 24, 2014

In the case of a vehicle code infraction, a thumbprint may only be obtained when “there is a question in the officer’s mind as to the true identity of the defendant.” Thumbprints may be obtained in all non-vehicle code misdemeanor situations.

Officers will be issued stamp pads through the Department’s Property Section and the thumbprint shall be placed in the designated area on the Court’s copy of the citation form.

##### **A) Vehicle Code Infractions**

If an officer is confident in the identity of the person committing a vehicle code infraction, the officer should not seek to obtain a thumbprint on the citation form. The Judicial Council has not formulated any guidelines to deal with a situation of a violator’s refusal to provide a thumbprint where the person’s identity is in question.

[California Vehicle Code §40302](#) requires an officer to transport a suspect to a Magistrate without unnecessary delay “when the person arrested fails to present his/her driver’s license or other satisfactory evidence of his/her identity for examination” ([California Vehicle Code §40303\(a\)](#)). If a magistrate is unavailable, the suspect may be transported to jail for the purpose of posting bail or being released on his/her written promise to appear. Once transported to jail, the suspect may be detained for a reasonable period of time, not to exceed two hours, in order to verify his/her identity ([California Vehicle Code §40307](#)). Requesting that a thumbprint be given at this stage in order to verify identity is not an unreasonable request. Current case law indicates that fingerprinting in order to establish identity does not improperly infringe upon an individual’s right to privacy

##### **B) Misdemeanors**

Thumbprints may be obtained in all non-vehicle code misdemeanor situations. If a misdemeanor defendant refuses to provide a thumbprint in the field, the arresting officer could simply invoke his/her discretionary power pursuant to [California Penal Code §853.6\(g\)](#) and transport the suspect to jail for a full booking process. This procedure would encompass a fingerprinting procedure. In other words, the officer could give the defendant the option of being fingerprinted in the field, or subjecting himself/herself to the entire booking process at a jail facility.

#### **7.4.3 DISPATCHING TRAFFIC UNITS**

While the Traffic Section is primarily responsible for the enforcement of traffic laws, they support Patrol by handling traffic collisions, when available.

Traffic units should be dispatched under the following circumstances:

- All reported injury traffic collisions

- Any traffic collision encountered while on-duty

Traffic units should NOT be dispatched to "Special Accidents" (non-collision related accidents)

Traffic units are assigned to specific areas and have specific traffic enforcement responsibilities in addition to being available to support Patrol by handling traffic collisions. Consequently they should not randomly be removed from their station detail status to be dispatched to traffic collisions or dispatched out of their area. However, when Patrol units are not available, they may be dispatched to injury collisions. When in-service, Traffic Section officers should be dispatched to ALL traffic collisions. If there is a requirement for a motor unit due to traffic congestion, a Field Sergeant or Watch Commander may request their assistance.

Patrol units will NOT request a traffic unit to take a report they have been dispatched to handle or come across while on patrol.

When traffic units are unavailable for dispatch due to assignment from their supervisors, they shall advise Communications to place them on station detail status. However, Traffic Section officers shall monitor the radio at all times and when available, based on the nature of their assignment, should clear and respond to the reported traffic collision. Traffic units may be removed from a station detail for injury accidents or life-threatening situation when units are not available in a specific area with the approval of a Traffic Enforcement Section Sergeant, Communications Supervisor, Patrol Sergeant or Watch Commander.

#### **7.4.4 HIGH VISIBILITY SAFETY VESTS**

Approved: 04/10/09

The Patrol Bureau has audit responsibility.

Federal mandate Section 23 of the Code of Federal Regulations, Part 634, effective November 24, 2008, requires all public safety personnel to wear a high visibility safety vest. These vests must meet specific requirements of the American National Standard Institute (ANSI), and must be worn while handling certain duties within the right-of-way of Federal-aid highways (most streets in Long Beach) either in the daytime or nighttime hours.

#### **Wearing the High Visibility Safety Vest**

##### **The High Visibility Safety Vest shall be worn while:**

- Directing traffic or handling lane closures
- Investigating collisions, while in traffic
- Handling a disaster scene
- Clearing any roadway obstructions

**Note:** Not wearing the issued safety vest when required would be a violation of OSHA regulations and may subject the City to fines. Additionally, if an officer is injured while not utilizing proper issued safety equipment Worker's Compensation benefits could be denied

The High Visibility Safety Vest may be worn anytime it may increase safety.

**Officers are not required to wear the High Visibility Safety Vest during:**

- Traffic stops or incidents involving criminal activity where the vest would jeopardize the officer's safety
- Activities that place an officer at a personal risk level greater than the potential risk of exposure to traffic conditions
- Incidents that require immediate action to perform life-saving measures



## **7.5 EMERGENCY OPERATIONS/CRITICAL INCIDENTS**

### **7.5.1 CRITICAL INCIDENT CONTINGENCY PLANNING & REPORTING**

All critical incidents have both distinctive and common characteristics. Contingency planning requirements are essentially the same. These requirements cover the three basic phases of Pre-Incident Planning, Incident Operations and Post-Incident Planning.

#### **Pre-Incident Planning**

The availability of lead-time to properly pre-plan is a significant advantage in critical incident management.

- Tactical intelligence gathering is the initial step in preparing a contingency plan and one of the most important. All major preparations including, allocation of Department resources and establishing the enforcement posture, are predicated upon intelligence date. Incorporated into the planning steps should be: Historical background, meeting, and site examination
- Staffing: Delegated to the staff are those tasks associated with the organization of personnel, making assignments, briefings, and equipment procurement and issuance
- Incident evaluation: is the review and evaluation of all tactical intelligence data, and general information with the objective of identifying and prioritizing anticipated problems within the critical incident. The evaluation should be carried out by the ranking officer in charge and a pre-selected decision-making staff responsible for management of the incident
- Assessment of resources: needed to resolve the incident problems
- Staff briefing: The contingency plan is modified, finalized and approved for implementation during the initial briefing phase. The supervisors then conduct "roll down" briefings for all personnel. These briefings ensure the understanding of the plan and eliminate concerns

#### **Incident Operations**

- Preparation requires individual supervisors to develop "sub-plans"
- For pre-planned contingencies, the overall operations program is compiled into a written contingency plan

#### **Contingency Plan Format**

- State the problems
- State the historical background and tactical intelligence information
- Define Department objectives and philosophy governing the plan
- State the planned allocation of resources
- Describe the phases of the contingency plan whereby additional resources will be committed for control purposes
- **Phase I** Control is maintained; control measures are described. Moderate staffing requirements
- **Phase II** Staging of personnel occurs. Mobilization of respective personnel occurs to some degree

- **Phase III** Mobilization of ALL on-duty personnel; shifts may be extended
- **Phase IV** Full mobilization of the Department occurs
- **Phase V** Appropriate notifications are made to the City staff and administrative executives. The Los Angeles County Sheriffs and other law enforcement agencies are notified/alerted
- Describe the procedures for withdrawal and reduction of committed resources

#### **Post-Incident Planning**

- The primary objective in the planned phase down is to ensure that further problems or disorders will not occur, nor will control be lost.
- Critical Incident Review Board
- Purpose - to identify methods for enhancing officer safety, preventing injuries, and improving efficiency.
- The Deputy Chief, Patrol Bureau, is responsible for establishing the Critical Incident Review Board

### **7.5.2 UNUSUAL OCCURRENCES**

In order to ensure that vital information concerning occurrences is consistently reported to the Office of the Chief of Police and other levels of command, the following guidelines are to be adhered to:

Whenever any major incident or unusual occurrence takes place, it shall be the responsibility of the Field Commander, Field Supervisor, or Officer in Charge at the scene to provide information of the incident to the on-duty Watch Commander. This notification should be made as soon as practical after the occurrence is under control or resolved.

A major incident or unusual occurrence may be defined, but not limited to the following:

- SWAT Team call-outs
- Hostage situations
- Officer-involved shootings
- Multi-homicides
- Sex crimes involving juvenile victims
- Kidnappings
- Critical missing juveniles
- Natural disaster
- Labor disputes involving criminal violence
- Arrest or detention of VIPs
- Any other major incident in which the gravity of the situation warrants prompt notification of the Chief of Police

#### **Watch Commander Responsibilities**

It shall be the responsibility of the on-duty Watch Commander to prepare a memorandum describing, in detail, the circumstances of the event.

The Watch Commander will forward the memorandum to the Office of the Chief of Police and copies to the three Bureaus and the Community Relations Division. A file copy of the memorandum shall be maintained in the Watch Commander's office for future reference.

### **Definitions**

- Unusual Occurrence (UO) – An event which involves the probability of, or actual injury or property damage arising either from natural or man-caused incidents which necessitates the use of a Tactical Alert
- Minor Unusual Occurrence – Handled by on-duty field personnel without depleting field strength beyond the point where supplemental staffing is needed
- Serious Unusual Occurrence – On-duty field personnel insufficient to control the occurrence and maintain routine police service. Other on-duty Divisions must be called upon for assistance
- Major Unusual Occurrence – Threatens public safety to the degree that all or a major portion of the Department must be mobilized to exercise control.

Supplemental support may be required.

#### **7.5.2.1 SPECIAL DEPLOYMENT**

##### **Mobile Field Force Concept**

Experience dictates that whenever an event has the potential for mass civil disobedience, the Department must respond with a highly mobile field force capable of fulfilling a variety of missions including mass arrests and bookings. The orderly depletion of available, on-duty personnel ensures the effective use of Department resources. A focused and directed approach contribution to resolving the problem in the most expedient manner possible.

The Mobile Field Force Concept has been developed to provide a fast and effective method to assemble and control a platoon-size tactical force from on-duty personnel. It is adaptable to both pre-planned and spontaneous events that require the rapid assembly of large numbers of personnel. The Mobile Field Force may respond to field situations directly from its staging area yet remains subordinate to the Mission Group Officer.

During pre-planned events, the Mobile Field Force may be assembled from the involved Division and assembled at the Field Command Post for immediate response. Depending upon operational considerations, it can also be deployed to the Field Command Post as a ready reserve, broken into squads and assigned specific missions. The Mobile Field Force may also be disbanded after its initial mission and reformed into ready reserve elements.

#### **7.5.2.2 CALL-OUT PROCEDURES**

Upon notification to report for duty in an emergency, the authority to activate a call-out will rest with the on-duty, ranking Command Officer or Watch Commander during a Stage 2 or Stage 3 Tactical Alert.

**Tactical Alert Stages – Authority to Activate**

- Stage 1 – Field Commander/Field Supervisor
- Stage 2 – Ranking Command Officer/Watch Commander
- Stage 3 – Chief of Police/Duty Command Officer

**7.5.2.3 TACTICAL ALERT STAGES****Stage 1**

- Command Post established
- Radio frequency assigned to handle the unusual occurrence
- Watch Commander notified
- All units stay in service
- Only those units assigned to report to Command Post; all other units stay in their beats
- Radio traffic kept to a minimum

**Stage 2**

- Tactical Alert Stage 1, plus:
- Only “emergency” dispatches answered
- No Code 7
- Other Watches or Divisions may held over or called to report to work early
- 12-hours shifts may be used

**Stage 3**

- Tactical Alert Stage 2, plus:
- The Department is placed on 12-hour shifts
- Days off are cancelled, if necessary
- At this point, the mission of the Department will be to control the unusual occurrence and maintain public safety
- Consideration of requesting services from other department and other services outside the City

Information Technology will produce an Emergency Call-Out Roster monthly. The roster will be reduced to an 8 ½ x 11-inch document by Information Technology and distributed. The roster will list pertinent data of all personnel, grouping them by zip code areas.

**Utilization of Call-Out Roster****Contained Emergency**

The ranking Command Officer or the Watch Commander shall utilize Information Technology personnel from the North Police Substation. MOC-1, located at the Heliport, will be the third back up for workable telephone lines.

**Major Disaster**

Knowledge of a major disaster is self-notifying. The Emergency Call-Out Roster will be used to setup 12-hour, work schedules if the event is to be of extended duration.

**Distribution of Call-Roster**

Each person holding the following ranks/positions will receive a copy of the Emergency Call-Out Roster, updated and distributed monthly:

- Chief of Police
- Deputy Chiefs
- Commanders
- Administrator, Information Technology Division
- Watch Commander
- MOC-1 Officer

**Reporting****Contained Emergency**

When reporting to work in response to a contained emergency, fire, explosion, plane crash, et cetera, personnel will report to the primary assembly point (Public Safety Building) unless otherwise directed.

**Disaster**

In response to a disaster, major earthquake, flood, et cetera, officers will report to any designated assembly point using public media reports of damage as a basis for their decision on where to report.

**Assembly Points**

- Primary                Public Safety Building, 400 West Broadway
- Secondary            Police Heliport, 2609 East Spring
- Secondary            North Police Substation, 4891 Atlantic

**General Emergency Operating Procedures**

An officer answering a call of a serious nature will, as soon as practical, inform his/her immediate supervisor and the Watch Commander of the nature and circumstances of the call.

A supervisory officer at the scene shall keep the Watch Commander updated as to required equipment and personnel.

Each officer or supervisor assigned duties at the scene or any other place directly related to the incident, will as soon as practical at the conclusion of such incident, write a supplementary report describing the time spent and the duties performed.

Unnecessary officers at the scene will be discharged from duty by the ranking supervisory officer, and resume regular duties.

Officers will not leave an assigned beat to respond to the scene of an incident without authorization, unless officer safety is jeopardized.

The Incident Commander will authorize any additional personnel, equipment or operations necessary.

All organizational Bureaus shall coordinate their activities through the Officer in charge or the Watch Commander, unless another ranking supervisor is designated to coordinate activities at the Station.

The Watch Commander or other ranking supervisor shall inform the Duty Officer and the Chief of Police of the nature and circumstances of the ongoing event, as often as necessary.

If necessary, officers will cordon off the area to maintain both the safety of the officers and the public until a plan of action can be worked out and implemented.

#### **7.5.2.4 INCIDENT DEBRIEFING**

Psychological trauma may occur when an officer causes the serious injury or death of another human being.

The officer's immediate supervisor shall refer an officer who has caused injury or death, in the performance of his/her duty as a peace officer, to the Department Psychologist. The referral shall be automatic, by telephone or in person, confidential and without prejudice to the officer.

Referrals will be mandatory in the following situation:

- When an officer, in the course of duty, had injured seriously or caused the death of a human being
- When an officer is seriously injured, but is physically able to receive counseling
- When an officer experiences an incident involving mass casualties such as the scene of a major disaster
- When an officer's partner is killed or seriously injured

Optional referral:

- When an officer experiences emotional stress as a result of having been involved in a serious incident

#### **7.5.2.5 CRITICAL INCIDENT DEBRIEF COMMITTEE**

The Investigations Bureau has Audit Responsibility

The Chief of Police or their designee, at their discretion, will conduct a Critical Incident Debrief of officer-involved shootings, in-custody deaths, and other significant incidents or events. The debrief should be scheduled within 72 hours after the incident and provide the committee with preliminary information about the incident.

The committee will be comprised of the following members:

- Chief of Police
- Deputy Chiefs
- City Attorney
- Involved Employee(s) Division Commander
- Training Division Commander
- Tactical Operations Committee Commander
- Special Investigations Division Commander
- Employee Association Representative
- Internal Affairs Representative

The Critical Incident Debrief Committee will discuss employed tactics, the performance of equipment, the need for additional or specialized equipment, and an evaluation of applicable department policy.

In the case of an officer involved shooting or in-custody death, employees involved in these critical incidents will not return to field duty until the Critical Incident Debrief has occurred and/or the Chief of Police or designee has approved their return to field duty.

### **7.5.3 EMERGENCY MOBILIZATION**

#### **On- Duty Personnel**

In the event of a mobilization, the following shall occur:

- On-duty personnel shall remain at their assignments until properly relieved

#### **Off-duty Personnel**

- In the event of a mobilization, the following guidelines have been established:
- Off-duty personnel who are scheduled for the next shift or who are called into work shall respond to their Incident Command System (ICS) as soon as possible after stabilizing their families
- All other off-duty personnel shall monitor radio and television for emergency broadcast system instructions. Then contact their assigned Supervisor or the Emergency Mobilization telephone, when able, at telephone number 570-7492
- If telephone or travel to one's unit assignment is impossible, personnel shall report to the nearest operational Police or Sheriff's Department facility. The officer shall then request that agency to notify the Department for direction

#### **Emergency Mobilization Shifts**

The Department will institute its 12-hours shifts as follows:

- Shift A 0600-1800 hours
- Shift B 1800-0600 hours
- Overlap 1200-2400 hours

#### **7.5.4 REACT RESPONSE**

Revised January 27, 2022

Patrol Bureau shall review this policy on a two-year review cycle.

Reviewed January 27, 2022

REACT is available to support tactical operations with a small team that can rapidly respond, and utilize SWAT training, experience, and equipment to help resolve an incident.

REACT shall consist of one team sergeant and typically six (6) officers who can respond with limited SWAT tactical equipment.

REACT is a minimal force multiplier and is not a substitute for a SWAT team activation. REACT shall not be used when a SWAT team activation is required per manual § 7.5.5.1  
CRITERIA FOR SWAT ACTIVATION.

##### **7.5.4.1 REACT RESPONSE CRITERIA**

Revised January 27, 2022

REACT may be requested for tactical incidents such as:

- Those that exceed the capabilities of deployed Department resources, and
- When additional tactical equipment and expertise are desired.

##### **7.5.4.2 REQUEST FOR REACT**

Revised January 27, 2022

Requests for a REACT response shall be made by an Incident Commander. REACT can be requested by contacting the SES Lieutenant, Tactical Sergeant, or their designee. The Incident Commander shall notify the Communications Center of all REACT call-outs.

The SES Lieutenant, Tactical Sergeant, or their designee will evaluate the circumstances and determine the appropriate level of response (i.e., REACT or SWAT Team activation).

##### **7.5.4.3 REACT RESPONSE ROLE**

Revised January 27, 2022

Once on scene, the REACT sergeant or their designee shall contact the Incident Commander unless exigency necessitates immediate action.

The Incident Commander retains operational control of the incident and all personnel on scene. REACT shall not be utilized to manage an incident. REACT's role includes, but is not limited to:



- Supplementing the incident response
- Coordinating searches
- Providing tactical advice to the Incident Commander
- Leading, advising, and/or supporting Emergency Action Teams

### 7.5.5 SPECIAL WEAPONS AND TACTICS (SWAT)

Revised August 17, 2017

The Patrol Bureau has audit responsibility

Special Weapons and Tactics (SWAT) is a specialized unit of officers and public safety dispatchers who are trained and equipped to respond to situations that exceed the capability of detectives and patrol officers.

Requests to activate SWAT shall be made by an Incident Commander. In select emergent situations, such as items 1-5 of 7.5.5.1 CRITERIA FOR SWAT ACTIVATION, the Communications Supervisor is authorized to activate SWAT prior to receiving a request from an Incident Commander. A request for activation may only be changed by:

- 1) The supervisor who made the original request; or,
- 2) A higher-ranking officer who has assumed the role of Incident Commander.

When SWAT responds, the Incident Commander shall remain in charge of the incident; SWAT shall maintain responsibility for SWAT tactics.

#### 7.5.5.1 CRITERIA FOR SWAT ACTIVATION

Revised August 17, 2017

An Incident Commander shall immediately notify SWAT when faced with any of the following circumstances:

- **Hostage Situation**
- **Sniper**
- **Active Shooter**
- **Skyjacking** – The FBI may assume command of the situation, however, the Department shall supply support personnel, including SWAT, for security of the immediate area.
- **Terrorism** – SWAT shall be activated immediately when there is reason to believe an act of terror has occurred. If there is a credible *pending* threat of a terrorist assault, SWAT should be contacted to determine the need for deployment.
- **Barricaded Suspect** – If an armed or dangerous suspect is barricaded or concealed within a perimeter, *and* shots have been fired, SWAT shall be activated. If an armed or dangerous suspect is barricaded or concealed within a perimeter and, after a reasonable period of time fails to surrender, SWAT shall be activated.
- **Event Action Plan (EAP)** – SWAT shall be requested when a planned tactical operation indicates the necessity for SWAT assistance.
- **Search Warrants** – When scouting and planning a search warrant, the warrant checklist shall be incorporated into the plan and shall be used to evaluate the need for SWAT assistance, refer to 7.5.5.2 SWAT THREAT ASSESSMENT MATRIX.

- **Dignitary Security** – SWAT may be utilized when requested for dignitary security.
- **Other** – If a supervisor believes an incident requires the special skills of SWAT, he or she should request a SWAT activation.

### 7.5.5.2 SWAT THREAT ASSESSMENT MATRIX

Revised August 17, 2017

If a proposed operation, arrest or search warrant contains one or more of the gray shaded hazards listed in the SWAT Threat Assessment Matrix, service by SWAT shall be required. If a proposed operation, pre-planned arrest or search warrant contains three of the unshaded hazards listed in the SWAT Threat Assessment Matrix, the SWAT Tactical Sergeant or Lieutenant shall be contacted regarding SWAT utilization.

	YES	NO
1. Heavily fortified location (sally port, internal fortification, multiple gates, etc.)		
2. Automatic weapons believed to be on the premises (C.I. information, probable cause, etc.)		
3. Suspect wanted for armed assault on a police officer		
4. Assault weapons, superior armament (high power rifles, scoped rifles, etc.), or ballistic protection (body armor, building fortification, etc.) believed to be on the premises (C.I. information, probable cause, etc.)		
5. Barred doors and windows		
6. Counter surveillance (closed circuit TV, intrusion devices, etc.)		
7. Dog(s)		
8. Third strike candidate		
9. Violent criminal history (armed violence against the public or police)		
10. Firearms believed to be at the location		
11. Threats by suspect against officers		
12. Suspect wanted for armed assault		

Detectives and patrol officers may encounter additional threats not listed above. Detectives and patrol supervisors are encouraged to contact SWAT personnel whenever questions arise in evaluating service options and criteria.

### 7.5.5.3 SWAT ACTIVATION

Revised August 17, 2017

The requesting supervisor will advise the Communications Center to begin the activation process and the Watch Commander will be notified.

The Communications Center will use the notification system to activate SWAT. In the event of a notification system failure, the Communications Center will contact the SWAT Lieutenant or SWAT Tactical Sergeant.

The SWAT Tactical Team and SWAT Hostage Negotiating Team are normally activated together when responding to tactical situations. However, the SWAT Hostage Negotiating Team may be activated separately for the purpose of crisis intervention and will respond without the tactical unit. This requires the authorization of the SWAT Lieutenant or SWAT Tactical Sergeant who will evaluate any tactical issues and determine the appropriate level of response.

#### **7.5.6 BARRICADED SUSPECT – SEARCH WARRANT REQUIREMENT**

##### [Special Order – Barricaded Suspect – Search Warrant Requirements – 2023-3](#)

For the purpose of this requirement, an exigent circumstance is defined as an emergency situation requiring swift action to prevent any of the following conditions:

- Imminent danger to life
- Serious damage to property
- Imminent escape of a suspect
- Destruction of evidence

If any entry is made pursuant to exigent circumstances, under Federal law it must be demonstrated that there was not sufficient time to obtain a warrant prior to entry.

In the absence of a signed Entry and Search Waiver, a warrant shall be secured even if the emergency has concluded prior to the issuance of the warrant. The warrant will ensure access the location for follow-up investigation.

The Incident Commander or his/her designees will initially attempt to obtain an Entry and Search and Waiver form, PD Form 4000.21 A or B (Attachment A-English or B-Spanish). The original Entry and Search Waiver will accompany the original report package. A copy will be attached to the Unusual Occurrence Report.

Entry and Search Waiver forms will be maintained in the Watch Commander's Office and in the Command Post Tactical Van. If the Entry and Search Waiver form is not obtained, the Incident Commander or his/her designee shall obtain a "Felony Warrant of Arrest Upon Probable Cause Complaint" form, PD Form 1000.012, and include the Affidavit form, PD Form 1000.011.

In the event assistance is required for a legal opinion or warrant preparation, the Los Angeles County District Attorney's Command Post should be contacted at telephone number (213) 974-3607. The District Attorney's Command Post shall also be used for telephonic warrants.

The original PD Form 1000.011 and PD Form 1000.012 will be packaged and duplicated. Both packages will be submitted to the court for review. The Watch Commander will maintain a roster of on-call court judges. The judge shall sign the original copy. The signed warrant is valid for 10 days.

Entry to arrest the suspect is now possible. The Incident Commander shall retain the original warrant and a copy retained by the SWAT Commander who will give the copy to the suspect, subsequent to his/her arrest. Following service, a copy of the booking slip will be secured and retained with a copy of the warrant. The Incident Commander or his/her designee shall return the package within 10 days to the Felony Complaint Desk, Criminal Division, Los Angeles County Court, 415 West Ocean Boulevard, Long Beach. An "F" (felony) number will be stamped on the copy of the booking slip and warrant. The complete package will be placed with the original warrant and become part of the original reports required for filing.

#### **7.5.7 EMERGENCY FOOD AND WATER SUPPLIES**

The Commander, Personnel/Training Division, shall be designated the Departmental Logistics Officer. The Logistics Officer shall be responsible for the maintenance and inventory of Department emergency food and water supplies. He/she shall be responsible for confirming that supplies are adequate and maintained in a safe and secure environment. The Logistics Officer shall report to the Chief of Police and apprise him/her as to the status of the food and water appropriations.

Division Commanders shall be responsible for providing the Logistics Officer with a biannual transmittal indicating the location, quantity, and condition of their emergency food and water supplies. Division Commanders shall provide written notification to the Logistics Officer as soon as possible after emergency food or water supplies are used or discovered missing.

The Chief of Police has primary rationing authority. A command officer or designee may authorize the distribution and utilization of emergency food and water supplies within their command.

Emergency food and water supplies shall be stored at specific locations within the City under the auspices of the Police Department. The Chief of Police shall have the authority to vary the locations and quantities of the food and water supplies. The Chief shall notify the Logistics Officer of any changes so that a current inventory can be maintained.

The following is a current list, effective May 1995, of storage locations and the quantities of emergency food and water supplies at the designated sites.

## LOCATION CASES OF DRIED FOOD EMERGENCY EQUIPMENT MODULES

	(12 MEALS PER CASE)	(FOOD/WATER/TOOLS)
Chief of Police	3	6
Station—cargo container in parking lot	24	13
Communications	12	6
Academy	20	9
North Division	18	8
Heliport	12	8
East Division	18	8
Total	107	58

## LOCATION WATER STORAGE

WATER STORAGE	55-GALLON DRUM	30-GALLON DRUM
Chief of Police	0	0
Station-cargo container in parking lot	5	0
Communication Center	0	3
Academy	2	0
North Division	1	2
Heliport	1	2
East Division	1	2
Totals	10	7

### 7.5.8 LABOR RELATIONS MONITORING LOG

The Patrol Bureau shall monitor on-scene activities during strikes. The objectives of all police activities at labor dispute locations are to:

- Maintain law and order
- Protect life and property
- Maintain impartiality and guarantee the civil rights of both parties to dispute

The Watch Commander will ensure police response to any labor dispute and will maintain a record of all police action taken during his/her watch.

The Watch Commander of each Watch is responsible for the initiation and distribution of the "Labor Relations Monitoring Log" prior to the end of his/her watch. This will ensure Watch-to-Watch coordination and a continual update and distribution of pertinent information.

Copies of the Department Labor Relations Unit of the Community Relations Division, Administration Bureau, to establish and maintain positive liaison with labor and

management representatives. The Labor Relations Unit will provide assistance to Department personnel during labor disputes. The Commander of the Community Relations Division will submit the names of the Labor Relations Unit officers to the Station Commander for discretionary utilization in labor-related cases. The Watch Commander may call Labor Relation Officers into the field.

### **7.5.9 FLASH/SOUND DIVERSION DEVICES**

The use of flash/sound diversionary devices, also referred to as “flash-bangs”, shall be restricted to certified/authorized personnel from the SWAT Team.

SWAT Team personnel who have successfully completed a Department approved training course in the proper use and deployment of flash/sound diversionary devices shall be authorized to deploy the devices during actual operations.

Except in extreme emergencies (i.e., life-threatening situations), flash sound diversionary devices shall not be used without prior authorization by the SWAT Team Lieutenant or Tactical Sergeant. In their absence, the Tactical Team Leader may authorize their use.

#### **Procedures**

- Flash/sound diversionary devices may be considered whenever the use of a less lethal diversion would facilitate entry, enable arrest, and potentially reduce the risk of injury to citizens, suspects and officers
- Circumstances justifying the use flash/sound diversionary devices shall include, but not be limited to:
  - Barricaded suspects
  - Hostage rescue operations
  - High risk warrant service
  - Circumstances where distraction of violent and/or mentally deranged persons, or those under the influence of alcohol/drugs are believed necessary to facilitate apprehension
  - Situations where the authorizing person deems the use necessary to resolve the incident safely
- Except in life-threatening situation, certain conditions may exist in which more care should be exercised when deploying flash/sound diversionary devices. These may include, but are not limited to:
  - If intelligence information indicates the possible presence of children or elderly persons
  - Small rooms, closets or areas containing predominately ceramic/hard-type tile walls or floors
  - The suspected presence of highly combustible materials, or flammable vapors or chemicals

#### **DEPLOYMENT CONSIDERATIONS**

Because flash/sound diversionary devices have the potential to ignite flammable materials, when possible a portable fire extinguisher should be accessible whenever devices are to be deployed.

Whenever possible, flash/sound diversionary device should be deployed in an area visible to the deploying officer.

These devices shall not be used solely for the preservation of evidence.

## **REVIEW PROCESS**

The SWAT Lieutenant or Tactical Sergeant shall review the use of flash/sound diversionary devices, as soon as practical, following each incident or operation to ensure the devices were used according to policy and the devices functioned properly. This information should then be documented in the SWAT After–Action Report.

### **7.5.10 DELETED 1/9/23**

### **7.5.11 OVERDOSE PREVENTION PROGRAM**

Revised April 8, 2024

The Community Services Bureau will have review responsibility.

The Overdose Prevention Program provides employees with the training and equipment needed to administer naloxone nasal spray in accordance with mandated guidelines as determined and established by the Long Beach Health Department pursuant to Health & Safety Code § 1797.197 and California Civil Code § 1714.22. The Program shall remain active while supplies are provided by the Long Beach Health Department.

#### **7.5.11.1 DEFINITIONS**

**Naloxone** – A medication designed to rapidly reverse opioid overdose.

**Opioid** – A class of drugs that includes fentanyl, heroin, oxycodone, hydrocodone, codeine, and morphine.

**Overdose** – Consumption of a toxic amount of a drug, either intentionally or by accident, to the extent that it overwhelms the body, renders a person unresponsive to stimulation, and/or causes a person to stop breathing.

#### **7.5.11.2 TRAINING**

Only employees who have completed the Long Beach Health Department's mandated training shall be authorized to administer naloxone nasal spray. Annual refresher training will be provided to employees authorized to administer naloxone.

### **7.5.11.3 PROGRAM COORDINATOR**

The Collaborative Response Division Commander or their designee will serve as the Department's Program Coordinator and will work in collaboration with the Health Department. The Program Coordinator shall be responsible for coordinating training with the Training and Tactical Support Division as well as ordering replacement units, ensuring naloxone is readily available in each Division, and general informational needs.

### **7.5.11.4 NALOXONE NASAL SPRAYERS**

Trained employees are provided naloxone nasal sprayers by the Health Department as supplies are available. Employees may discard expired or administered naloxone nasal sprayers. Expired naloxone is not harmful, but it has a reduced ability to reverse an overdose. No special handling is required. To request a replacement, employees can notify their Division Logistics Officer, or contact the Program Coordinator.

### **7.5.11.5 ADMINISTERING NALOXONE**

Employees who have completed the mandated naloxone training are authorized to administer naloxone when based on their training and experience, reasonably believe someone is suffering an opioid-related overdose.

Employees will retain the discretion to administer naloxone. There is no legal obligation to administer naloxone. Trained employees who administer naloxone to a person who is experiencing or is suspected of experiencing an overdose are protected from civil and criminal liability if they "act with reasonable care" and "in good faith" (Civil Code § 1714.22(f)).

Employees who administer naloxone shall treat the incident as a medical emergency and shall adhere to the following:

- a) Maintain universal precautions.
- b) Perform patient assessment to determine unresponsiveness.
- c) Update Dispatch of a potential overdose situation and ensure Fire Department personnel are responding to the medical emergency.
- d) Follow naloxone use protocol.
- e) Immediately, or as soon as practicable, notify responding emergency medical personnel naloxone has been administered.
- f) Notify a supervisor of the administering of naloxone as soon as practicable.
- g) Document the administration of naloxone in an electronic incident report, the report shall include the name of the supervisor notified, and the name of the emergency medical personnel advised on scene. If the employee who administers naloxone does not have authorization to file an electronic incident report, an employee with authorization shall respond to the scene to document the incident.



NOTE: If naloxone is administered in the jail, then the booking sergeant shall be notified and assume all responsibilities defined within 7.1.19.6 Supervisor Responsibility.

#### **7.5.11.6 SUPERVISOR RESPONSIBILITY**

The supervisor shall do the following:

- Ensure the administration of naloxone is documented
- Notify the Watch Commander

#### **7.5.11.7 WATCH COMMANDER RESPONSIBILITY**

The Watch Commander shall do the following:

- Ensure the administration of naloxone is documented
- Ensure an event is entered in the Watch Commander's Log regarding the administration of naloxone
- Ensure that the City Safety Officer is notified if the naloxone was administered on a City employee

#### **7.5.12 HAZARDOUS MATERIALS**

The Police Department will perform in a subordinate role to the Fire Department in all hazardous materials incidents.

When officers are dispatched to a hazardous material "incident" and, after arrival, have determined that a hazardous material may be involved, the responding officer should immediately summon the Fire Department to act as the command authority. The officer shall request that a police supervisor respond to the scene. The Police Supervisor will notify the Watch Commander of the incident. The Watch Commander will notify the Office of the Chief of Police.

The Police Supervisor will assist the Fire Department by providing the following:

- A liaison officer for the Fire Department Incident Commander
- Control of emergency vehicle access routes
- Perimeter traffic control
- Evacuation, if necessary

Hazardous material incidents may include overturned tanker trucks, underground pipeline breaks, oil spills on waterways, radio-active material leakage, responses to unmarked/unknown containers that have been abandoned, and possible hazardous unidentified narcotics, drugs, chemicals or substances.

Officers are advised to adhere to the following guidelines.

**A Hazardous Materials Incident Exists When:**

A substance, because of quantity, concentration, or physical, chemical, or infectious characteristics may either:

- Cause or contribute to death or an increase in serious illness; or
- Pose a substantial hazard to human health or environment when improperly treated, stored, transported or disposed of; or
- If human exposure should occur, may result in death, disabling injury or serious illness
- Any material identified as a hazardous waste or material in §66680 of Title 22 of the California Administrative Code which causes or contributes to any of the aforementioned circumstances

Guidelines for Determining if the Material is of a Significant Quantity to be a Threat to the Environment or Public Health

When there is a hazardous waste incident, the on-scene Fire Department Incident Commander may contact the Health Department whenever a determination is necessary.

The following criteria may be used by the Fire Department Incident Commander when determining if significant quantities of hazardous waste have been involved and threaten the environment or public health, necessitating immediate Health Department consultation:

- Human or animal mortality (sickness or death)
- Fire, explosion or odor (airborne)
- Discharge into, or a conduit to usable surface water (beaches, recreational water, or storm drain)
- Unsecured residential area (populated)

**Procedures**

- Do not enter any suspect clouds, vapor areas or spills, especially if the substance is unidentified.
  - Do not attempt any rescue actions if the risk of exposure will be detrimental to Department personnel.
  - Establish a perimeter line and keep all individuals out until a positive product identification has been made.
  - The Fire Department will determine the need for areas of “downwind” evacuation and request police assistance if evacuation is required.
  - In incidents where hazardous materials must be retained and analyzed for evidence, the Fire Department Incident Commander will advise the designee who removes the hazardous materials to retain and secure the material until contacted by the Long Beach Police Department Criminalist. The Criminalist will contact the holder of the evidence and determine what steps to take to analyze and identify the material. The Criminalist will also determine whom and where the evidence will be stored.
- HAZARDOUS MATERIALS SAMPLES WILL NOT BE ACCEPTED FOR STORAGE IN THE POLICE PROPERTY SECTION.**

- Under no circumstances will personnel from this Department handle or transport hazardous waste. (This does not preclude a Criminalist transporting samples for analysis.) The Criminalist will be responsible for the safe storage of hazardous materials.

### **Scene Management**

Incidents on State highways or freeways are the responsibility of the California Highway Patrol (CHP). Cal Trans is responsible for clean ups and removal. Until arrival of the CHP, the Fire Department will assume command of the incident and initiate any action necessary. If the CHP is on scene first, the Fire Department will provide resources/services requested.

Incidents occurring in the City of Long Beach on County roads or City streets are the responsibility of the Long Beach Police Department; however, the Fire Department will act as command authority during hazardous materials incidents. Fire Department Incident Commanders will utilize Police Department personnel for law enforcement, traffic control, evacuation, and other police-related functions.

Incidents occurring on waterways are the responsibility of the Coast Guard and/or the Department of Fish and Game (DFG). Until arrival of either organization, the Fire Department will assume command of the incident and initiate necessary actions. If the Coast Guard is on-scene first, the Fire Department will provide resources/services as required.

Incidents on other City property and all private property are the responsibility of the Fire Department. Fire Department Incident Commanders are directed to initiate actions and remain in control As long as a threat to life and property exists. Once the incident is stabilized (safe), the responsible parties will assume cleanup and removal functions.

### **Cleanup Procedures**

All costs associated with cleanup and removal is the responsibility of the product owner and/or handler. Cleanup of abandoned materials on private property is the responsibility of the property owner.

The Fire Department Incident Commander will request dispatchers to notify the Office of Emergency Services (OES) when products have been abandoned or there is no responsible party. Notification to OES is the first step in applying for State cleanup funds. Incident Commanders must provide specific spill information to the dispatchers.

Fire Department dispatchers will be following specific procedures for notifying the OES City Health Department and other necessary resources. Fire Department Incident Commanders will be required to supply all required scene information to ensure compliance with City and State mandates.

Containment resources may be required from Public Service; i.e., skip loaders, clay and sand, barricades, et cetera. The Fire Department Incident Commander should not

hesitate to secure the services of Public Service and/or private resources when a life-threatening situation exists.

## **7.6 EQUIPMENT ISSUE**

### **7.6.1 ISSUANCE & MAINTENANCE OF RADIOS**

#### **Issuing Police Radios**

Employees who desire to check out a hand held radio shall exchange their metal tags imprinted with their photo number for the radio. Watch I shall use RED metal tags, Watch II GREEN metal tags, and Watch III BLUE metal tags. The metal tag shall be placed on a tag board matching the issue number of the radio. When the radio is returned, the metal tag shall be returned to the individual who checked out the radio. In the radio is returned, the metal tag shall be returned to the individual who checked the radio out. In the even an employee is unable to locate the appropriate tag, the paper sign-out system will be used.

Employees shall receive one radio per person. All radios shall be returned to the Issue Room at the end of watch.

#### **Maintenance & Care**

Defective or malfunctioning radios shall be reported to the Issue Room. The Issue Room shall forward the information and the radio to the Public Service Bureau, Electronics Systems, for repair and/or maintenance.

Radios requiring repair shall be delivered to Electronic Systems each workday. Repaired radios shall be returned to the Issue Room.

#### **Lost or Damaged Radios**

Lost, stolen, or damaged radios shall be reported to the employee's supervisor as soon as possible. The supervisor shall determine whether the damage was the result of negligence or carelessness on the part of the employee. The supervisor shall ensure that a lost or stolen report is completed. A copy of the supervisor's report and a copy of the lost or stolen report shall be forwarded to the Patrol Bureau.

In the event that the loss or damage of the radio was a direct result of negligence on the part of the employee, replacement of the radio shall be at the employee's expense.

#### **Radios Not in the Physical Control of the Issue Room**

Details that maintain separate radios on a permanent basis shall implement their own issue and maintenance policy. Each Bureau, however, shall be subject to an inventory audit performed by the Budget Section, a minimum of three times per year.

#### **Patrol Watch I & III**

The Issue Room shall notify the Watch Commander when assistance is required.

### **7.6.2**

#### **SHOTGUNS**

Revised November 16, 2016

Reviewed January 2020

The Support Bureau has audit responsibility.

The Long Beach Police Pistol Range (Pistol Range) is responsible for issuing shotguns to each Division. The approved shotgun for the Long Beach Police Department is a Remington, 12-gauge, Model 870 Wingmaster Pump. Only shotguns issued by the Pistol Range may be deployed. Shotguns issued by the Pistol Range may not be modified without the approval of the Range Master.

Shotguns shall be permanently placed in black and white police vehicles. Officers will confirm that the shotgun is locked in the shotgun rack. If a black and white vehicle is without a shotgun, a new shotgun shall be obtained from the issue room. If a vehicle is left unattended, officers will ensure that the vehicle is locked and that the shotgun is locked in the shotgun rack.

In the event a vehicle must be towed, the shotgun will be removed from the vehicle and returned to the division issue room or shotgun locker.

#### **7.6.2.1 PRE-SHIFT SHOTGUN INSPECTION**

Revised November 16, 2016  
Reviewed January 2020

Prior to going into service, or as soon as practical, officers will inspect the shotgun assigned to them for their shift to determine if the shotgun is ready for deployment. Officers shall not complete shotgun inspections while seated in a vehicle.

If the shotgun requires cleaning or repairs, officers shall return the shotgun to the division issue room or shotgun locker, tag the shotgun noting any issues, notify the division administrative officer, and checkout another shotgun.

#### **7.6.2.2 SHOTGUN LOADING AND UNLOADING**

Revised November 16, 2016  
Reviewed January 2020

Officers shall not load or unload shotguns while seated in a vehicle. The shotgun shall be unloaded from the loading port only. Officers will unload the shotgun using current approved [unloading procedures](#). Officers shall not unload shotguns by repeatedly racking the slide.

#### **7.6.2.3 INSPECTION OF EXISTING AMMUNITION**

Revised November 16, 2016  
Reviewed January 2020

Prior to going into service, or as soon as practical, officers will inspect their shotgun ammunition. If there is any wear on the lip of the brass, the round shall be replaced with a new round. The division administrative officer will ensure that [worn rounds](#) are returned to the Range for replacement.

#### **7.6.2.4 ROTATION OF SHOTGUN AMMUNITION**

Revised November 16, 2016  
Reviewed January 2020

Shotgun ammunition will be replaced during each Division's designated maintenance period and returned to the Pistol Range. Rotation of Division ammunition will be managed by the Division Commander.

#### **7.6.2.5 INVENTORY AND MAINTENANCE**

Revised November 16, 2016

Reviewed January 2020

The Pistol Range shall be responsible for annual maintenance and inventory of all Department owned shotguns, with the exception of SWAT shotguns. A maintenance log shall be kept detailing all work completed on the shotguns. All shotgun maintenance will be done at the Pistol Range by Range staff.

Each division shall rotate their patrol shotguns through the Pistol Range following the schedule below.

South Division	January – March
West Division	April – June
East Division	July – September
North Division	October – December
Investigations Bureau	January – June
Support Bureau	July – December
Field Support	July - December

Each Division Commander will be responsible for ensuring that division shotguns are brought to the Range for maintenance and then returned to the division.

## 7.7 CANINE UNIT (CU)

Revised October 12, 2023

The Support Bureau shall review this policy on a three-year review cycle.

### 7.7.1 CANINE UNIT PURPOSE AND SCOPE

Revised October 12, 2023

A police canine increases the degree of safety to members of the public within a contained search area, enhances individual officer safety, increases the likelihood of suspect apprehension, and provides the tactical advantage and ability to de-escalate using time, distance, and cover (for further see LBPD Manual § 10.3.3. De-escalation). The Canine Unit (CU) was established to supplement police services to the community. Highly skilled and trained teams of handlers and canines are used to assist police operations in locating individuals and contraband and apprehending criminal offenders.

### 7.7.2 DEFINITIONS

Revised October 12, 2023

**Canine** – Any Department approved patrol canine or detection canine, handled by a police officer, used in the commission of their police duties.

**Canine Deployment** – Any time a canine is used for searching for odor or suspect apprehension, not including training or demonstrations.

**Canine Contact** – Any time a canine bites a person at the direction of a canine handler outside of a training environment.

**Detection Canine** – Any canine used to search for narcotics or explosive odors.

**Explosives Detection Canine (EDC)** – A single-purpose canine used only to detect explosive odors; including firearms.

**Narcotics Detection Canine (NDC)** – A single-purpose or crossed-trained patrol canine that has been trained in the detection of narcotic odors.

**Patrol Canine** – Any canine used to search for human odor or for directed suspect apprehension.

**Spotter** – A police officer assigned to assist an EDC handler with lethal cover, time management, coordinating the search, and communications.

### 7.7.3 PATROL CANINE

Revised October 12, 2023

The patrol canine is a Level 2 force option (for further refer to LBPD Manual § 10.8.3 Use of Force – Review Levels).



### 7.7.3.1 PATROL CANINE DEPLOYMENT CRITERIA

Revised October 12, 2023

The decision to deploy a patrol canine shall rest with the handler, however the Watch Commander may cancel a patrol canine deployment.

The deployment of a canine may be used to locate and apprehend a suspect if the canine handler reasonably believes the individual is threatening to commit, has committed or is committing a felony offense or armed misdemeanor, and if any of the following conditions exist:

- a) There is a reasonable belief the individual poses an immediate threat of violence or serious harm to the public or any officer.
- b) The individual is physically resisting or is threatening to resist arrest and the use of a patrol canine is necessary and proportional to overcome such resistance.
- c) The individual is believed to be concealed in an area where entry by other than a patrol canine would pose a threat to the safety of officers or the public.
- d) Grand theft auto when the suspect is reasonably believed to be an adult, and reasonably believed to be the driver of a confirmed stolen vehicle; known passengers, absent extenuating circumstances, should not be searched for with the use of a patrol canine.

The following shall be considered:

- The nature and severity of the suspected offense
- The potential risk to the suspect(s)
- The suspect's known age or perceived age
- The ability of the suspect to understand and comprehend canine warnings to include language barriers or disabilities (for further see LBPD Manual § 10.3.5 Vulnerable Populations).
- The potential danger to the public that may result from the deployment of a patrol canine

### 7.7.3.2 PATROL CANINE HANDLER RESPONSIBILITIES

Revised October 12, 2023

The handler shall be responsible for the following during a patrol canine deployment:

- When feasible, respond to the Command Post prior to deployment.
- Determine the search tactics, tactical, and medical plan to be utilized.
- Coordinate the canine deployment with assisting officers.
- In situations where a canine contacts a suspect, the handler shall continually evaluate for the suspect's verbal and physical response, threat, or resistance to the canine contact.
- The handler shall call off the canine at the first reasonable moment the canine can be safely released from the contact.

### **7.7.3.3 PATROL CANINE ANNOUNCEMENTS**

Revised October 12, 2023

Preceding the deployment of a patrol canine when searching for suspects, there shall be a clear, audible search announcement, followed by a reasonable period of time to allow compliance. When appropriate and when resources are available, the announcement will be made in accordance with the [City of Long Beach Language Access Policy](#).

### **7.7.3.4 PATROL CANINE ANNOUNCEMENT EXCEPTION**

Revised October 12, 2023

When conducting searches for suspects believed to be armed, concerns for the safety of search personnel may dictate a patrol canine search announcement is not made. Any exception to this announcement policy must be fully justified by conditions and circumstances in a specific incident that create officer or public safety concerns exceeding those that may typically be associated with patrol canine deployment operations.

The decision not to make a patrol canine search announcement absent exigency, must be approved by the Incident Commander and documented in the electronic incident report.

### **7.7.4 NARCOTIC DETECTION CANINE (NDC)**

Revised October 12, 2023

The NDC provides narcotic odor detection search support for the following:

- Patrol orientated search request (e.g., vehicle, house, area)
- Narcotics Detective request for specific support
- Providing routine sweeps of schools
- Providing routine sweeps of transportation hubs to include airport, bus terminals, Metro rail, and cruise terminals
- Providing probable cause to search a vehicle during a traffic stop

#### **7.7.4.1 NDC HANDLER RESPONSIBILITIES**

Revised October 12, 2023

When a handler is requested to assist with a narcotics canine search, the handler should consider the following:

- a) When feasible contact the officers on scene and ask them not to search prior to NDC arrival.
- b) If possible, obtain intelligence on the type of drug being searched for to avoid NDC contact with caustic chemicals.
- c) Conduct a safety check of the area prior to beginning a search to avoid NDC encountering dangerous chemicals.
- d) Clear all animals out of the search area, if possible.
- e) Clear all occupants from the search area.

### **7.7.5 EXPLOSIVES DETECTION CANINE (EDC)**

Revised October 12, 2023

The EDC provides searches support for the following:

- Threat of an explosive device
- Securing the command post during a bomb squad call-out
- Checking for secondary explosive devices
- Responding to suspicious and unattended items
- Providing EDC general and routine sweeps for critical infrastructure and special events (e.g., Long Beach Airport, Grand Prix, Long Beach Marathon)
- Searches for firearms

#### **7.7.5.1 EDC DEPLOYMENT CRITERIA**

Revised October 12, 2023

When feasible and prior to the deployment of an EDC, the handler at the scene shall consider all pertinent information available at the time. The decision to deploy will be evaluated based on articulable facts and at the discretion of the CU supervisor or the EDC handler.

- The EDC shall be deployed with a minimum of one spotter unless there are exigent circumstances.
- An EDC shall not be used to assess, examine, or clear items already identified as a suspected explosive device.

#### **7.7.5.2 EDC HANDLER RESPONSIBILITIES**

Revised October 12, 2023

The EDC handler shall do the following prior to the deployment of an EDC on searches involving large areas for threats of explosive devices:

- Ensure a medical plan is developed with the Incident Commander and briefed to assisting units.
- Notify the Canine Unit Supervisor or a designee when deploying for suspected explosive devices only.
- Notify an Airport Supervisor or designee when an EDC is requested for a response to the Long Beach Airport.

### **7.7.6 TRANSPORTATION SECURITY ADMINISTRATION'S (TSA) NATIONAL EXPLOSIVES DETECTION CANINE TEAM PROGRAM (NEDCTP)**

Revised October 12, 2023

The TSA NEDCTP are single purpose explosive detection canines and have specific guidelines and requirements that must be met. The TSA NEDCTP are not assigned to the CU. Management and supervision will be shared between the Airport Police Sergeant and the CU Sergeant. For further on EDC refer to [7.7.5 Explosives Detection Canine](#).

Canines assigned to CU officers participating in the TSA NEDCTP are owned by the TSA. CU handlers assigned a TSA canine shall follow all training and deployment guidelines established in the current TSA-LBPD Memorandum of Understanding (MOU) and the LBPD Manual.

Handlers assigned to the Airport Police and participating in TSA NEDCTP shall follow the established training program provided by their TSA training coordinator.

### **7.7.7 CANINE CONTACTS – CU HANDLER RESPONSIBILITIES**

Revised October 12, 2023

If a canine contact occurs, the canine handler shall ensure the subject receives medical aid per LBPD Manual § 10.3.6. Medical Aid. The canine handler shall immediately report any contact to the lieutenant overseeing the canine unit or their designee.

Prior to going off duty, the canine handler shall complete an electronic incident report associated with the deployment of the canine. The report shall include:

- a) The circumstances surrounding the deployment and contact by the canine.
- b) De-escalation methods attempted.
- c) Medical care provided.
- d) Photographs are taken of the contact subject.
- e) Method of announcements.
- f) The justification for not making a canine search announcement if an announcement is not conducted.
- g) The duration of the canine contact with a suspect/subject.
- h) The name of the involved field supervisor and Watch Commander.

NEDCTP participants, must immediately notify their TSA Headquarters Canine Coordinator (HQCC), or their designee, for any actual or alleged TSA canine induced injury. In these instances, the Long Beach Airport Supervisor or designee shall be notified.

#### **7.7.7.1 LIEUTENANT OVERSEEING THE CANINE UNIT - RESPONSIBILITIES**

Revised October 12, 2023

The CU Lieutenant, or their designee, shall respond to the scene of any canine contact. The CU Lieutenant shall refer to LBPD Manual § 10.9.2 Use of Force – Supervisor Responsibilities.

The CU Lieutenant shall ensure all intentional contacts are documented for administrative review. In the event of an unintentional contact or property damage, the CU Lieutenant shall document the incident in an administrative report to be submitted through the chain of command to the Training and Tactical Support Division Commander for review. The CU Lieutenant shall track all canine contacts and ensure the CU's contact data is maintained and up to date.

### **7.7.8 TRAINING – CU CANINE**

Revised October 12, 2023

Handlers assigned to the CU are typically assigned two canines: a patrol canine that may also be cross trained to detect narcotics and a single purpose explosive detection canine. To maintain a high level of operational status, handlers are required to attend regularly scheduled training days, as well as train one hour per shift. The standard shall be a minimum of 40 hours per month.

#### **7.7.8.1 TRAINING – TSA NEDCTP**

Revised October 12, 2023

Handlers assigned to the Airport Police and participating in TSA NEDCTP shall follow the established training program provided by their TSA training coordinator.

#### **7.7.8.2 TRAINING – SERGEANT RESPONSIBILITIES**

Revised October 12, 2023

- Ensure a minimum of one POST certified trainer is maintained in the CU.
- Ensure the CU trainer is certified to train both patrol and detection canines.
- Ensure proper training is being conducted, review training records, and supervise certifications.
- Ensure periodic training is scheduled for all Department personnel to familiarize them with how to conduct themselves in the presence of a Department canine.
- The CU Sergeant, or designee, shall be responsible for all LBPDP operated patrol and detection canine training.
- The CU Sergeant shall ensure the TSA NEDCTP Canine Training Instructor (CTI) is providing proper and timely NEDCTP canine and handler training.

#### **7.7.9 CERTIFICATION – CANINE**

Revised October 12, 2023

Before assignment in the field, each canine shall be trained by LBPDP CU staff and certified to meet CU standards and current POST guidelines. Certifications will occur three times annually for both patrol and detection canines. The CU Sergeant or designee shall supervise the certification process.

If the handler/canine team is absent from duty for more than ninety days, the team shall recertify before deploying to the field.

If a handler/canine team fails certification, the unit shall not deploy until remediation and certification are complete.

The CU trainer shall recommend a training plan to correct the deficiency and submit the training plan to the CU Sergeant. Upon completing the training, the handler/canine team shall be re-evaluated for certification.

Repeated certification failures with the need to retrain the same behavior is cause for removal from the unit.

**7.7.9.1 CERTIFICATION – TSA**

Revised October 12, 2023

TSA requires all canines to pass TSA certification evaluations on an annual basis. The evaluations are administered by personnel from their Canine Training Center and conducted at the canine team's assigned duty location. TSA is the sole certifying official for all TSA NEDCTP canines. TSA deployed canine may not obtain any other certifications.

If a handler/canine team fails certification, the unit shall not deploy until remediation and certification are complete.

The CU sergeant will consult with the TSA CTI to recommend a training plan to correct the deficiency. Upon completing the training, the handler/canine team shall be re-evaluated for certification.

Repeated certification failures with the need to retrain the same behavior is cause for removal from the unit.

**7.7.10 TRAINING AIDS**

Revised October 12, 2023

**7.7.10.1 NARCOTICS**

Revised October 12, 2023

Narcotics training aids will be acquired, issued, and inspected in accordance with LBPD Manual § 7.1.33. Drugs For K-9 Recognition Training.

**7.7.10.2 EXPLOSIVES**

Revised October 12, 2023

Explosive training aids shall be purchased from and delivered by a licensed vendor. The explosive training aids shall be stored and inspected in accordance with ATF regulations. Only TSA provided or approved Canine Explosive Training Aids will be stored in the TSA provided magazine in accordance with the ATF Explosives storage requirements.

**7.7.10.3 OTHER EQUIPMENT**

Revised October 12, 2023

Canine handlers shall ensure all assigned equipment is maintained in good working order. The CU Sergeant shall be required to manage equipment, uniforms, and vehicles issued to all canine teams and conduct monthly inspections. The CU Sergeant shall schedule regular maintenance of equipment and provide training to canine handlers on the equipment used.

**7.7.11 CU ASSISTANCE TO FOREIGN JURISDICTIONS**

Revised October 12, 2023

The Watch Commander or an on-duty lieutenant is authorized to approve requests from outside agencies for assistance from an LBPD canine. In all situations involving the deployment of an LBPD canine for another jurisdiction, LBPD deployment policies shall apply.

**7.7.11.1 USE OF FOREIGN JURISDICTION CANINES**

Revised October 12, 2023

The use of canines from other agencies should only be requested when LBPD canines are unavailable, or fully committed. The Watch Commander must approve the deployment of another agency's canines. Such a deployment shall be consistent with LBPD policy.

In situations where an outside agency canine is used and a contact occurs, the Watch Commander shall be notified. The CU Lieutenant, or designee, shall respond and conduct an immediate follow-up investigation. The CU Lieutenant, or designee, shall obtain any arrest reports or statements that may be provided by the outside agency. The ultimate responsibility to file the follow-up report is that of the CU Sergeant or their designee.

**7.7.12 CANINE MEDICAL CARE**

Revised October 12, 2023

It shall be the responsibility of the individual handlers to maintain a healthy environment for their canine and provide medical attention when necessary.

All medical attention, on or off duty, shall be rendered by designated canine veterinarians. In the event of an emergency, the canine may be transported to the nearest emergency medical facility. The canine handler shall notify the CU Sergeant as soon as practical and direct a memorandum to the CU Sergeant articulating the circumstances surrounding the need for medical attention.

TSA NEDCTP handlers shall ensure all prescribed routine and emergency examinations are adhered to and performed by licensed, board certified veterinary medical professionals for all canines. NEDCTP reserves the right to consult with a Department of Defense (DoD) veterinarian for any proposed medical treatment for TSA canines.

**7.7.13 OFF DUTY HANDLER AND CANINE RESTRICTIONS**

Revised October 12, 2023

Police personnel shall not purposely agitate or tease a canine nor allow others to do so.

While off duty, handlers care for their canine in the home, but canines are not family pets. Canine handlers shall not allow their canines to do the following:

- Move freely and unsupervised in public areas.
- Engage in activity with non-immediate family members without handler supervision.
- Engage in play biting.

Participate in off duty demonstrations without the approval of the CU Supervisor or unit trainer present.



## 7.8 BODY WORN CAMERA (BWC)

Revised February 19, 2024

The Patrol Bureau shall review this policy on a two-year cycle.

### 7.8.1 PURPOSE

Revised February 19, 2024

This policy establishes expectations regarding the use, release, management, and storage of Body Worn Cameras (BWC) and their footage. The use of BWCs provides objective digital records of events and police encounters with the public. BWC recordings are intended to assist authorized Department personnel in the performance of their duties and may be an important tool for capturing relevant evidence, improving services and contacts with the community, and maintaining public trust.

An officer's recollection and perception of specific details may differ from what is captured on a BWC recording. The use of cameras does not replace or reduce the requirement to provide thorough written documentation.

### 7.8.2 DEFINITIONS

Revised February 19, 2024

**Activate** – Manually switch the BWC device from buffering mode to event (record) mode to start recording audio and video.

**Body Worn Camera (BWC)** – A camera worn by an individual employee that records and stores audio and video.

**Buffering Mode** – The BWC is powered on and is continuously looping a video recording for up to 60 seconds before the recording is activated by the employee. While buffering, video only (no audio) is being recorded.

**Deactivate** – Manually stop the BWC device which halts the recording of audio and digital media and returns the device to buffering mode.

**Docking** – The process by which an employee places a BWC into a network-attached data transfer device, which causes videos recorded onto the BWC to be uploaded to the footage management system, the BWC battery to charge, and the firmware to update.

**Footage** – Video including audio captured by a BWC device and stored digitally.

**Footage Management System** – A technological system that stores digitally encrypted data accessible to authorized personnel.

**Metadata** – Department Record (DR) numbers, Computer Aided Dispatch (CAD) call numbers, Global Positioning System (GPS), and other descriptors used to identify footage.

**Official Responsibility** – Refers to the responsibilities as described in Manual §§ 7.8.4.1 Uniformed Employee Responsibilities and 7.8.4.2 Non-Uniformed Employee Responsibilities, respectively.

### 7.8.3 BWC USE

Revised February 19, 2024

#### **BWC Equipment**

- Only authorized and trained personnel shall receive a BWC device.
- BWC equipment is for official use only and shall not be utilized for personal use.
- Personally purchased or acquired BWC devices are not authorized.
- All BWC footage is considered the property of the LBPd.
- Employees shall make a reasonable effort to keep their BWC device adequately charged throughout their shift.

#### **BWC Operation**

Before each shift, when an employee who is issued a BWC and the assigned shift involves official responsibilities, they shall adhere to the following:

- 1) **Camera inspection** – Visually and physically inspect the device to ensure it is adequately charged and operational.
- 2) **Camera position** – Attach the BWC with an unobstructed forward-facing view at chest level. This does not apply to non-uniformed personnel until the employee is performing official responsibilities. For further refer to Manual § 7.8.4.2 Non-Uniformed Employee Responsibilities.
- 3) **Camera deployment** – Ensure the BWC is in buffering mode before deploying to the field or conducting official responsibilities.
- 4) **Conclusion of shift** – Place assigned BWC in the docking station at the end of each shift. When a docking station is unavailable, begin the charging and footage uploading process via data transfer cable using the appropriate software.
- 5) **Metadata Entry** – When employees discover or are advised of missing or inaccurate metadata related to a BWC recording, the employee shall update the metadata entry as soon as practicable.

If a BWC device or component is damaged, defective, lost, or stolen, the user shall contact a supervisor as soon as possible but no later than the end of their shift and note the malfunction in their unit history. The employee shall notify their supervisor and PD Fleet and Field Technology Section to facilitate a replacement BWC as soon as practicable.

#### **Members of the Public - Advisement and Requests**

Upon BWC activation, employees are encouraged to advise members of the public they are being recorded. If asked, employees shall advise they are being recorded. Exceptions may be made for investigative reasons; these reasons shall be documented in either an electronic incident report, RNB, or call history.

Employees shall not be required to activate or deactivate their body-worn camera based solely on requests or demands of members of the public, but rather rely on their training and this policy to direct their use of the body-worn camera. Should a member of the public request the BWC footage, employees shall advise them to submit a public record request through the Department's Public Records Portal on its website.

#### **7.8.4 BWC ACTIVATION**

Revised February 19, 2024

The safety of the employee and the public takes precedence over BWC activation. Uniformed and non-uniformed employees shall activate their BWC before they arrive on scene to conduct official responsibilities and continue recording without interruption, even when temporarily stepping away from a member of the public, until their official responsibilities have concluded.

If it was not feasible for an employee to activate their BWC prior to arriving on scene or initiating official responsibilities for safety reasons or rapidly evolving events, the employee shall activate the BWC as soon as safe to do so.

If an employee does not activate their BWC, activates their BWC late, or terminates their BWC prematurely, for reasons other than listed in Manual § 7.8.4.4 When to Turn BWC Off or Manual § 7.8.4.5 Authorized to Deactivate, employees shall notify a supervisor and document the circumstances in an electronic incident report. Should no incident report be required, employees shall document the circumstances in their CAD call history and include the name of the supervisor notified.

##### **7.8.4.1 UNIFORMED EMPLOYEE RESPONSIBILITIES**

Revised February 19, 2024

All employees issued a BWC shall wear and use their BWC while working in any uniformed assignment in the field or during other related enforcement or investigative duties while in uniform. A uniform includes attire that easily identifies the employee as a Police Officer or Special Services Officer (SSO) (e.g., tactical vest, raid jacket/vest). Unless recording, employees assigned a BWC shall ensure their BWC is in buffering mode at all times while in the field, including to and from the courtroom.

Uniformed employees shall activate their BWC for any official responsibility, including but not limited to all:

- A) Calls for service
- B) Pedestrian stops, including consensual encounters
- C) Detentions and arrests, including transportation and booking until released to jail personnel.
- D) Searches of a person or their property
- E) Search warrant service
- F) Vehicle/traffic stops

- G) Vehicle pursuits
- H) Evidence collection
- I) Foot pursuits
- J) Uses of force
- K) Transportation of members of the public.
- L) Extraditions of persons who are uncooperative, belligerent, or otherwise hostile
- M) Any encounter with a member of the public that is or becomes uncooperative, belligerent, or otherwise hostile
- N) While assigned to or working an overtime shift in the LBPD Jail Section when interacting with, handcuffing, or moving an uncooperative, belligerent, or otherwise hostile inmate

Employees are encouraged to activate their BWC in any situation when the recording would be valuable for evidentiary purposes.

#### **7.8.4.2 NON-UNIFORMED EMPLOYEE RESPONSIBILITIES**

Revised February 19, 2024

At the beginning of each shift, non-uniformed employees shall conduct a camera inspection, ensure their BWC is available and stored with their equipment. Non-uniformed employees shall activate their BWC when:

- Engaging in any preplanned enforcement contacts.
- Executing any preplanned search warrants or arrest warrants; recording the execution of the warrant from the beginning of the service to the conclusion of the event.
- They have made an arrest and are transporting a defendant, non-uniformed employees shall have the same expectations as uniformed employees (refer to § 7.8.4.1).
- Transportation of members of the public.
- Extraditions of persons who are uncooperative, belligerent, or otherwise hostile.

Non-uniformed employees may use their discretion to activate their BWCs in other situations where they believe the recording would be beneficial to their investigation or the situation.

#### **7.8.4.3 CONCLUSION OF OFFICIAL RESPONSIBILITIES**

Revised February 19, 2024

Once an employee has activated their BWC as required by this policy, employees shall continue their BWC recording without interruption until the conclusion of all official responsibilities. For this section official responsibilities have concluded when one of the following has occurred:

- All evidence has been collected and all involved parties have left the location, including but not limited to victim(s), witness(es), suspect(s), and calling party(ies), and
- All employees at the location reasonably believe there will be no further contact with the involved party(ies),
- The employee has left the location and is no longer engaged in an official responsibility, or
- The employee(s) who arrested the defendant(s) have completed the transportation, including transportation and booking until released to jail personnel.

If contact with the public resumes or an employee resumes official responsibilities, the employee shall reactivate their BWC and continue recording.

Any employee assisting on scene with another employee conducting official responsibilities shall also activate their BWC regardless of their involvement with the official responsibility being conducted, unless the employee can articulate they are assigned to a stagnant position as it relates to Manual § 7.8.4.5 Authorized to Deactivate.

Should an employee terminate a recording prior to the conclusion of official responsibilities for reasons listed under Manual § 7.8.4.4 When Not to Record or Manual § 7.8.4.5 Authorized to Deactivate, employees are encouraged to verbally articulate on the recording the reason(s) for turning off the camera before deactivating the BWC.

#### **7.8.4.4 WHEN TO TURN BWC OFF**

Revised February 19, 2024

Employees shall turn off their BWC:

- 1) When in areas where there is a reasonable expectation of privacy (e.g., locker rooms, restrooms, or breakrooms).
- 2) Within police facilities unless the employee is conducting official responsibilities.
- 3) During Internal Affairs interviews.
- 4) During strip searches.
- 5) While in the courtroom and judge's chambers (BWC shall be in buffering mode when in all other areas of the courthouse including the hallways and common areas).

#### **7.8.4.5 AUTHORIZED TO DEACTIVATE**

Revised February 19, 2024

Employees may deactivate their BWC:

- 1) While debriefing tactics in the field
- 2) When an employee believes that the use of a BWC would impede or limit the cooperation of a victim or witness during an investigative contact. If such a situation occurs, the employee shall notify a supervisor. Additionally, the employee shall document the circumstances and the name of the supervisor notified in the

appropriate electronic incident report; if there is no incident report, the circumstances shall be included in their CAD call history.

- 3) When an employee is on scene for an extended period, they are not engaged in an official responsibility, and they need to handle a personal necessity.
- 4) When assigned to a stagnant position for an extended period of time where interaction with members of the public is unlikely (e.g., scribe, command post, liaison, homicide or fatality scene security, or perimeter after suspect is in custody or suspect is gone upon arrival).

**Note: Awaiting evidence collection is not a stagnant position and BWC shall remain activated.**

### **7.8.5 RETENTION OF BWC DATA AND FOOTAGE**

Revised February 19, 2024

All recordings shall be preserved in accordance with the law and per Department retention guidelines ([for further see the City of Long Beach Records Retention Schedule-Police Department](#)). All recordings not governed by legal statute shall be retained for one year.

Department retention guidelines for all evidentiary recordings shall include permanently retaining records or logs of access and deletions of data from body-worn cameras and retaining recordings for a minimum of 2 years, under the following circumstances:

- 1) Recordings related to the use of force by an employee or an officer-involved shooting
- 2) Recordings of an incident that leads to the detention or arrest of an individual
- 3) Recordings relevant to a formal or informal complaint against a peace officer or law enforcement agency

### **7.8.6 BWC FOOTAGE REVIEW**

Revised February 19, 2024

All BWC recordings are subject to review. However, some circumstances may involve an inherent expectation of privacy, such as those situations listed in Manual § 7.8.4.4 When to Turn BWC Off.

Accessing, copying, forwarding, or releasing any footage for other than official Police Department use is prohibited. Personal computer equipment and software programs shall not be used to make copies of footage.

#### **Employee's Review**

Employees may review BWC footage under the following circumstances:

- When employees appear or could have been heard in their recording or the recording of another employee
- When the footage is relevant to their investigation
- Prior to completing reports to ensure accuracy

- Prior to providing testimony at hearings, trials, or depositions
- At the direction of the Internal Affairs Section during an internal investigation

Footage capturing an officer-involved shooting or in-custody death may be reviewed by involved employees after obtaining approval from the Homicide Supervisor. Approval is not needed in exigent circumstances (e.g., to help identify a suspect involved in an officer-involved shooting who has fled the scene).

Employees shall note in any connecting police report(s) whether they reviewed BWC footage prior to writing the report.

### **Organizational Review**

Revised July 20, 2018

Supervisors and management may review and use BWC footage for administrative purposes limited to the following:

- Death or injury of a Department employee
- Use of force
- In-custody death
- Police pursuit
- Officer-involved shooting
- Personnel investigations
- Prior to the release of a recording in response to a proper legal request (e.g., in response to a subpoena, court order, or Public Records Act Request).

It is not the intent of the Department to review BWC footage for the sole purpose of discovering general policy violations. However, if an employee believes they have identified potential misconduct during the normal course of an investigative or supervisory review of video, that employee shall report the perceived misconduct to the observed employee's supervisor.

Supervisors should handle minor infractions of policy or procedure as a training issue and should use the opportunity to counsel employees to ensure no future violations occur. Serious offenses that could result in formal discipline or repeated violations should be handled in accordance with existing Department policy addressing misconduct.

In other situations where there is a need to review digital evidence not covered by this procedure, the employee's Divisional Commander must approve the request. Each situation will be evaluated on a case-by-case basis.

### **Footage Used for Training**

Field Training Officers and program supervisors shall have full access to the recordings of their trainees during the period of their assignment to the FTO program and may use that information to review their relevant trainees' footage to improve performance.

When an incident is recorded that may be of value as a training aid for the Department, such incident shall require the approval of the appropriate Divisional Commander and the Patrol Bureau Deputy Chief or designee.

#### **7.8.6.1 SUPERVISOR RESPONSIBILITIES**

Revised February 19, 2024

Supervisors with employees under their purview who are assigned a BWC shall conduct a weekly BWC review as follows:

- Review one BWC recording from one employee.
- The BWC recording shall be randomly selected and viewed to determine if it complies with Department policy.
- Ensure the metadata is entered accurately and the BWC is being used according to Department policy.
- The results shall be documented on the appropriate electronic supervisor report and routed to the Divisional Commander.

The Supervisor shall continue to rotate through their employee roster to ensure each employee's BWC recordings are periodically reviewed.

#### **7.8.7 DELETION OF RECORDINGS**

Revised February 19, 2024

Internal security functions prevent BWC footage from being altered or deleted by employees and supervisors. A Department employee may request a recording deletion for the following reasons:

- Unintentional activation
- Tactically sensitive recording
- Medically sensitive recording
- Recordings of undercover employees or confidential informants
- Other recordings that are not within the objectives of the BWC program, and are not governed by legal statute

A memorandum detailing the circumstances of the recording will be forwarded via the chain of command to the employee's Divisional Commander. The approved memorandum will be forwarded to the Finance and Facilities Division Administrator. The Finance and Facilities Division Administrator shall facilitate the actual removal of any record approved for deletion. The Finance and Facilities Division Administrator shall maintain a record of the approved request.

Requests for deleting BWC footage that captured sensitive content (full or partial nudity) unrelated to a law enforcement contact may be expedited under the following protocol:

- An email requesting a deletion is sent to [PD-BWCHelp@longbeach.gov](mailto:PD-BWCHelp@longbeach.gov) providing details of the incident, including who recorded the footage, as well as the time and date of the recording.



- The footage is confirmed to contain employee-sensitive content.
- A record of the deletion is appropriately logged by the BWC office.

Video requested for deletion that also contains footage believed to have investigative or administrative value will not be deleted but will be marked “restricted” to prevent unnecessary viewing.

Restricted video requested for disclosure through litigation or PRA requests shall be appropriately redacted of all sensitive content before release.

Footage Management System permanently retains records or logs of access and deletion of data from the digital media storage repository.

### **7.8.8 BUSINESS OPERATIONS BUREAU RESPONSIBILITIES**

Revised February 19, 2024

The Business Operations Bureau is responsible for coordinating the following:

- Training as required
- Inventory
- Ensuring proper performance of equipment

## **8 INVESTIGATIONS**

### **8.1 INVESTIGATIONS**

#### **8.1.1 LETTERS TO VICTIMS OF CRIMES**

Due to the nature of the crimes and the investigative techniques used in processing, victims of the following crimes will NOT receive a disposition letter:

- Homicide/Dead Body
- Sexual assault
- Traffic Collision/hit and run
- Forgery/fraud check cases
- Petty theft drive-outs
- Cases where the victim is a government agency
- Cases where sworn officers are victims
- Unfounded cases
- Refusal to prosecute

There will be other cases that because of their nature or special circumstances, the available disposition letters will not apply and a disposition letter will not be sent.

#### **Disposition Letter Guidelines**

There are 21 disposition letters available to victims of crime. These letters are programmed into the computer as part of the PSIS system. The letters will be printed as a part of the computer programming developed under the Management of Criminal Investigations (MCI). The letters will be generated at the time the investigator-assigned update function is performed in the individual investigative detail. A letter will be mailed from the City mailroom.

The following method will be used to assure that the appropriate victims of crime receive a disposition letter:

#### **Cases that are NOT Assigned for Follow-Up Investigation**

A letter (N) will automatically be generated on all cases with little or no solvability factors present. This will be determined in each, respective, investigative Detail.

#### **Cases that are Assigned for Follow-up Investigation**

The investigative detail assigned will perform the investigator-assigned update function. When an investigator is assigned to a case, a letter will be generated to the victim informing him/her that the case has been assigned. When the investigator concludes the investigation and a disposition, a second letter will be generated advising the victim of the outcome. It will be the responsibility of the assigned investigator to indicate on the case disposition sheet the specific letter to be sent.

#### **Available Letters/Computer Codes**

The following is a list of current letters available, the appropriate computer code, and the intended use:

**Letter Code Use**

<b>A</b>	Auto Theft (Insufficient evidence to continue investigation)
<b>B</b>	Case not assigned (no solvability factor)
<b>C</b>	Case has been assigned to the Fire Prevention Bureau
<b>D</b>	Case has been assigned to the Burglary Detail
<b>E</b>	Case has been assigned to the Auto Theft Detail
<b>G</b>	Case has been assigned to the Forgery Detail
<b>H</b>	Case has been assigned to the Robbery Detail
<b>I</b>	Case has been assigned to the Homicide Detail
<b>J</b>	Case has been assigned to the Gangs/Violent Crimes Detail
<b>K</b>	Case has been assigned to the Sex Crimes Detail
<b>L</b>	Case has been assigned to the Career Criminal Apprehension Team (C-CAT)
<b>M</b>	Case has been assigned to the Juvenile Division
<b>N</b>	Case has been suspended
<b>O</b>	Case rejected by the District Attorney
<b>P</b>	Case filed by the District Attorney
<b>Q</b>	Case filed by the City Prosecutor
<b>R</b>	Case rejected by the City Prosecutor
<b>S</b>	Juvenile referred to the Probation Department
<b>T</b>	Juvenile recovered property
<b>U</b>	Case has been assigned to the Fraud Detail
<b>V</b>	Information Management Division boat/vehicle reported stolen or missing

The appropriate investigative Detail, after review by the Detail Sergeant, will perform the investigator not-assigned update function and enter the proper letter code (B) causing a letter to be mailed.

## **8.1.2 POLYGRAPH EXAMINATIONS**

**Juveniles (Persons under 18 years of age)**

Juvenile will **NOT** be administered a polygraph examination unless all of the following conditions are met:

- Subject agrees to a polygraph
- Written permission has been obtained from the parent or legal guardian
- A properly executed request for polygraph examination form has been submitted and approved
- All reports and current investigative information have been submitted to the polygraph examiner to gain information during questioning in the polygraph examination

**Adults**

Adults may be administered a polygraph examination when:

- Subject agrees to a polygraph

- A properly executed request form for polygraph examination has been submitted and approved
- All available reports and current investigative information shall be submitted to the polygraph examiner. These reports are used by the polygraph examiner to gain information during questioning in the polygraph examination

The polygraph examination technique is used by this Department as an investigative aid and should not be used as a substitute for investigation.

When used under proper conditions, the polygraph examination technique is considered to be about 96% accurate. There are, however, some very serious limitations that could adversely affect the result of a polygraph examination. Some of these limitations exist when the following conditions are present:

- Individuals with know or apparent psychiatric disorders
- Individuals suffering from lung or respiratory illness
- Individuals who are under the care of a doctor or who are taking large or multiple daily medications
- Individuals who are suffering from epilepsy and taking Phenobarbital and Dilantin medications
- Individuals with any type of heart problem
- Individuals who are considered to be slow or having a very low IQ
- Individuals who are deaf or who have an acute hearing loss

Other individuals considered unfit polygraph subjects at the time of the scheduled examination, are individuals who are:

- Under the influence of drugs or alcohol
- Physically ill
- Pregnant
- Extremely overweight
- Without sleep or physically exhausted
- Emotionally distraught
- Subjected to long periods of interrogation
- Not fluent in the English language

### **8.1.3 U-VISA PROGRAM**

Revised November 4, 2021

The Investigations Bureau shall review this policy on a three-year review cycle.

Reviewed November 4, 2021

The *Victims of Trafficking and Violence Protection Act* (VTVPA) establishes the U-Visa Program which does not mandate or require local law enforcement agencies participation. However, the Long Beach Police Department opts to partner with United States Customs and Immigration Services (USCIS) as a U-Visa certifying agency.

The U-Visa program provides temporary legal status to individuals without lawful immigration status who are victims of certain qualifying crimes and who assist or will assist law enforcement with the investigation or prosecution of such criminal activity.

### 8.1.3.1 DEFINITIONS

Revised November 4, 2021

**U non-immigrant status (U-Visa)** – Victims of certain crimes helpful to law enforcement in the investigations or prosecution of criminal activity.

### 8.1.3.2 CERTIFICATION

Revised November 4, 2021

U-Visa applicants (petitioners) are required to include the *U-Visa Non-Immigrant Status Certification* (Form I-918, Supplement B), which is a certification of helpfulness from a certifying agency. California Penal Code (CPC) § [679.10](#) states that upon request, a certifying official signing the form is certifying that the petitioner meets the following criteria:

- Has been a victim of a qualifying crime listed on the Department of Homeland Security's [U-Visa Immigration Relief for Victims of Certain Crimes: An Overview for Law Enforcement](#).
- Possesses specific knowledge and detail(s) regarding the criminal activity.
- Has been, is being, or will likely be helpful to law enforcement in the detection, investigation, or prosecution of the qualifying crime.

For the purposes of determining helpfulness pursuant to CPC § [679.10\(h\)](#), there is a rebuttable presumption that a victim is helpful, has been helpful, or is likely to be helpful to the detection or investigation or prosecution of that qualifying criminal activity.

Per USCIS guidelines, the department may choose to conduct a criminal background check on the petitioner and document the findings on the I-918 Supplement B. A criminal history does not automatically render a victim ineligible.

Victims' have an ongoing responsibility to assist the certifying agency while in U non-immigrant status. If a victim fails to assist with reasonable requests, the victim's U non-immigrant certification can be disavowed by a certifying agency by emailing [LawEnforcement\\_UTVAWA.VSC@USCIS.dhs.gov](mailto:LawEnforcement_UTVAWA.VSC@USCIS.dhs.gov).

The department shall process a *U-Visa Non-Immigrant Status Certification* within 30 days of the request. If the petitioner is in removal proceedings, the certification shall be processed within 7 days of the request.

### 8.1.3.3 CERTIFYING OFFICIAL

Revised November 4, 2021

The Chief of Police has the authority to delegate signing authority to supervisors who will act on his behalf to sign Form I-918B as a certifying official. Any supervisor acting as a

certifying official shall have their name and signature on file with USCIS and all approved petitions shall be signed in non-black ink.

USCIS guidelines require a letterhead signed by the Chief of Police and emailed to [LawEnforcement\\_UTVAWA.VSC@USCIS.dhs.gov](mailto:LawEnforcement_UTVAWA.VSC@USCIS.dhs.gov) to add or remove any certifying official.

#### **8.1.3.4 TRACKING**

Revised November 4, 2021

Pursuant to CPC § [679.10\(l\)](#), certifying agencies receiving requests for Form I-918, Supplement B certification shall report annually to the State Legislature the following information:

- 1) The number of petitioners that requested Form I-918 Supplement B certification from the agency,
- 2) The number of those certification forms that were approved, and
- 3) The number of those certification forms that were denied.

Records Division will be responsible for the tracking and reporting of the noted statistics.

#### **8.1.4 CELLULAR COMMUNICATIONS INTERCEPTION TECHNOLOGY**

Revised February 13, 2024

The Investigations Bureau shall review this policy on a three-year cycle.

Cellular Communications Interception Technology (CCIT) is defined as any device that intercepts mobile telephony calling information or content, including an international mobile subscriber identity catcher or other virtual base transceiver station that masquerades as a cellular station and logs mobile telephony calling information ([California Government Code §53166](#)).

##### **8.1.4.1 AUTHORIZED PERSONNEL AND TRAINING**

Revised February 13, 2024

The CCIT shall only be accessed and operated by LBPD detectives authorized by the Special Investigations Division (SID) Commander or their designee and who have received training on CCIT technology. SID shall maintain CCIT training records including instructor names, student names, and dates of attendance in the Training Section's records storage database.

##### **8.1.4.2 DEPLOYMENT**

Revised March 17, 2022

Use of the CCIT must be approved by the Sergeant of the Career Criminal Apprehension Team (CCAT) or by their chain of command prior to deployment, with notification to the Robbery-Homicide Lieutenant by the CCAT Sergeant. Prior to approval, the CCIT operator shall ensure the use of the equipment will be in support of a public safety

operation in the furtherance of protecting human life (e.g., missing person) or a criminal investigation, and shall not be utilized unless:

- A search warrant is obtained, or
- An exigent request form is submitted with a telephone/telecommunications company.

In all cases where the CCIT is deployed, the authorized operator shall complete a CCIT deployment form. The form shall be signed by the operator responsible for the operation, the CCAT Sergeant who approved the operation, the Robbery – Homicide Lieutenant, and the Commander of the Special Investigations Division. Upon completion of the review and signature process, the form will be retained in the CCIT deployment file and stored with the Special Investigations Division Commander.

Requests from another law enforcement agency to assist them with the use of the CCIT shall only be approved if it meets Long Beach Police Department policy and legal statute. CCIT deployment for another agency shall not take place until the proper legal paperwork (i.e., search warrant or exigent request) has been provided to the CCIT operator and approved by the Robbery – Homicide Lieutenant, or their designee.

The CCIT shall not be used for immigration enforcement purposes.

#### **8.1.4.3 LEGAL PROCESS**

Revised March 17, 2022

The Department is committed to ensuring the collection and retention of data is lawful and respects the privacy interests of the public. Department employees shall not collect, retain, or disseminate any data except as authorized by this policy and by law. Consistent with applicable existing laws and requirements, including any duty to preserve exculpatory evidence, the Department's use of the CCIT shall include the following privacy practices:

- When the CCIT is used to locate a known cellular device, all data must be deleted as soon as that device is physically located and no less than once daily.
- When the CCIT is used following a disaster, or in a search and rescue context, all data must be deleted as soon as the person(s) in need of assistance has been located, and no less than once every ten days.
- Prior to deploying the CCIT for any mission, the CCIT operator must verify the equipment has been cleared of any previous operational data.
- When a suspect is known to have been in two separate geographically different areas, any data collected to identify the cellular device shall be deleted upon completion of the mission, unless the data collected is deemed to have evidentiary value.
- Data collected by the CCIT, which is retained for the investigation, shall only be shared with those involved within the investigation, or when ordered produced as part of a legal compliance process.

In the event of a deployment under exigent circumstances, a search warrant shall be obtained within three days of its use. The CCIT operator shall be responsible for ensuring the legal paperwork is obtained.

#### **8.1.4.4 SECURITY**

Revised March 17, 2022

The CCIT equipment shall be secured and maintained in a locked LBPB facility when not deployed. Access to the equipment shall only be allowed to authorized personnel within the CCAT chain of command or those approved by the Special Investigations Division Commander, or their designee.

#### **8.1.4.5 ADMINISTRATIVE REVIEW**

Revised March 17, 2022

The CCAT Sergeant is responsible for reviewing the usage of the CCIT, to ensure exigent search warrants are obtained within three days, and ensuring the data obtained is being deleted in compliance with this policy and the law. The review shall take place no less than once every three months. The CCAT Sergeant will document and submit the review to the Robbery - Homicide Section Lieutenant. The review shall be forwarded to the SID Commander and the Deputy Chief of Investigations for their review. The completed and signed review form shall be retained by the Commander of the Special Investigations Division.

#### **8.1.5 FACIAL RECOGNITION TECHNOLOGY**

Revised December 13, 2023

The Investigations Bureau will review this policy on a three-year review cycle.

The purpose of this policy is to establish acceptable use of any technology that incorporates elements of facial recognition technology (FRT). FRT shall not be used for predictive policing, racial profiling, or mass surveillance. FRT shall not be directly integrated into a City or Department-operated camera system nor considered as a positive identification of any person. Facial recognition technology shall be used in accordance with all applicable laws and policies regarding privacy, civil rights, and civil liberties.

Any new platforms that have facial recognition technology capabilities must be vetted by the Strategic Initiatives Bureau and requires a documented policy review by the Office of Constitutional Policing before use.

##### **8.1.5.1 DEFINITIONS**

**Biometric data** – Data derived from one or more physical traits of humans.

**Certified Examiner** – An individual who has completed advanced training and meets the standards to use facial recognition systems and its features. They assess image quality and appropriateness for facial recognition searches and perform one-to-many and one-to-one facial image comparisons.



**Facial Recognition** – The automated searching of a facial image in a biometric database (one-to-many), typically resulting in a group of facial images ranked by computer-evaluated similarity.

**Investigative Lead** – A facial recognition result that can be used in conjunction with other investigative tools as one part of a complete investigation. A lead is not considered positive identification or probable cause to arrest.

#### **8.1.5.2 USE OF FACIAL RECOGNITION**

Revised April 9, 2024

Only certified examiners assigned to the Investigations Bureau or those approved by the Deputy Chief of Investigations Bureau are authorized to use facial recognition technology within approved platforms. Certified examiners shall only use facial recognition technology to support the investigative efforts of law enforcement and public safety, while recognizing the established privacy rights of the public. Certified examiners shall not use, or allow others to use, the equipment or database records for any unauthorized purpose.

Use of the facial recognition software is limited to the following:

1. When the examiner has reasonable suspicion to believe a person has committed a crime or when an individual is unable to provide reliable identification due to a physical or mental incapacitation or defect, or death, and immediate identification is needed to assist the officer in the performance of their lawful duties. All leads shall be reviewed and corroborated by a separate certified examiner to determine the reliability of the lead.
2. As an investigative tool to identify and rescue minor and adult victims of human trafficking. Only Vice Section examiners shall utilize facial recognition technology for this purpose with authorization from their Lieutenant.

Facial Recognition Technology shall not be used as the sole basis to establish a probable cause arrest or considered a positive identification of any subject.

#### **8.1.5.3 USE OF FACIAL RECOGNITION WITH A CITY OPERATED CAMERA SYSTEM**

The Department shall not integrate any facial recognition software into a City or Department-operated camera system.

#### **8.1.5.4 FACIAL RECOGNITION DOCUMENTATION**

The lead investigator shall file a supplemental report detailing any information related to a generated investigative lead. The supplemental report shall include the names of the examiners who generated and corroborated the investigative lead.

#### **8.1.5.5 FACIAL RECOGNITION USE FOR IMMIGRATION ENFORCEMENT**

The Long Beach Police Department shall not use nor allow the use of facial recognition data for the purposes of enforcing immigration in accordance with California Senate Bill 54 (SB 54 - Law enforcement: sharing data) and the [Long Beach Values Act](#).

#### **8.1.5.6 FACIAL RECOGNITION REQUEST BY OUTSIDE AGENCIES**

Any assistance rendered in response to a request by an outside agency to use facial recognition technology shall adhere to our policy and shall be approved by a Commander or above. The results, or disclosure, of any specific facial recognition investigative searches shall be provided only to individuals authorized to have access. Prior to the release of information, the examiner shall advise the requestor that results are an investigative lead and are not considered positive identification or probable cause to arrest.

When an employee is assigned to a task force with another agency the employee shall comply with the Department's facial recognition technology policy including but not limited to 8.1.5.5 FACIAL RECONGITION USE FOR IMMIGRATION ENFORCEMENT regardless of the other agency's policy related to facial recognition technology.

#### **8.1.5.7 FACIAL RECOGNITION OVERSIGHT**

All use(s) of the facial recognition technology and search requests are subject to policy compliance review. In the event of a review, the user will be required to provide appropriate justification for the use or request of a facial recognition search. In addition, the Office of Constitutional Policing shall conduct quarterly reviews to ensure that the use of facial recognition technology falls within industry best standards, community expectations, and legislative mandates.

#### **8.1.5.8 RETENTION SCHEDULE**

Documentation of the use of facial recognition technology shall be maintained in the same manner as other evidence and case notes within a criminal investigation. It shall comply with applicable criminal statutes governing evidence retention as well as the Department's retention schedule.

## **8.2 SPECIAL INVESTIGATIONS DIVISION (SID)**

### **8.2.1 HOMICIDE DETAIL CALL-OUTS**

The Investigations Bureau has audit responsibility.  
Revised November 8, 2017

#### **8.2.1.1 DEFINITIONS**

Revised November 8, 2017

- A) Officer involved shooting () – a firearms discharge from any person employed by the City of Long Beach who is authorized by the City of Long Beach to carry a firearm as part of their normal duties.
- B) In-custody death (ICD) – a death which occurs at any point in time when a person's freedom of movement has been denied by law enforcement, such as during arrest, detention, attempted arrest, attempted detention or while confined in any law enforcement vehicle or facility.

#### **8.2.1.2 NOTIFICATIONS**

Revised November 8, 2017

The Homicide Detail shall be immediately notified of the following incidents:

- 1) Homicide or where the victim has sustained a life-threatening injury;
- 2) Attempted murder of an on-duty police officer;
- 3) Officer involved shooting;
- 4) Shootings involving other law enforcement agency employees;
- 5) Incidents involving an LBPD employee which result in a homicide or critical injury;
- 6) ICD or incident where an ICD is imminent, including incidents where the in-custody subject is sustained on life support;
  - a) If the incident involves a vehicle pursuit ONLY and there are no additional circumstances related to the incident, the Collision Investigation Detail will respond and handle, for further reference Manual § 7.4.1.2 COLLISION INVESTIGATION DETAIL CALL-OUT PROCEDURE;
- 7) Attempted suicide incidents by an in-custody subject;
- 8) Sudden or undetermined death of a child, 12-years-old or younger; notification is not required for the following:
  - a) Traffic accidents;
  - b) A death while involved in a sporting event where no injury occurred and no foul play is suspected; or
  - c) A death of a child under a doctor's care, and the doctor will sign the death certificate;
- 9) Missing person's cases in which foul play is suspected;
- 10) Kidnappings;
  - a) If parental abduction, contact Child Abuse or the on-call CART Detective;
  - b) If victim is still missing, contact the on-call Homicide Detective;
  - c) Kidnappings in which the victim has been located do not require a notification to Homicide;
- 11) Deaths of a suspicious nature;

- 12) Deaths involving suspected or actual drowning (bathtub, swimming pool, etc.);
  - a) A notification is not required if the decedent is found in a natural body of water i.e., the ocean, or a flood control and there is no evidence the decedent died at that location, unless the death is of a suspicious nature;
- 13) Deaths resulting from a fire;
- 14) Discovery of human bones or bones believed to be human.

### 8.2.1.3 RESPONSE FOR OFFICER-INVOLVED SHOOTING OR IN-CUSTODY DEATH

Revised November 8, 2017

If an OIS or ICD incident occurs **within** the City of Long Beach, the Homicide Detail will respond and conduct the following investigations:

	LPBD Homicide Responsibility	Outside Agency Responsibility
Officer On-Duty	Administrative and Criminal	None
Officer Off-Duty	Administrative and Criminal	None
Outside Agency On-Duty	Criminal*	Administrative and Criminal*
Outside Agency Off-Duty	Criminal	Administrative

\* The decision of who will handle the criminal investigation of an on-duty, outside agency employee will be determined on a case-by-case basis.

If an OIS or ICD incident occurs **outside** the City of Long Beach, the Homicide Detail will respond and assume the following roles:

	LPBD Homicide Responsibility	Outside Agency Responsibility
Officer On-Duty	Administrative and Criminal*	Criminal *
Officer Off-Duty	Administrative	Criminal

\* The decision of who will handle the criminal investigation of an on-duty, Long Beach officer will be determined on a case-by-case basis.

### 8.2.1.4 INCIDENT SCENE MANAGEMENT

Revised November 8, 2017

- 1) The Incident Commander shall have control of the incident and remain in charge until the scene is secure and the tactical situation is concluded. The Homicide Detail shall then assume control of the investigation.
- 2) The initial responding field supervisor and field units will secure the crime scene.
- 3) Field units should attempt to locate and interview any potential witnesses prior to the arrival of the Homicide Detective and ask witnesses to remain on scene until Homicide arrives.

- a) Officers should not transport witnesses to the station without a Homicide Detective's approval.
  - b) If a witness cannot remain at the scene, an officer will attempt to properly identify the witness, obtain a complete statement (recorded if possible), and in either instance file a report in the Homicide Office.
  - c) City emergency response personnel who are witnesses to an OIS should remain on scene until interviewed.
- 4) Field units should not leave the scene until directed by a Homicide Detective or their designee.
- 5) A Lab Unit will process the crime scene in conjunction with the Homicide Detail.
- a) Officers should not collect or disturb any evidence inside the crime scene unless required to immediately apprehend an outstanding suspect, to provide aid, or to make the scene safe.
  - b) Under emergency circumstances where it is impractical to maintain the scene, the on-scene field supervisor or patrol officers shall collect as much physical evidence as practical, exercising care to accurately record the location of each item.
    - If this occurs, officers shall file their evidence reports in the Homicide Office and upon completion, submit them to a Homicide Detective for review.
    - A Homicide Detective will review the collected evidence prior to placing the items into Property.
- 6) The Homicide Detail will notify the Department Psychologist as needed.
- 7) After officers complete their assignment at the incident scene and receive approval to leave, they will report directly to the Homicide Office to file, unless Homicide Detectives direct otherwise.

## **8.2.2 REPORT FILING FOR ALL OFFICER INVOLVED FIREARMS DISCHARGE AND IN-CUSTODY DEATH INCIDENTS**

Revised November 8, 2017

### **8.2.2.1 OFFICER RESPONSIBILITIES**

Revised November 8, 2017

Officers shall complete all original reports in the Homicide Office and give them directly to a Homicide Detective or the detail secretary unless otherwise directed by Homicide personnel. Officers shall file these reports prior to end of watch unless otherwise directed by a Homicide Supervisor or Homicide Detective. Officers directly involved in an OIS or ICD shall not leave the Homicide Office until approved by the Homicide Supervisor.

Every officer who responds to an incident that results in an officer involved firearms discharge or in-custody death shall file a police report documenting the following:

- 1) Role and assignment/duties, including length of time at assignment;
- 2) Location of response,
- 3) If relieved, indicate the officer's name that provided relief.

### **8.2.2.2 SERGEANT AND LIEUTENANT RESPONSIBILITIES**

Revised November 8, 2017

Any sergeant or lieutenant who responds to an incident that results in an OIS or ICD shall file a police report to document his or her role and the decision-making process related to the command and control of the incident. The report should include the name of the sergeant or lieutenant that provided relief.

### **8.2.2.3 COMMAND OFFICER RESPONSIBILITIES**

Revised November 8, 2017

In general, command officers are not required to file a police report unless they assume command of an incident or give orders or direction that results in employees taking action. This does not include providing recommendations, insight or experience that may aid those running the incident.

### **8.2.2.4 WORKERS COMPENSATION DOCUMENTATION**

Revised November 8, 2017

In all cases where an officer discharges their firearm at a person in a hit, or no-hit OIS, a Homicide Supervisor will complete a "Record ONLY Workers Compensation" entry into the City's Workers Compensation database system; this should be input within 24 hours. If the employee files a future claim, this provides the documentation that the employee was involved in a traumatic incident.

### **8.2.3 INTENTIONAL FIREARMS DISCHARGE AND IN-CUSTODY DEATH INVESTIGATIONS**

Revised November 8, 2017

This section shall not apply to discharging a firearm for training or recreational purposes unless there is an injury to a person because of the firearm discharge.

#### **8.2.3.1 OFFICER RESPONSIBILITIES**

Revised November 8, 2017

If an **ON-DUTY** officer intentionally discharges a firearm at any person or is involved in an ICD, as soon as circumstances permit, they shall provide verbal notification to a field supervisor.

If an **OFF-DUTY** officer intentionally discharges a firearm at any person or is involved in an ICD, as soon as circumstances permit, they shall provide verbal notification to the Watch Commander.

Except under extraordinary circumstances, any officer involved in a shooting shall retain all equipment with them at the time of the incident; equipment is to remain secured on his or her person. The following shall apply:

- a) Rifles shall remain with the involved officer or shall be properly secured until relinquished to a Homicide Detective;
- b) Weapons, including less lethal weapons, shall not be opened, loaded, or unloaded prior to examination by a Homicide Detective.

**8.2.3.2 MEDICAL AID**

Revised November 8, 2017

As soon as the scene is safe, and out of reverence for life, the responding officer(s) shall request medical assistance for any injured person and render aid as required. If the subject is deceased, officers shall not cover the deceased unless Homicide approves.

The radio dispatcher or the communications supervisor shall immediately request paramedics if on scene personnel have not yet done so unless on scene personnel advise that paramedics are not needed.

**8.2.3.3 IN-CUSTODY DEATH WITHIN A DETENTION FACILITY**

Revised November 8, 2017

In the case of an ICD within a detention facility, the location of the incident shall be secured pending the arrival of the Homicide Detectives. On-duty detention officers will remain at the location. If, for security reasons, prisoners are relocated, the jail staff will identify those inmates and provide that information to Homicide. Each inmate who witnesses an incident, and if practical, shall be separated from the others and placed into a secure area to ensure they do not communicate with other witnesses.

In the event a prisoner is transported from one of LBPDP's detention facilities unconscious, the area will be secured and the Watch Commander will be notified. A patrol officer will be dispatched to the hospital with the prisoner and remain with the prisoner until relieved. The Watch Commander will ensure the Homicide Detail is notified.

**8.2.3.4 FIELD SUPERVISOR RESPONSIBILITIES**

Revised November 8, 2017

A field supervisor shall respond to every OIS or ICD. As soon as circumstances permit, the field supervisor shall provide verbal notification to the Watch Commander. The field supervisor will assume command of the scene until properly relieved. If the incident is outside the jurisdiction of the City of Long Beach, the field supervisor will notify the Watch Commander prior to responding to determine if additional personnel should be sent. If the incident is excessively far from the City, the Watch Commander will consult with the SID Commander prior to sending any personnel.

**8.2.3.5 REMOVAL FROM SCENE**

Revised November 8, 2017

Officers involved in an OIS or ICD may only leave the immediate area with the consent of the Homicide Supervisor. Involved officers may only go to a location approved by the Homicide Supervisor. The Homicide Supervisor may designate another supervisor to accompany the officer and act as a liaison.

**8.2.3.6 INVOLVED OFFICER STATEMENT**

Revised November 8, 2017

Officers involved in shootings are required to provide a supervisor with a public safety statement (PSS) from the [Public Safety Statement card](#). The supervisor or officer who takes the PSS from the involved officer shall file a follow-up report in Homicide.

In general, Homicide Detectives do not interview officers involved in an OIS or ICD. If an officer is unable to write a report, the Homicide Supervisor or Homicide Detective will coordinate the filing of a report later.

If the incident occurs in another agency's jurisdiction and they are conducting the criminal investigation, the Homicide Supervisor will request the agency allow LBPB officers to file police reports instead of being interviewed by that agency. The Homicide Supervisor will ensure that the LBPB turns over all relevant police reports to the handling agency in a timely manner.

If the involved officer invokes his or her Miranda Rights or refuses to give a statement, the investigation will continue to a conclusion. The Homicide Supervisor will notify the designated Investigations Bureau Command Officer, or if unavailable, the Duty Chief who will determine if Internal Affairs should respond. The Homicide Supervisor will also advise the involved officer of the following:

- "We will conduct our investigation without your input. When completed, the available facts will be presented to the District Attorney's office for review and determination of criminal violations."

The Homicide Supervisor or Homicide Detectives shall not, under any circumstances, offer the involved officer immunity through the Lybarger process.

In cases where the involved officer chooses not to make a voluntary statement, or chooses not to answer questions by Homicide Detectives, the officer can be compelled to answer questions by Internal Affairs Detectives, per Manual § 8.2.6

COMPELLED STATEMENTS. Compelled statements made to Internal Affairs will not be provided to Homicide Detectives.

If the officer does not provide a voluntary statement, he or she will be placed into an administrative assignment and will not be permitted to work in a field assignment which would require contact with the public for law enforcement purposes until the Chief of Police reviews the incident and authorizes the employee to work in a field assignment.

**8.2.3.7 HOMICIDE DETAIL RESPONSIBILITIES**

Revised November 8, 2017

The Homicide Detail shall:

- 1) Assume command of the investigation;
- 2) Ensure officers are assigned to prepare reports, sketches, diagrams, etc.;



- 3) Coordinate with Forensic Science Services Division personnel;
- 4) Coordinate media releases with the Incident Commander and Public Information Officer;
- 5) Coordinate the walk-through with involved officers;
- 6) Notify the coroner, if required;
- 7) Notify the Department Psychologist, if required;
- 8) Notify the District Attorney Command Post, if required;
- 9) Prepare a Critical Incident Debrief per Manual § 7.5.2.5 CRITICAL INCIDENT DEBRIEF COMMITTEE.

If an officer involved in the incident used force other than a firearm, the Homicide Supervisor will ensure a Supervisor's Use of Force Report is completed and forwarded to Internal Affairs per Manual § **Error! Reference source not found.**

#### **8.2.3.8 WATCH COMMANDER RESPONSIBILITIES**

Revised November 8, 2017

The Watch Commander, or their designee, shall notify the on-call Homicide Supervisor regarding all OISs and ICDs. The Watch Commander, when feasible, will respond to all OISs and ICDs.

The Watch Commander, or their designee, shall complete an Unusual Occurrence Report whenever an OIS or ICD occurs, and deliver the report to the Homicide Supervisor for approval prior to distribution.

#### **8.2.3.9 PEER OFFICER**

Revised November 8, 2017

After an OIS scene is secure, the Incident Commander shall designate a peer officer to provide security for, and attend to the needs of, the involved officer. The peer officer shall remain with the involved officer throughout the entire investigation, including during the filing of reports, until relieved by Homicide. The peer officer shall not participate in the involved officer's report filing.

#### **8.2.3.10 INTERNAL AFFAIRS**

Revised November 8, 2017

The Deputy Chief of the Investigations Bureau shall be notified of all officer involved hit-shootings and ICDs. The Deputy Chief or their designated command officer shall respond to the scene and coordinate with the Incident Commander and Homicide Supervisor to determine any potential policy violations. Internal Affairs will only respond to an OIS or ICD investigation if approved by the Duty Chief, designated Investigations Bureau Command Officer, a Deputy Chief, or the Chief of Police. Internal Affairs shall not be contacted to respond until after the Investigations Bureau Command Officer and Homicide have first been consulted.

A response by Internal Affairs does not, in and of itself, initiate a formal Internal Affairs investigation. The Internal Affairs administrative investigation shall not interfere with the Homicide Detail's investigation.

#### **8.2.3.11 DEPARTMENT PSYCHOLOGIST**

Revised November 8, 2017

Homicide will notify the Department Psychologist of an OIS or ICD. The Homicide Supervisor shall not request the Department Psychologist to respond to the scene except under extenuating circumstances.

All officers involved in a hit shooting or an ICD will be required to meet with the Department Psychologist or their designee prior to returning to field duty.

Details of the conversation with the psychologist shall remain confidential. The Department Psychologist will report a recommendation as to the officer's work status to the officer's Division Commander or Deputy Chief. The SID Commander or designee may direct other employees, such as witness employees and dispatchers to meet with the Department Psychologist.

#### **8.2.3.12 EMPLOYEE ASSOCIATION REPRESENTATIVE OR ATTORNEY**

Revised November 8, 2017

An officer involved in an OIS or ICD is entitled to have an association representative or attorney present prior to any statement beyond a public safety statement. The Homicide Supervisor or designated Homicide Detective will determine a reasonable amount of time for the officer's representative to arrive; however, undue delays will result in the detectives proceeding with the investigation.

If the involved officer agrees to speak with the Homicide Detectives, either the representative or attorney may be present with the involved officer during the consultation and walk-through of the scene.

The officer's attorney or representative shall not be present during the filing of relative police reports; however, the association representative may go to the station with the involved officer to provide for needs.

#### **8.2.3.13 PUBLIC INFORMATION OFFICER (PIO)**

Revised November 8, 2017

The on-scene Public Information Officer (PIO) may release the following:

- 1) An acknowledgement that an incident occurred and general dispatch information (i.e., time, location of incident, type of call, etc.);
- 2) Status of assigned Homicide Detectives (i.e., on scene or en route);

Additional information will not be disseminated without the approval of the Homicide Detail.

The PIO will prepare a press release and obtain final approval from the Homicide Supervisor or his or her designee prior to its release.

#### **8.2.3.14 RELEASE OF OFFICERS' NAMES**

Revised November 8, 2017

The Department will release the name(s) of an officer(s) involved in an OIS or ICD in conjunction with the California Supreme Court ruling (LA Times v City of Long Beach/LBPOA case #S200872) when the Department receives a formal Public Records Act (PRA) request.

In all cases, the Office of the Chief of Police will be notified of any PRA request to release the name of an officer. The request will be forwarded to the Homicide Detail who will determine if there are any known credible threats that have been or are being investigated in the case.

If a potential or actual threat has been determined, the Office of the Chief of Police shall be notified and the City Attorney's Office shall be consulted before a decision is made on the release of any name(s). The Chief of Police or his or her designee shall have final authority on whether to release any name(s).

In a case where there is no credible threat, a name will be released to the requestor unless otherwise directed by the Chief of Police or his or her designee.

#### **8.2.3.15 PAID ADMINISTRATIVE LEAVE**

Revised November 8, 2017

The SID Commander, or designee, is responsible for determining how many days of paid administrative leave each officer will receive following an OIS or ICD; the SID Commander may authorize up to four days unless otherwise approved by the Chief of Police.

Officers shall not work, including overtime, during those days off; however, they will still be required to attend all previously scheduled court appearances. During unusual circumstances where the involved officer cannot make a previously scheduled court appearance, the Homicide Supervisor will contact the Court Affairs office to ensure the proper court authorities are notified.

The Homicide Supervisor will notify the following individuals of the number of days off an officer receives:

- 1) Deputy Chief of the officer;
- 2) Commander of the officer;
- 3) Deputy Chief of Investigations;
- 4) SID Commander;
- 5) Personnel Administrator; and,
- 6) Department Psychologist.

**8.2.3.16 POST-OIS SHOOTING COURSE**

Revised November 8, 2017

Every officer who discharges his or her weapon at a person, whether the person is struck or not, is required to report to the Police Pistol Range and participate in a shooting course prior to being released back to field duty.

**A) Officer Responsibility**

- 1) The officer shall complete a post-OIS shooting course to reacquaint himself or herself with the emotions surrounding an OIS, in a controlled environment.
  - a) An officer involved in an OIS, involving a person, must report to the range as soon as practical and, if possible, should be done prior to seeing the Department Psychologist.
- 2) Upon completing the shooting course, the officer shall schedule an appointment with the Department Psychologist.

**B) Rangemaster**

- 1) The Rangemaster is required to have a standard post-OIS range shooting course for each officer to complete.
  - a) This shooting course is not incident specific and is not considered retraining. The Rangemaster should only conduct retraining that would normally occur during a routine qualification if they observe a safety violation, or other firearms training that the officer needs.
  - b) The Rangemaster should not debrief or discuss the specifics of the OIS with the officer.
- 2) The shooting course is not scored.
- 3) Upon completion of the shooting course, the Rangemaster will notify the Department Psychologist and the officer's Division Commander.

**8.2.4 UNINTENTIONAL FIREARMS DISCHARGE AND ANIMAL SHOOTINGS**

Revised November 8, 2017

This section shall not apply to the discharging of a firearm for training or recreational purposes unless there is an injury to a person because of the firearm's discharge.

Any officer-involved, unintentional firearms discharge that results in a hit shooting to any person will be investigated per Manual § 8.2.3 INTENTIONAL FIREARMS DISCHARGE AND IN-CUSTODY DEATH INVESTIGATIONS.

If an officer is involved in an OIS where an animal is injured, the responding officer(s) shall notify Animal Control; if the animal's owner wants to transport the animal to a veterinarian, they may do so. An officer will respond to the veterinarian's office to preserve evidence. Additionally, a priority lab unit will be called to meet the officer at the veterinarian's office for photos, etc.

Under no circumstances will an officer give approval for a deceased animal to be destroyed (i.e., cremated) prior to the notification and approval of the Homicide Detail.

**8.2.4.1 OFFICER RESPONSIBILITIES**

Revised November 8, 2017

If an **ON-DUTY** officer has a no-hit unintentional shooting or intentionally discharges his or her firearm at an animal, as soon as circumstances permit, they shall verbally notify a field supervisor. The field supervisor shall verbally notify the Watch Commander.

If an **OFF-DUTY** officer has a no-hit unintentional shooting or intentionally discharges his or her firearm at an animal, as soon as circumstances permit, they shall verbally notify the Watch Commander.

**8.2.4.2 FIELD SUPERVISOR RESPONSIBILITIES**

Revised November 8, 2017

A field supervisor or designee will be the primary investigator and conduct the investigation into the incident unless Homicide personnel respond to oversee and direct the investigation. A crime scene log and a sketch are not needed unless, in the opinion of the handling supervisor, they will help the investigation and administrative review of the incident.

The field supervisor shall:

- 1) Obtain a public safety statement from the involved officer;
- 2) Determine if the officer wants to have a representative present for the walk-through and, if so, wait a reasonable amount of time for the representative before conducting the walk-through;
- 3) Account for all rounds fired and thoroughly investigate the path of the round(s) to ensure no injuries or property damage occurred;
- 4) Assign a peer officer to the involved officer;
- 5) Ensure all potential witnesses are interviewed;
- 6) Conduct a walk-through of the scene with the involved officer,
  - a) No notes shall be taken or tape recordings shall occur during the walk-through,
- 7) Ensure the lab responds and takes photographs of the scene and potential evidence, including photographs of the involved officer as they were dressed at the time of the incident;
- 8) Direct all officers to file their reports using the crime classification "officer involved shooting;"
- 9) Conduct a weapon inspection of the involved officer's firearm at the station:
  - a) The Supervisor will note in his or her report the number of rounds remaining in both the magazine and the chamber of the gun, and
  - b) Ensure photographs are taken of the firearm along with any magazine in the weapon if applicable;
- 10) Review all reports prior to submission to the Homicide Detail;
- 11) Forward all the original reports connected with the shooting to the Homicide Supervisor;
- 12) Complete the Officer Involved Shooting Field Supervisor's Report;
- 13) File an Unusual Occurrence Memorandum;

- 14) If the incident involved an unintentional discharge and the officer indicates the unintentional discharge might be a result of a weapon malfunction, the Patrol Supervisor shall place the weapon into Property; otherwise, after the weapon has been photographed, it may be returned to the officer;
- 15) Issue the involved officer(s) a written order to report to the range per Manual § 8.2.4.10 POST Unintentional Discharge SHOOTING course and training;
- 16) Not make an entry into the Department's Use of Force database system for the firearm discharge.

#### **8.2.4.3 INVOLVED OFFICER STATEMENT**

Revised November 8, 2017

Refer to Manual § 8.2.3.6 Involved officer Statement.

#### **8.2.4.4 HOMICIDE SUPERVISOR RESPONSIBILITIES**

Revised November 8, 2017

The Homicide Supervisor shall do the following:

- 1) Notify the Homicide Lieutenant or, in his or her absence, the SID Commander;
- 2) Respond to the scene and oversee the investigation;
- 3) Determine if a Homicide team is necessary;
- 4) Assist patrol in the handling of the investigation;
- 5) If misconduct is suspected, notify the SID Commander or the Deputy Chief of the Investigations Bureau who will assist in determining Internal Affairs' response;
- 6) Prepare a Critical Incident Debrief per Manual § 7.5.2.4 INCIDENT DEBRIEFING;
- 7) Complete an entry into the Department Use of Force database system for the firearm discharge.

#### **8.2.4.5 WATCH COMMANDER RESPONSIBILITIES**

Revised November 8, 2017

The Watch Commander, when feasible, will respond to the scene, and shall make all appropriate notifications.

#### **8.2.4.6 INTERNAL AFFAIRS**

Revised November 8, 2017

If Internal Affairs responds to the scene based on alleged misconduct, they will follow their normal investigative and review procedures. The Internal Affairs investigation will follow the Homicide investigation, or will happen concurrently; however, the Internal Affairs' investigation shall not interfere with the Homicide investigation.

#### **8.2.4.7 DEPARTMENT PSYCHOLOGIST**

Revised November 8, 2017

While not required, the Department reserves the right to refer an employee to the Department Psychologist. When an employee is referred to the Department Psychologist, refer to Manual § 8.2.3.11 department psychologist for further.

#### **8.2.4.8 EMPLOYEE ASSOCIATION REPRESENTATIVE OR ATTORNEY**

Revised November 8, 2017

Refer to Manual § 8.2.3.12 EMPLOYEE Association Representative or Attorney for further.

#### **8.2.4.9 NO-HIT UNINTENTIONAL DISCHARGE – ANIMAL SHOOTING REVIEW**

Revised November 8, 2017

In general, there will not be a shooting review board for a no-hit, unintentional discharge or animal shooting unless, based on the totality of the circumstances, the Chief of Police deems one is necessary. In those cases, the Homicide Supervisor will ensure the procedures outlined in Manual § 8.2.3.6 Involved officer Statement are followed.

The Homicide Supervisor will complete the No-Hit Unintentional Discharge / Animal Shooting Review Form and forward the entire package to the Homicide Lieutenant.

All no-hit, unintentional discharges and animal shootings will be reviewed through an administrative process. The following personnel will review the shooting:

- 1) Officer's Division Commander;
- 2) Officer's Deputy Chief; and
- 3) Deputy Chief of the Support Bureau
  - If the involved officer is assigned to the Support Bureau, then the Deputy Chief of the Investigations or Patrol Bureau will conduct the review.

Each reviewer will determine if the incident is in-policy or out-of-policy and if it was intentional or unintentional. Each reviewer will make an independent determination and sign the review form. The last reviewer will then return the entire package to the Homicide Detail.

Homicide will take the final package to the Chief of Police for review, additional comments, recommendations and signature.

#### **8.2.4.10 POST UNINTENTIONAL DISCHARGE SHOOTING COURSE AND TRAINING**

Revised November 8, 2017

If an officer has an unintentional discharge, the officer will be required to attend mandatory training at the Police Pistol Range (Range) prior to returning to work. If the weapon was taken as evidence, a Homicide Supervisor will schedule the training when the weapon is available.

The supervisor in charge of the investigation will give the officer a written order directing them to report to the Range on the employee's next workday where the Range is open,

or as soon as practical. An officer will be assigned to administrative duties and will not be permitted to work in a field assignment which could require contact with the public for law enforcement purposes until they receive the training and after the Critical Incident Debrief is concluded. This order shall be given before the officer leaves work on the day of the incident.

The supervisor providing the written order will ensure the Range staff is notified before the officer reports for training. The supervisor will advise the Range staff of the circumstances of the incident and any specific training needs.

The Range staff will be responsible for conducting the training and filing a memorandum documenting that the training has occurred. The memorandum will be forwarded to the Homicide Supervisor.

During the Critical Incident Debrief, the Chief of Police will make a determination as to the duty status of the involved officer(s) and whether they can return to field duty, per Manual § 7.5.2.5 CRITICAL INCIDENT DEBRIEF COMMITTEE.

#### **8.2.4.11 UNINTENTIONAL DISCHARGE – NON-POLICE DEPARTMENT EMPLOYEES**

Revised November 8, 2017

If the employee involved in the unintentional discharge is not a Police Department employee, and the other City department agrees to have the Police Department conduct the review of the incident, the following personnel will review the shooting:

- 1) Employee's Administrative Officer or Division Head;
- 2) Employee's Bureau Manager; and
- 3) Deputy Chief of the Support Bureau
  - If the involved officer is assigned to the Support Bureau, the Chairperson of the Board shall be the Deputy Chief of the Investigations or Patrol Bureau.

Each reviewer will determine if the incident is in-policy, or out-of-policy and if it was intentional or unintentional. Each reviewer will make an independent determination and sign the review form. The last reviewer will then return the entire package to the Homicide Detail.

Homicide will take the final package to the Chief of Police who will provide his or her recommendations and whether or not he or she concurs with the reviewer's recommendations.

The involved employee's Department Head will then review the case for additional comments, recommendations, and signature.

#### **8.2.5 DISTRICT ATTORNEY'S OFFICE – RESPONSE TO OFFICER INVOLVED SHOOTING AND IN-CUSTODY DEATH INVESTIGATIONS**

Revised November 8, 2017



The Department will participate in the District Attorney's (DA) county-wide program whereby a District Attorney Team (DA Team) has the discretion to respond to the scene of an officer-involved hit shooting and ICD. The DA Team will not interview any officer involved in those incidents. The DA has agreed to accept the Long Beach Police Department's reports as the statement of the officer involved and as the statement of any police officer witness.

The procedures followed during ICDs shall be consistent with those for handling officer-involved hit shooting investigations. The DA Team may not always respond to ICD investigations. The decision to respond will be based upon the circumstances of the incident and will be made by the DA's Office.

#### **8.2.5.1 DISTRICT ATTORNEY'S OFFICE – AT THE SCENE**

Revised November 8, 2017

It shall be the responsibility of the assigned Homicide Supervisor or Homicide Detective to coordinate the investigation with personnel from the DA's office.

As soon as practical, the Homicide Supervisor or Homicide Detective shall:

- 1) Call the DA Command Post;
- 2) Provide DA personnel with a briefing;
- 3) Provide a location within the crime scene for the DA Team to clearly observe the crime scene, physical evidence and investigation;
- 4) Escort the DA Team into the scene:
  - a) The DA Team may not enter without an escort from the Homicide Supervisor/Detective; and
- 5) Allow DA personnel to inspect the physical evidence found at the scene.

Homicide shall provide a comprehensive walk-through of the scene for the DA Team and take additional photographs, measurements, or other investigative steps as requested. The walk-through shall include an explanation of the incident and the identification of all civilian and sworn witnesses and principals, and their whereabouts.

#### **8.2.5.2 DISTRICT ATTORNEY'S OFFICE – AT THE STATION**

Revised November 8, 2017

The Homicide Supervisor/Detective shall continue to coordinate the investigation with the DA Team. The DA Team may be present when detectives interview civilian witnesses. The DA Team will not be allowed to ask questions during the initial interview phase. After Homicide Detectives have finished their initial questioning, they may ask the DA Team if they have any further questions for the civilian witnesses. These interviews will be recorded.

Homicide will contact the DA Team regarding any subsequent interviews. The DA Team may choose to be present for these interviews. The Homicide Supervisor/Detective shall make every effort to apprise the DA Team on the progress of the investigation.

**8.2.5.3 DISTRICT ATTORNEY'S OFFICE NOTIFICATION – OFF-DUTY OFFICER INVOLVED SHOOTING INVESTIGATIONS**

Revised November 8, 2017

If the shooting occurs within the City of Long Beach, the shooting shall be handled per the guidelines set forth in this policy.

If the shooting occurs outside the City of Long Beach, the outside agency shall have primary responsibility for investigating the shooting and will follow their own District Attorney protocol. LBPD personnel will not make any notification to the Los Angeles County DA regarding off-duty shootings outside of Long Beach city limits.

**8.2.6 COMPELLED STATEMENTS**

Revised November 8, 2017

If an officer declines to provide Homicide with a voluntary statement of what occurred, the Internal Affairs Division may obtain a compelled statement from the officer. Internal Affairs will maintain the officer's compelled statement.

Homicide will present the case during both the Critical Incident Debrief, the Review Board process, and Chief of Police review.

If a compelled statement is needed for the Critical Incident Debrief or Review Board process, Internal Affairs will present the statement. Members of the Homicide Detail involved in the investigation, including the SID Commander, shall not be present or hear any part of the officer's compelled statement.

**8.2.6.1 CHIEF OF POLICE REVIEW**

Revised November 8, 2017

If a compelled statement is needed for the Chief's review of the incident, Internal Affairs will present the statement. Members of the Homicide Detail involved in the investigation, including the SID Commander, shall not be present or hear any part of the officer's compelled statement.

**8.2.7 FIREARMS – SHOOTING REVIEW BOARD**

Revised November 8, 2017

The following procedure shall be adhered to whenever an officer discharges a firearm in the line of duty, except for the following:

- 1) No-hit unintentional discharge,
- 2) Shooting involving an animal,
- 3) Firearms qualification,
- 4) Practice, and
- 5) Training.

The Shooting Review Board reviews incidents involving the discharge of a weapon, except those listed above, by an employee. The Board shall make recommendations to

the Chief of Police whether the shooting was intentional or unintentional, and in-policy, or out-of-policy. It shall also make recommendations relative to any other forms of force used, officer actions, or other Department actions that occurred during the incident. The Board is not intended to replace the Internal Affairs process. The Board shall be administrative and make no findings regarding criminal culpability.

The Chief of Police is responsible for making the final determination regarding the disposition of an OIS.

#### **8.2.7.1 CONVENING THE BOARD**

Revised November 8, 2017

The Board will convene within a reasonable time from the date of the incident. When the incident results in a death, the Board will not be held until the Homicide Detail receives the final autopsy report.

It is the responsibility of the Homicide Detail to make a complete, non-biased, and concise presentation of all the facts surrounding the incident. In the event an officer's statement must be compelled, LBPD Manual § [8.2.6 COMPELLED STATEMENTS](#) shall govern how the information will be presented to the Board.

#### **8.2.7.2 MEMBERSHIP – SHOOTING REVIEW BOARD**

Revised November 8, 2017

- A) The Review Board shall be comprised of the following **VOTING** members, none of whom may have been involved in the incident:
  - 1) Deputy Chief of the Support Bureau or designee (Chairperson of the Board):
    - a) If the involved officer is assigned to the Support Bureau, the Chairperson of the Board shall be the Deputy Chief of the Investigations or Patrol Bureau;
  - 2) Chief of Staff or designee;
  - 3) Deputy Chief or designee of involved officer(s) or designee;
  - 4) Training Division representative:
    - a) The Training Division representative should be qualified to provide expertise in Department training and be responsible for assembling any additional training or subject matter experts to provide expert testimony to the Board;
    - b) The Training Division representative should be able to provide the Board with up-to-date training and shooting records of the involved officer(s); and
  - 5) Peer of the involved officer(s).
- B) The Review Board shall be comprised of the following **NON-VOTING** members, none of whom may have been involved in the incident:
  - 1) Commander of the involved officer;
  - 2) Detective assigned to the incident;
  - 3) Employee association representative;
  - 4) Internal Affairs representative;
  - 5) Emergency Communications Department representative;

6) Homicide Supervisor or designee.

The Homicide Detail will make a timely notification to the involved officer(s) regarding the convening of the Board. The notice will include the incident to be reviewed and the names of the Board members. The officer has one (1) preemptory challenge of the peer-level member. If the officer wishes to make a preemptory challenge, he or she needs to notify the Chairperson of the Board at least three (3) days prior to the convening of the board. The peer will be replaced by a selection made by the Chairperson of the Board or his or her designee. The appointment of the second peer is final. If the peer fails to appear, the Chairperson will select another peer without challenge. The Homicide Supervisor is responsible for notifying the involved officer(s) being reviewed of any peer changes.

#### **8.2.7.3 NON-POLICE DEPARTMENT EMPLOYEES**

Revised November 8, 2017

If the officer involved in the shooting is not a Police Department employee, and the other City department agrees to have the Police Department conduct the review of the incident, the following changes will be made to the Shooting Review Board:

- A) Voting Members
  - 1) The employee's Bureau Manager or designee of the City department involved will replace the Deputy Chief of the involved officer;
  - 2) Peer member will come from the department involved.
- B) Non-Voting Members
  - 1) The employee's Administrative Officer, Division Head, or designee of the City department involved will replace the Commander of the involved officer.

#### **8.2.7.4 REVIEW OF OFFICER INVOLVED SHOOTINGS**

Revised November 8, 2017

The review process of an OIS shall include an examination of the circumstances of the shooting, including the events leading up to and after the incident. For each involved officer, the Shooting Review Board shall make a recommendation as to whether:

- 1) The involved officer's actions, prior to the shooting, were within Department policy, procedure, and training guidelines;
- 2) The shooting was in-policy, or out of policy;
- 3) The involved officer's actions, after the shooting, were within Department policy, procedure, and training guidelines.

When evaluating an OIS, deviation from policy, procedure or training should be viewed within the totality of the circumstances.

The Shooting Review Board shall also make a recommendation as to whether any other Department actions are needed, or if any non-shooting officer's actions during the incident require Department action.

#### **8.2.7.5 DISSENTING OPINIONS**

Revised November 8, 2017

Any voting Review Board member who has a dissenting vote (not recommended actions) in any area will be required to file a memorandum to the Chief of Police explaining his or her dissenting vote. The Board member will forward the memorandum to the Homicide Supervisor. A voting Board member may author a memorandum to the Chief of Police explaining his or her decision, regardless of whether his or her vote was in the majority or minority.

#### **8.2.7.6 CHIEF OF POLICE REVIEW**

Revised November 8, 2017

The Homicide Detail shall present the completed case and Board recommendations to the Chief of Police, who will determine final disposition.

#### **8.2.7.7 NON-POLICE DEPARTMENT EMPLOYEE DEPARTMENT HEAD REVIEW**

Revised November 8, 2017

If the employee involved in the shooting is not a Police Department employee, and the other City department agrees to have the Police Department conduct the review, the Homicide Supervisor shall present the completed case to the Department Head and Chief of Police for review. The Chief of Police will provide a recommendation to the Department Head and advise whether he or she concurs with the Board recommendations.

The Department Head will then determine whether the employee's actions were in-policy, or out-of-policy.

#### **8.2.7.8 PROJECT ASSIGNMENT – SHOOTING REVIEW BOARD RESULTS**

Revised November 8, 2017

The Homicide Detail shall create a memorandum documenting the Chief's decision. Completed original project assignments will be sent to the Homicide Supervisor for inclusion in the case file.

#### **8.2.7.9 MEMORANDUM OF COMPLETION**

Revised November 8, 2017

The Homicide Detail shall create a memorandum of completion to the Chief of Police. If the incident does not involve a Police Department employee, the memorandum will be forwarded to the Department Head of the involved employee and the Chief of Police for signature.

#### **8.2.8 IN-CUSTODY DEATH REVIEW BOARD**

Revised November 8, 2017

The In-Custody Death Review Board reviews all ICDs to determine whether the actions of the involved officer(s) were within established Department policies and procedures.

The Board will make recommendations to the Chief of Police whether the incident was in-policy, or out-of-policy. The Board will evaluate and make recommendations where applicable regarding policy, tactics, equipment, and facilities. The Board is not intended to replace the Internal Affairs process. The Board shall be administrative and make no findings regarding criminal culpability.

The Chief of Police is responsible for making the final determination regarding the disposition of an ICD.

#### **8.2.8.1 CONVENING THE BOARD**

Revised November 8, 2017

Refer to LBPDP Manual § 8.2.7.1 Convening the Board.

#### **8.2.8.2 MEMBERSHIP – IN-CUSTODY DEATH REVIEW BOARD**

Revised November 8, 2017

Refer to LBPDP Manual § 8.2.7.2 MEMBERSHIP – shooting review board.

#### **8.2.8.3 REVIEW OF IN-CUSTODY DEATHS**

Revised November 8, 2017

It shall be the responsibility of the Homicide Detail to make a complete and concise presentation of all the circumstances surrounding the ICD to all members of the In-custody Death Review Board.

The Board will review the circumstances of the incident and the Coroner's report and determine if the officer's actions were in-policy, or out-of-policy. If the death occurs within a facility, the Board will utilize the same standard of review and will review the facility policies and procedures to see if any changes or modifications are required.

The Board shall make one of the following findings concerning each officer involved in the incident:

- 1) In-Policy – *The officer's actions were in-policy.*
- 2) Out-of-Policy – *The officer's actions were out-of-policy.*

In making a decision as to whether the incident was in-policy or out-of-policy, the Board's review shall include, but is not limited to, an examination of the following:

- 1) Review any force used and determine if it was within policy;
- 2) Review the tactics used by the officer, including, but not limited to, the type of contact (consensual, detention, arrest, etc.), and whether the tactics used before, during and after the contact were consistent with Department policies, procedures, and training; and
- 3) Review communication between officers, Communications Center personnel, and citizens.

**8.2.8.4 DISSENTING OPINIONS**

Revised November 8, 2017

Refer to LBPD Manual § 8.2.7.5 Dissenting Opinions.

**8.2.8.5 CHIEF OF POLICE REVIEW**

Revised November 8, 2017

Refer to LBPD Manual § 8.2.7.6 Chief of Police Review.

**8.2.8.6 PROJECT ASSIGNMENT – IN-CUSTODY DEATH REVIEW BOARD RESULTS**

Revised November 8, 2017

Refer to LBPD Manual § 8.2.7.8 Project Assignment – Shooting Review Board Results.

**8.2.8.7 MEMORANDUM OF COMPLETION**

Revised November 8, 2017

Refer to LBPD Manual § 8.2.7.9 Memorandum of Completion.

**8.2.9 HATE CRIMES AND HATE- OR BIAS-MOTIVATED INCIDENTS**

The Investigations Bureau will have audit responsibility.

Revised April 14, 2015

Reviewed May 2019

**8.2.9.1 PURPOSE AND SCOPE**

Revised April 14, 2015

Reviewed May 2019

This department recognizes and places a high priority on 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 use all available resources to investigate those incidents. This policy has been developed to follow the provisions of [Penal Code § 13519.6\(c\)](#) and provides guidelines for identifying and investigating incidents motivated by hate or other bias.

**8.2.9.2 DEFINITIONS**

Revised April 14, 2015

Reviewed May 2019

**Hate crimes** – [Penal Code § 422.55\(a\)](#) defines a hate crime as a criminal act committed in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

- a) Disability
- b) Sex
- c) Nationality

- d) Race or ethnicity
- e) Religion
- f) Sexual orientation
- g) Association with a person or group with one or more of these actual or perceived characteristics

Examples of hate crimes include, but are not limited to:

1. Interfering with, oppressing or threatening any other person in the free exercise or enjoyment of any right or privilege secured by the Constitution or laws because of one or more of the actual or perceived characteristics of the victim ([Penal Code § 422.6](#)).
2. Defacing a person's property because of one or more of the actual or perceived characteristics of the victim ([Penal Code § 422.6\(b\)](#)).
3. Terrorizing a person with a swastika or burning cross ([Penal Code § 11411](#)).
4. Vandalizing a place of worship ([Penal Code § 594.3](#)).

**Hate- or bias-motivated incident** - These incidents do not rise to the level of a hate crime as defined by the penal code.

According to the Department of Justice, a hate- or bias-motivated incident is not categorized as a hate crime because it lacks either a criminal act or a bias-motivation. For example, a note reading, "I HATE HOMOSEXUALS" is posted on the door of a residence occupied by a homosexual. That act would be classified as a bias-motivated incident, not a hate crime, because although there was a bias-motivation there was no criminal act. If the words, "I HATE HOMOSEXUALS" were spray painted on the same door, that act would be considered a hate crime because it involved a criminal act and a bias-motivation.

#### **8.2.9.3 PROCEDURE FOR INVESTIGATING HATE CRIMES AND HATE- OR BIAS-MOTIVATED INCIDENTS**

Revised April 14, 2015  
Reviewed May 2019

Officer(s) will be promptly assigned to contact the victim, witness, or reporting party to investigate any suspected hate crime and hate- or bias-motivated incident. The first point of contact is critical in the handling of hate crimes and hate- or bias-motivated incidents. The person who first receives the incident information must be aware of the sensitivity to the distinguishing characteristics of hate crimes, so that the victim and the incident are treated appropriately.

#### **8.2.9.4 PROCEDURE FOR INVESTIGATING HATE CRIMES AND HATE- OR BIAS-MOTIVATED INCIDENTS – PRELIMINARY INVESTIGATING OFFICER**

Revised April 14, 2015  
Reviewed May 2019

When an officer receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following shall occur:



- (a) A supervisor shall be notified of the circumstances as soon as practical.
- (b) The Violent Crimes Detail shall be notified. The Violent Crimes Sergeant is responsible for making the final determination of whether or not the incident will be classified as a hate crime.
- (c) The assigned officer will take all reasonable steps to preserve available evidence that may tend to establish that a hate crime has been committed.
- (d) The assigned officer(s) will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the incident should potentially be classified as a hate crime.
- (e) Depending on the situation, the assigned officer(s) may request additional assistance from on-call Violent Crimes detectives or other resources to further the investigation.
- (f) Absent prior approval of a supervisor, all reports will be completed and submitted by the assigned officer(s) before the end of the shift.
- (g) The assigned officer(s) will provide the victim(s) of any suspected hate crime with a brochure entitled, ["We Care about Your Safety – How to Report & Protect Yourself against Hate Crimes,"](#) ([Penal Code § 422.92](#)). This brochure will also be available to members of the general public upon request. The assigned officer(s) should make reasonable efforts to assist the victim(s) by providing available information on local assistance programs and organizations.
- (h) At no time will Patrol personnel make notification to the Human Dignity Coordinator. It will be the responsibility of the Violent Crimes Sergeant to make all such notifications regarding hate crimes to the Human Dignity Coordinator.

#### **8.2.9.5 PROCEDURE FOR INVESTIGATING HATE CRIMES AND HATE- OR BIAS-MOTIVATED INCIDENTS – FIELD SUPERVISOR**

Revised April 14, 2015

Reviewed May 2019

A field supervisor shall be dispatched and respond to all hate crime incidents. The field supervisor shall maintain the flow of information on hate crimes to the Division Commanding Officer. When a hate crime has occurred, a field supervisor will review all reports and ensure proper notifications are made to the Violent Crime Detail.

#### **8.2.9.6 PROCEDURE FOR INVESTIGATING HATE CRIMES AND HATE- OR BIAS-MOTIVATED INCIDENTS – WATCH COMMANDER**

Revised April 14, 2015

Reviewed May 2019

The Watch Commander will send out an internal Watch Commander Notification using the event type, "Hate or bias motivated incident." This notification will automatically be sent to the Violent Crimes Sergeant and the Command Staff.

The Watch Commander will ensure that proper notification is made to the Violent Crimes Detail.

A hate crime incident is a mandatory after-hours and weekend notification to the Duty Chief. The Duty Chief will assist the Watch Commander in determining whether a CM Staff notification is appropriate. During business hours, the Watch Commander will first consult with the Violent Crimes Sergeant or his/her chain of command before sending out a CM Staff notification.

The Watch Commander or Patrol personnel shall not make a notification to the Human Dignity Coordinator. It will be the responsibility of the Violent Crimes Sergeant to make all notifications to the Human Dignity Coordinator.

#### **8.2.9.7      PROCEDURE FOR INVESTIGATING HATE CRIMES AND HATE- OR BIAS-MOTIVATED INCIDENTS – INVESTIGATING DETAIL RESPONSIBILITY**

Revised April 14, 2015  
Reviewed May 2019

The assigned detective will be responsible for following up on the reported hate crime and hate- or bias-motivated incident as follows:

- a) The handling detective will maintain contact with the victim and other involved individuals as needed.
- b) The handling detective will conduct follow-up investigations as needed.

#### **8.2.10      CRIMES AGAINST PEACE OFFICERS**

Revised December 17, 2020  
Reviewed December 17, 2020  
The Investigation Bureau will have review responsibility.

The Los Angeles County District Attorney's Office has a specialized unit, the Crimes Against Peace Officers Section (CAPOS) dedicated to the prosecution of those who commit violent crimes against peace officers. CAPOS will handle cases in which the assault caused, or could have caused, death or great bodily injury to the officer. CAPOS is available to respond to crime scenes 24-hours a day upon request by our Department.

##### **Injured Officer Admitted to a Hospital**

If an on-duty peace officer is the victim of a gunshot, stabbing, and/or the officer's injuries are critical in nature where the officer will be admitted to the hospital, the on-call Homicide Detective shall be notified to evaluate the circumstances of the incident. The on-call Homicide Detective will determine if Homicide will respond or defer the incident to the on-call Violent Crimes Detective based upon the totality of the circumstances. The handling detail shall be responsible for all follow-up investigation and coordination with the CAPOS Unit.

##### **Injured Officer Not Requiring Hospitalization**

If an officer's injuries do not require hospitalization, the Violent Crimes Section will be responsible for the follow-up investigation. Violent Crimes detectives are not required to

respond to the scene unless the investigator or watch commander determine a detective response is necessary.

### **8.2.11 VIOLENT CRIMES DETECTIVE – NOTIFICATION**

Revised October 24, 2014

The Investigations Bureau will have review responsibility (Reviewed July 2019).

The Violent Crimes Detail will be on-call and available after hours to respond to, or handle inquiries regarding violent crime incidents. The on-call Violent Crimes Detective shall be notified when the following circumstances exist:

- a) An on-duty officer is the victim of an assault resulting in significant injury, to include a broken bone, loss of consciousness, head trauma, serious cuts or stab wounds;
- b) An actual or suspected explosive device requiring a response from the Los Angeles County Sheriff's Department Bomb Detail;
- c) Hate crimes or potential hate crimes;
- d) A criminal act involving stalking or workplace violence where the suspect specifically targets a City employee because of their employment with the City of Long Beach;
- e) Other serious incidents where the Watch Commander determines notification to the Violent Crimes Detail is warranted.

### **8.2.12 TARASOFF NOTIFICATION**

Revised December 17, 2020

The Investigation Bureau will have review responsibility.

Reviewed December 17, 2020

A licensed psychotherapist shall report to a local law enforcement agency, within 24 hours, the identity of any person under their care who has communicated a serious threat.

Within 24 hours of the receipt of the Tarasoff report, the local law enforcement agency shall notify the Department of Justice (DOJ) of the person who has made such a threat.

#### **8.2.12.1 OFFICER RESPONSIBILITIES**

**Officers shall ensure the following is completed upon the receipt of a Tarasoff Report call:**

- Notify a supervisor of the Tarasoff report call and ensure an Info-Tarasoff report is filed prior to the end of the shift. VIC and SUS will not be used for person blocks as a Tarasoff report is not used to report a crime.
- If, in the course of the Tarasoff notification a crime was found to have occurred in relation to the target and the person making the threat in the City of Long Beach, the handling officer shall take a crime report.
- Attempt to notify the target(s) of the threat and document the steps taken to notify the target in the report. If the target was not notified and all leads were

not exhausted, an officer from the next shift will complete the call and further documentation.

- Once the target(s) has been notified of the threat or all reasonable leads have been exhausted in attempting to notify the target(s) of the threat, an on-duty field supervisor can determine the call closed.
- The officer shall complete and fax **DOJ Form (BOF 4074)** to The Bureau of Firearms prior to the end of the shift (available in Laserfiche as "Form BOF 4074").
- A confirmed fax receipt shall be attached to the officer's report and forwarded to records.

### 8.2.12.2 SUPERVISOR RESPONSIBILITIES

- The original handling officer's supervisor shall communicate the information to the supervisor of the oncoming shift if a continued investigation is necessary.
- The supervisor from the oncoming shift shall assign the call to an officer for continued investigation.
- Once the target(s) is notified or all reasonable leads are exhausted, as determined by the on-duty field supervisor, the call can be closed.
- The supervisor shall ensure the BOF 4074 form has been faxed.
- The supervisor shall ensure an entry is made in the Watch Commander Log.

The Reporting Section shall route Tarasoff reports to the Mental Evaluation Team. The Mental Evaluation Team shall conduct any follow-up investigation as needed.

### 8.2.13 MISSING PERSON INVESTIGATIONS

Revised March 25, 2021

The Investigations Bureau shall review this policy on a three-year review cycle.

Reviewed March 25, 2021

The Long Beach Police Department does not consider any report of a missing person to be routine and assumes that the missing person needs immediate assistance unless determined otherwise. Missing person cases are prioritized over property-related cases.

A police officer shall be dispatched to all missing person and located missing person calls for service. A missing person's report shall be accepted regardless of how long the person has been missing. All missing person reports shall be taken by a police officer.

#### 8.2.13.1 MISSING PERSON INVESTIGATIONS – DEFINITIONS

Revised March 25, 2021

**At-Risk Missing Person** – An at-risk missing person is a person who is any of the following:

- 11 years of age or younger,
- A victim or suspected victim of a crime or foul play,
- In need of medical attention, or life-saving medication,
- Has no pattern of running away or disappearing,

- A runaway, 12 years of age and older, not in immediate danger may be treated as a not-at-risk missing person,
- A child that may be the victim of parental abduction and there is reason to believe harm may come to the child, or
- Mentally impaired, cognitively impaired, or developmentally disabled (i.e. Dementia, Alzheimer's, or Autism).

**Courtesy Missing Person Report** – A missing person report taken by an agency that does not have jurisdiction over the area where the missing person resides. These reports are forwarded to the agency with jurisdiction over the investigation.

**Missing Person** – Any person who is reported missing to law enforcement when the person's location is unknown. This includes any child who is missing voluntarily, involuntarily or under circumstances that do not conform to their ordinary habits or behavior, and who may need assistance, CPC § [14215](#). It also includes a child who has been taken, detained, concealed, enticed away or kept by a parent in violation of the law, CPC § [277](#).

#### **8.2.13.2 MISSING PERSON INVESTIGATIONS – NOTIFICATIONS**

Revised March 25, 2021

The Homicide Detail shall be notified in the following circumstances:

- If foul play is suspected or the case is suspicious in nature,
- If an at-risk investigation reaches four (4) hours without locating the missing person or the investigation progresses to a point where an informational bulletin is necessary,
- A parental/family abduction with evidence of an immediate threat to the child, see also LBPD Manual § 8.2.1.2 NOTIFICATIONS.
  - If there is no evidence of an immediate threat to the child, the Child Abuse Detail shall be notified.

#### **8.2.13.3 MISSING PERSON INVESTIGATIONS – OFFICER RESPONSIBILITIES**

Revised March 25, 2021

Officers shall be responsible for the following when handling a missing person investigation:

- Conduct the initial investigation,
- Take the missing person report,
- Make all necessary notifications,
- Ensure that a BOLO is broadcast and note it in the call history,
- Submit the report to Teletype for DOJ input, see Manual § 8.2.13 MISSING PERSON INVESTIGATIONS,
- Document in the located missing person report who took custody of a juvenile or an at-risk missing person.

#### **8.2.13.4 MISSING PERSON INVESTIGATIONS – CLASSIFICATION**

Revised March 25, 2021

An at-risk missing person classification for a missing person 11 years old or younger, who is not the victim of a child concealment, shall only be downgraded by the Special Investigations Division Commander.

Any other at-risk missing person, including a victim of child concealment where there is no evidence of danger to the child, may be downgraded by the Watch Commander.

If an officer is dispatched to a missing person call and determines it to be an at-risk missing person call, they shall immediately notify their supervisor and the Communications Center.

#### **8.1.13.5 MISSING PERSON INVESTIGATIONS – BE ON THE LOOK OUT (BOLO)**

Revised March 25, 2021

A *Be on the Look Out (BOLO)* shall be transmitted, without delay, for any missing person who is 20 years old or younger, or an at-risk missing person per CPC § [14211\(d\)](#).

#### **8.2.13.6 MISSING PERSON INVESTIGATIONS – TELETYPE**

Revised March 25, 2021

When a missing person is 20 years old or younger, a teletype shall be sent to the Department of Justice and the National Crime Information Center within two hours after accepting the report ([\(42 USC 5779\(a\)\)](#) and [\(42 USC 5780\(3\)\)](#).

#### **8.2.13.7 MISSING PERSON INVESTIGATIONS – LOCATED MISSING PERSONS**

Revised March 25, 2021

A police officer shall be dispatched to all calls regarding located missing persons to file the located missing person report and notify teletype.

When an officer is dispatched to a missing person call and the person is located the following reporting requirements shall apply:

- If the report has not been submitted to teletype, the officer shall file a missing person and a located missing person report, these may be completed in the same report.
- If the report has been submitted to teletype, a separate located missing person report shall be filed and submitted.
- Department report numbers for missing person reports shall not be voided.

If a located missing person is arrested, complete a located missing person report as follows:

- Long Beach PD located missing person – File the located missing person report as a supplement to the original missing person incident number and file the arrest report with a separate incident report.

- Other jurisdiction located missing person – File the located missing person report with an LBPD incident number and file the arrest report with a separate incident report (two incident numbers).

If an officer contacts a subject and discovers the subject is a reported missing person, regardless of jurisdiction, the officer shall file a located missing person report.

#### **8.2.13.8 COURTESY MISSING PERSON REPORTS**

Revised March 25, 2021

If a missing person report is requested where the missing person is not a Long Beach resident, a courtesy report shall be taken.

#### **8.2.13.9 AMBER AND SILVER ALERTS**

Revised March 25, 2021

In the event that Amber or Silver Alert criteria is met, the Watch Commander, or designee shall notify the on-call Missing Persons Detective.

##### **A. SILVER ALERT CRITERIA**

A Silver Alert will not be initiated by the California Highway Patrol unless it meets all of the following criteria:

- The missing person is 65 years of age or older, developmentally disabled or cognitively impaired,
- The investigating agency has utilized all available local resources,
- The law enforcement agency determines that the person has gone missing under unexplained or suspicious circumstances,
- The law enforcement agency believes that the person is in danger because of age, health, mental or physical disability, environment or weather conditions, that the person is in the company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril, and
- There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

##### **B. AMBER ALERT CRITERIA**

The California Amber Alert Plan is a voluntary partnership between law enforcement, transportation, and media to rapidly disseminate information about a suspect and victim to law enforcement agencies and the public when a child has been abducted.

The decision to initiate an Amber Alert shall be approved by the Watch Commander. Per the California Highway Patrol, the following criteria must be met to initiate an Amber Alert:

- It has been confirmed that an abduction has occurred, or the child has been taken by anybody including, but not limited to, parents and/or guardians.
- The victim is 17 years of age or younger, or of proven mental or physical disability.

- There is reason to believe the victim is in imminent danger of serious bodily injury or death.
- There is information available that, if disseminated to the general public, could assist in the safe recovery of the victim.

#### **8.2.14 GUN VIOLENCE RESTRAINING ORDERS (GVRO)**

Revised January 27, 2022

The Investigations Bureau shall review this policy on a three-year review cycle.

Reviewed January 27, 2022

GVRO laws provide law enforcement with an intervening mechanism to prevent escalating firearm-related violence. Officers should consider petitioning a GVRO when they have reasonable cause to believe a subject poses an immediate and present danger of causing personal injury to themselves or another by having in their custody or control, owning, purchasing, possessing, or receiving a firearm or ammunition ([Penal Code §18100](#)).

##### **8.2.14.1 GVRO DEFINITION**

Revised January 27, 2022

**Gun Violence Restraining Order** - an order, in writing, signed by the court, prohibiting and enjoining a named person from having in his or her custody or control, owning, purchasing, possessing, or receiving any firearms or ammunition, including ammunition magazines ([Penal Code §18100](#)).

##### **8.2.14.2 TYPES OF GVROS**

Revised January 27, 2022

**1) Temporary Emergency GVRO** – requested by a law enforcement officer which may be obtained telephonically when court is not in session and expires 21 days from the date the order is issued ([Penal Code § 18125](#)).

**2) Ex Parte GVRO** – an order that can be requested by law enforcement, as well as immediate family members, employers, coworkers, or teachers of the subject of the petition. The order is issued or denied on the same day as submitted to the court, unless the petition is filed too late in the day to permit effective review ([Penal Code § 18150](#)).

**3) GVRO Issued After Notice and Hearing**– a renewable court order for a period of one to five years ([Penal Code § 18170](#)).

##### **8.2.14.3 GVRO CONSIDERATIONS**

Revised January 27, 2022

Officers should consider the use of a GVRO in the following situations ([Penal Code §18108](#)):

- A domestic disturbance response to any residence which is associated with a



firearm registration or record, where a firearm is present, or one of the involved parties owns or possesses a firearm.

- During a contact with a person exhibiting mental health issues, including suicidal thoughts, statements, or actions, if that person owns or possesses a firearm.
  - Officers should consider requesting a response from the Mental Evaluation Team (MET) or detaining the person for a mental health evaluation ([5150 WIC](#)) if there is reasonable cause to believe that the person poses an immediate and present danger of causing personal injury to themselves or another person by having custody or control of a firearm.

Additional Considerations:

- A credible threat of self-harm or violence directed at another
- Proximity of potential victims
- Access to firearms
- Prior conviction or outstanding warrant for crimes listed in [Penal Code §29805](#)
- Prior restraining order or criminal protective order violations
- Violent criminal history
- Mental health history
- Whether the subject is currently on Parole, Probation, or Post Release Community Supervision
- Unlawful or reckless use display or brandishing of a firearm
- Documented evidence showing that subject committed crimes involving ongoing alcohol and/or substance abuse

#### **8.2.14.4 PROCEDURES FOR OBTAINING A GVRO**

Revised January 27, 2022

##### **Ex Parte GVRO**

- 1) The officer or detective shall contact the designated Deputy City Attorney to explain the circumstances and provide the required documentary evidence (e.g., police report, CAD, field interview, Tarasoff Report, 5150 report, criminal history, etc.).
- 2) If the circumstances meet the threshold for pursuing a GVRO, the Deputy City Attorney will work with the officer or detective to pursue the acquisition of the GVRO.
- 3) Once the GVRO is served and the firearms or ammunition are seized, the Deputy City Attorney shall be contacted with the results and be provided all related documents in order to prepare for the hearing that follows. If the court determines the GVRO is upheld, a GVRO issued after notice and hearing will be secured and served. If the restrained person is present, the service will occur in court.
- 4) If a restrained party to a GVRO does not appear for the hearing, the GVRO will proceed "in absentia." If the order is upheld it will become a GVRO issued after notice and hearing but will require additional service.

**8.2.14.5 TEMPORARY EMERGENCY GUN VIOLENCE RESTRAINING ORDER**

Revised January 27, 2022

Any time access to the court is not available (such as holidays, weekends, or after-hours) and the Deputy City Attorney is unable to present the request, the officer should pursue a Temporary Emergency GVRO.

In emergency situations, a Temporary Emergency GVRO may be issued on an ex parte basis only if a law enforcement officer asserts, and a judicial officer finds, there is reasonable cause to believe both of the following:

- 1) The subject of the petition poses an immediate and present danger of causing personal injury to himself, herself, or another by having in his or her custody or control, owning, purchasing, possessing, or receiving a firearm or ammunition ([Penal Code § 18125\(a\)\(1\)](#)).
- 2) A Temporary Emergency GVRO is necessary to prevent personal injury to the subject of the petition or another because less restrictive alternatives either have been tried or found to be ineffective or have been determined to be inadequate or inappropriate for the circumstances of the subject of the petition ([Penal Code § 18125\(a\)\(2\)](#)).

To obtain the Temporary Emergency GVRO, the officer or detective shall do the following:

- 1) Complete a Firearms Emergency Protective Order Form (EPO-002).
- 2) Call the phone number used for Emergency Protective Orders and state that a Temporary Emergency GVRO will be requested. The operator will connect the officer or detective with the Commissioner.
- 3) The officer or detective will advise the Commissioner of the circumstance surrounding the investigation.
- 4) Be prepared to provide the Department Record (DR) number assigned to the Temporary Emergency GVRO and enter the DR number in the upper right corner of the EPO-002.
- 5) The officer or detective shall provide LBPD Records Division with the completed EPO-002 form. Records Division will provide the completed EPO-002 form to the court and forward a copy to the Deputy City Attorney.
- 6) If possible, the officer or detective will serve the restrained party and take possession of all firearms and ammunition under the control of the restrained party.

**8.2.14.6 GVRO SERVICE**

Revised January 27, 2022

- All circumstances that warrant the acquisition of a GVRO represent a high level of risk. It is critical therefore that extreme caution be exercised in the service of such orders.

- When serving a GVRO, officers are required to demand all firearms and ammunition be relinquished at the time of service. The restrained party is required by law to relinquish all firearms and ammunition to law enforcement in a safe manner as determined by law enforcement.
- If a restrained party refuses to comply with the order to relinquish their firearms or ammunition, they are in violation of [Penal Code §18205](#) - remain in possession of firearms and ammunition after a GVRO has been served, and Penal Code [§166\(a\)\(4\)](#) - violation of court orders.
- If officers are not given consent to enter a dwelling to recover the firearms or ammunition, a search warrant shall be obtained.
- Within one business day of service, the officer or detective who served the GVRO shall submit the proof of service to the Long Beach Police Department Records Division. Records Division shall submit proof of service to the court.

Officers and detectives shall make reasonable attempts to locate and serve a person subject to a GVRO. In the event they are unable to locate or serve the person subject to a GVRO, the officer or detective shall document in a report that all efforts to serve the restrained person have been exhausted.

## 8.3 FORENSIC SCIENCES

### 8.3.1 DISPOSITION OF PROPERTY AND EVIDENCE

Revised December 17, 2020

The Investigations Bureau shall review this policy on a three-year review cycle.

Reviewed December 17, 2020

It shall be the responsibility of each Investigative Detail to determine the final disposition status for items impounded into the Evidence Control Section; items shall be dispositioned as hold, release, or destroy. If an item is not required in court and the law permits its return, the assigned detective shall authorize the return of the property to the legal owner as soon as possible. Evidence shall only be released to an owner with the authorization of the assigned detective or the detail sergeant.

The assigned detective shall follow the established protocol for closing a case and update the disposition date and item status to hold, release, or destroy.

The assigned detective, or the detail sergeant shall authorize the release of evidence utilizing the *Release of Property by Evidence Control Section* form, which indicates the owner's name and date of release when releasing evidence. The *Release of Property by Evidence Control Section* form shall be provided to the Evidence Control Section.

Prior to authorizing the release of an item, the assigned detective shall consider the following:

- Found property may be released to the finder if the item has not been claimed after 120 days. Department employees, listed as a finding person, shall be prohibited from claiming any unclaimed items.
- If there is a claim of dual ownership for found property/evidence, the assigned detail shall investigate to determine rightful ownership. If the case is unassigned, the Violent Crimes Detail shall assume responsibility for conducting the investigation.
- If the item is a firearm, the assigned detective's authorization and a DOJ background clearance are required prior to release, for further see Manual § 8.3.5.3 RELEASE OF FIREARMS.

#### 8.3.1.1 DESTRUCTION OR AUCTION OF PROPERTY

Revised December 17, 2020

Once an item of evidence has been authorized for release by the assigned detective, the property owner has been notified, and the owner has not claimed the item, it may be subject to destruction or auction after 90 days.

All other non-evidence items may be subject to destruction or auction according to the following schedule:

- Safekeeping – 60 days
- Prisoner's Property – 90 days, or with written notification may be held up to one (1) year
- Found Property – 120 days for the property owner

- Found Property with a listed finder – 150 days

#### **8.3.1.2 DISPOSITION OF CASH**

Revised December 17, 2020

All unclaimed cash impounded into the Evidence Control Section is audited by the Fiscal Division and deposited into the City General Fund.

#### **8.3.1.3 COURT ORDERED RELEASE**

Revised March 25, 2021

The receiving Property clerk shall notify the assigned detail sergeant or detective upon receipt of a court order.

All return of property from a court order shall be confirmed by the assigned detail sergeant or detective. If a response is not received from the detective within two (2) business days, the property will be returned to the customer regardless of detective confirmation.

#### **8.3.1.4 RELEASE OF AMMUNITION**

Revised December 17, 2020

All ammunition shall be taken to the Evidence Control Section prior to release or destruction. Ammunition shall not be released with a firearm. Ammunition may be released on the following workday.

#### **8.3.1.5 DRUG DESTRUCTION**

Revised December 17, 2020

The Evidence Control Section shall coordinate the destruction of drugs, and shall be responsible for the following:

- 1) Create a drug manifest for all drugs set for destruction,
- 2) Audit drugs set for destruction,
- 3) Coordinate with Internal Affairs to audit the drugs set for destruction,
- 4) Obtain approval from the Chief of Police, or his or her designee, for the drug destruction,
- 5) Obtain a court order for the destruction,
- 6) Contact and schedule the destruction with the contract disposal facility,
- 7) Follow established security protocols in place for the destruction of drugs.

#### **8.3.1.6 DRUG INVESTIGATIVE DETAILS (MCI & DRUG INVESTIGATIONS SECTIONS)**

Reviewed December 17, 2020

All drug cases not identified on the "Property Disposition Report" as assigned to a Detail, shall be destroyed at the end of one year.

Drug investigative Details shall audit their assigned case file to monitor the requirement for evidence to be saved past one year.

It is the responsibility of each investigative Detail to notify the Property Section, in a timely manner, of any evidence that must be saved.

#### **8.3.1.7 STOLEN PROPERTY IN COMPUTER SYSTEMS (AUTOMATED FIREARMS SYSTEM (AFS) & AUTOMATED PROPERTY SYSTEM (APS)**

Reviewed December 17, 2020

It is the responsibility of each investigative Detail to file appropriate follow-up reports for all recovered Long Beach stolen property. The information shall be forwarded to the Police Systems Section who shall be responsible for removing the stolen information from the California Justice Information System (CJIS).

Each assigned case is incomplete until such time as a final disposition of the evidence has been made and the stolen information removed from computer system.

#### **8.3.2 PROPERTY AND EVIDENCE CHECK-OUT AND RETURN**

Revised December 17, 2020

It is the responsibility of the person checking out an item to contact the Evidence Control Section and provide the signed *Release of Property by Evidence Control Section* form regarding the final disposition of any item not being returned.

#### **8.3.3 PROPERTY AND EVIDENCE PACKAGING AND HANDLING**

Revised December 17, 2020

Department personnel shall file and maintain property in an appropriate and credible manner, using the correct forms and accurately itemizing all property and evidence.

Property and evidence shall be handled and packaged in a manner to minimize damage, loss, or contamination. Items shall not be packaged permanently, or temporarily in disposable gloves.

Items of evidence, safekeeping, prisoner's or found property shall be properly sealed with sealing tape. Envelops and other packages shall not be stapled. A proper seal shall contain the following legible information:

- The packaging officer's signature or initials,
- The packaging officer's DID number,
- The date.

All property and evidence shall be entered on the log sheet at each property pick-up location. This includes bikes and bulk property that are stored in any cage, trailer, or garage area.

#### **8.3.4 IMPOUNDING OF PROPERTY AND EVIDENCE**

Revised December 17, 2020

All impounded property shall be inventoried and itemized on a *Report of Property* form and secured in an evidence locker or delivered to the Evidence Control Section prior to the end of an officer's shift. One copy of the completed report indicating the contents of each package shall be attached to the corresponding package.

An after-hours call-out to the Evidence Control Sergeant or Supervisor is required when impounding a large number of drugs, money, guns, or items that cannot be secured in a locker or cage.

#### **8.3.4.1 IMPOUNDING OF UNITED STATES CURRENCY AND COINS**

Revised December 17, 2020

United States (US) currency and coins may be listed on the *Report of Property form* with all other items but shall be packaged separately. Packages containing US currency and coins shall have a money count sheet attached to the outside of the package along with a copy of the *Report of Property form*.

#### **8.3.4.2 IMPOUNDING OF ITEMS FOR FREEZER STORAGE**

Revised December 17, 2020

Any items that require placement into the freezer may be listed on the *Report of Property form* with all other items. However, it shall be packaged separately with a copy of the *Report of Property form* attached to the outside of the package.

#### **8.3.4.3 IMPOUNDING OF WET OR BLOODY EVIDENCE**

Revised December 17, 2020

Wet and bloody evidence shall not be left in evidence lockers for pickup. Wet and bloody evidence must be air dried thoroughly before packaging and impounding.

If wet and bloody evidence is collected at a scene where a Lab Unit is not responding, the on-call analyst for the Crime Laboratory shall be notified.

Evidence items which are wet and bloody may be transported temporarily in red plastic biohazard bags to prevent leakage of any biohazardous materials. Evidence items shall be removed from the biohazard bags as soon as possible.

#### **8.3.4.4 IMPOUNDING OF NARCOTICS**

Revised December 17, 2020

Narcotics may be listed on the *Report of Property form* with all other items. However, narcotics shall be packaged separately.

Due to the high risk for exposure to bloodborne pathogens from a needle-stick, the Forensic Sciences Services Division will not routinely analyze syringes that are suspected

of containing a controlled substance. Syringe contents will only be analyzed in the following circumstances:

- The syringe is the only piece of evidence and results are needed for probable cause to continue an investigation into other charges, or
- As part of an Internal Affairs investigation.

#### **8.3.4.5 IMPOUNDING OF BICYCLES**

Revised December 17, 2020

Bicycles may be listed on the *Report of Property* form with all other items. However, a copy of the *Report of Property* form shall be attached to the bicycle.

#### **8.3.4.6 IMPOUNDING OF KNIVES AND BLADES**

Revised December 17, 2020

Knives and razor blades shall be packaged in a manner to avoid injury while handling and moving the package.

#### **8.3.4.7 IMPOUNDING OF COLLECTIBLES**

Revised December 17, 2020

Collectibles are defined as items that are collected as a hobby, or as an investment, whose value may appreciate over time. These items include, but are not limited to the following:

- Stamps
- Rare coins
  - Rare coins are defined as a piece of metal stamped and issued by the authority of a government for use as money. Rare coins are characterized as being seldom found, uncommon or unusual, and have a potential value greater than face value. Rare coins shall be listed as “rare coins” on the *Report of Property form*. Rare coins are not considered money and will be auctioned once the assigned detective has cleared the evidence for disposition.
- Baseball cards
- Comic books
- Action figures
- Sports memorabilia
- Artwork
- Any other item of potential value

#### **8.3.4.8 IMPOUNDING OF JEWELRY**

Revised December 17, 2020

Jewelry shall not be identified by naming a specific stone or metal; rather it shall be described by listing a stone color or metal color.



Costume jewelry is defined as an item looking like jewelry but made from a plastic or plastic-like material. Costume jewelry, also called fashion or fake jewelry, shall be listed as “costume jewelry” on the *Report of Property form*, along with a description.

#### **8.3.4.9 IMPOUNDING OF FLAMMABLE LIQUIDS**

Revised December 17, 2020

Flammable liquids may be retained only with approval by the Deputy Chief of the Investigations Bureau.

#### **8.3.4.10 IMPOUNDING OF HAZARDOUS WASTE**

Revised December 17, 2020

The Evidence Control Section will not accept hazardous waste of any type. Hazardous waste shall not be placed in property lockers, brought to the Public Safety Building, or any Police Department Sub-Station.

#### **8.3.4.11 IMPOUNDING OF PRISONER’S PROPERTY**

Revised December 17, 2020

When an individual is arrested and booked into the LBPJ Jail with property that cannot be stored in Booking, the property shall be impounded as bulk property into the Evidence Control Section. These items, such as luggage, backpacks, or other large items must be stored as prisoner’s property. Officers shall inventory and itemize all prisoner’s property impounded as bulk property.

### **8.3.5 FIREARMS HANDLING AS PROPERTY AND EVIDENCE**

Revised December 17, 2020

The Long Beach Police Department shall not sell firearms or firearms components. Any firearm placed into the Evidence Control Section shall be unloaded and packaged into a separate, marked container. All firearms information shall be listed on the *Report of Property Form*. The complete name, address, identifying information, and date of birth of the individual who found the item shall be indicated on the *Report of Property Form*.

An officer impounding a firearm shall verify ownership of the firearm. For stolen firearms, the Evidence Control Section shall be responsible for sending a locate to teletype. The firearm may then be released to the legal owner or other police agency. Firearms shall not be released until authorized by the assigned detective.

#### **8.3.5.1 FOUND FIREARMS**

Revised December 17, 2020

The Evidence Control Section shall verify any holds or stolen information on the weapon and make appropriate notifications with the Automated Firearms Systems.

**8.3.5.2 FIREARMS - SAFEKEEPING**

Revised December 17, 2020

Officers who receive a firearm for safekeeping will advise the owner that the weapon may not be retrieved until the assigned detective clears the firearm for release.

**8.3.5.3 RELEASE OF FIREARMS**

Revised March 25, 2021

A firearm in LBPDP custody shall only be released after all the following have been met:

1. Proof of legal right of ownership,
2. California Department of Justice (DOJ) Law Enforcement Gun Release Letter (LEGR) showing proof of firearms eligibility,
3. Weapon verification, and
4. Evidence Control receives a completed *Gun Release Form* from the handling detail sergeant or detective.

**Right of Ownership**

Right of ownership may be established through the Automated Firearms System (AFS). Circumstances may exist when an individual (requestor) is not listed as the registered owner in AFS, the following additional forms of documentation may be used by a requestor to show a right of ownership:

- Power of Attorney,
- Letter of appointment as executor of the registered owner's estate,
- Documentation of registration of ownership,
- Court order,
- Other documentation that may prove a right of ownership.

**DOJ Law Enforcement Gun Release Letter**

Per California Penal Code § [33850\(a\)](#), the requestor seeking the release of the firearm shall receive DOJ clearance prior to the release of any LBPDP held firearm. Once DOJ completes a firearms eligibility check, the requestor will receive an LEGR with a gold embossed seal confirming or denying eligibility to possess a firearm. The Evidence Control Section shall only release a firearm in exchange for the original LEGR, no copies of the LEGR shall be accepted.

An LEGR is valid for 30 days from the date on the letter. The LBPDP shall not accept any LEGR after 30 days. A failure to redeem the firearm within the 30-day period will require the individual to contact the DOJ to conduct another firearms eligibility check.

**DOJ Denial**

If the requestor's LEGR is a denial letter, the requestor may initiate a third-party transfer through a Federal Firearms Licensed (FFL) dealer. If the requestor chooses to initiate a third-party transfer, they shall provide the detective with a copy of the LEGR. Once approved by the detective, the requestor can make arrangements with the FFL dealer to receive the firearm from property.

Prior to the transfer of the firearms to an FFL, the detective shall verify that a valid FFL dealer is willing to accept the firearm. The owner shall arrange for the shipping.

Per DOJ, the handling detective is not required to show state identification and is not required to be listed in a third-party sale. If the FFL dealer insists on listing the detective in the sales transaction, refer the FFL dealer to DOJ for clarification. In the event the third-party sale cannot be performed, the detective shall return the firearm to the LBPDP Property Section.

### **Weapon Release and Verification**

The detail sergeant or handling detective shall verify that a firearm meets the legal standard for possession, i.e., the weapon is not an illegal or banned firearm, and is not evidence in a pending case.

Prior to releasing a firearm, the Property Clerk shall verify that the serial number, make and model of the firearm match the information on the *Gun Release Form* and the LEGR.

Per Manual § 8.3.1.4 RELEASE OF AMMUNITION, ammunition shall not be released with firearms from the Property Section. The ammunition may be released on the following workday.

### **8.3.5.4 FIREARMS DESTRUCTION**

Revised March 25, 2021

Per CPC § [33875\(a\)](#) any unclaimed firearm may be disposed of by a law enforcement agency 180 days after the owner has been notified that the firearm is available for return.

The Evidence Control Section shall coordinate the destruction of firearms, and shall be responsible for the following:

- 1) Create a manifest for all firearms set for destruction,
- 2) Audit firearms set for destruction,
- 3) Coordinate with Internal Affairs Division to do a random audit of firearms set for destruction,
- 4) Ensure the destruction is handled by a contract disposal facility,
- 5) Enter each firearm in the Automated Firearms System (AFS) as destroyed,
- 6) Follow established security protocols in place for the destruction of firearms.

### **8.3.6 CRIME LAB SERVICES**

Revised December 17, 2020

Scientific analysis of evidence can provide information vital to the successful investigation and prosecution of crimes.

The Crime Lab provides the following functions:

**Blood Alcohol** – Blood samples are screened with instrumentation for the presence of alcohol. The volume of alcohol content to blood is reported, and testimony is offered by analysts.

**Breath Alcohol** – The Crime Laboratory is responsible for all intoxilyzer machines in the City. The machines are maintained, training given to officers and testimony offered by analysts.

**Crime Scene** – Crime scenes are documented, photographed, and analyzed for the presence of probative evidence. Reports are written, and testimony offered.

**Drug Chemistry** – Suspected controlled substances are examined through instrumentation. Reports are written, and testimony is offered by analysts.

**Evidence Processing** (also known as latent print processing) – Evidence is examined for the presence of latent prints and/or bodily fluids. Evidence may also be documented through photography and sketches. Reports are written and testimony offered by analysts.

**Firearms** – Submitted firearms are test fired for functionality or to collect bullets and/or cartridge cases. Bullets and cartridge cases are compared to previously submitted evidence and can be searched through a national database. Proximity testing can be performed on clothing. Serial number restoration can be performed on submitted firearms. Reports are written, and testimony offered by analysts.

**Latent Prints** – Latent print evidence is compared to listed subjects or searched through local, regional, and national databases. Reports are written and testimony offered by analysts.

### **8.3.7 CRIME LAB REQUESTS**

Revised December 17, 2020

The Crime Lab processes evidence based on requests received from officers or detectives. The officer handling the initial investigation, or the detective assigned to investigate shall be responsible for ensuring that evidence is identified correctly, complete all required paperwork and request lab analysis as necessary.

#### **8.3.7.1 FORENSIC ANALYST FIELD CALL-OUT**

Revised December 17, 2020

A forensic analyst field call-out request shall be made for any of the following:

- 1) Homicide,
- 2) Officer involved shooting,
- 3) Sexual Assault Response Team call-out,
- 4) In-custody death,
- 5) Evidence that cannot be secured or protected, or
- 6) Evidence that cannot be preserved due to the weather.

#### **8.3.7.2 OFFICER RESPONSIBILITIES**

Revised December 17, 2020

Officers responding to property crimes in which further evidence processing is required shall do the following prior to leaving the crime scene:

- Advise the victim that the Crime Lab has been requested to process the crime scene, and that appointment scheduling will be handled by Crime Lab personnel,
- Advise the victim to protect and preserve the crime scene as best they can,

- Assist the victim in identifying items to preserve for fingerprint processing, such as items with a smooth and non-porous surface,
- Whenever possible, photograph the items of evidence at the scene,
- Collect items left at the scene by the suspect that could be lost, damaged, or contaminated prior to the Crime Lab response, and
- Request that the crime scene is added to the Lab List for processing.

Officers can request the Crime Lab to prioritize a property crime response if evidence cannot be preserved.

Officers responding to property crime scenes in which further evidence processing is not required will advise the victim that Crime Lab processing will not be requested and why.

A *Request for Analysis* is required in the following circumstances:

- For all Crime Lab services performed in the lab;
- For processing of all vehicles, including those towed to the City of Long Beach tow yard; or
- For cases that require extended processing time with the use of specialized equipment.

### **8.3.7.3 CRIME LAB REPORTS**

Revised December 17, 2020

All Crime Lab reports are reviewed by a second qualified analyst prior to publication.

### **8.3.12 IDENTIFICATION TECHNICIAN**

The investigating officer or filing officer shall make requests for an ID Technician to respond to a crime scene location. The officer requesting an ID Technician shall accomplish this by one of the following methods:

- Notify the Communication Center via radio, so the call can be logged on Code 700. The call will then be prioritized and an ID Technician can be advised or dispatched to the crime scene location when available
- Call the Crime Lab at 570-7205, during normal working hours, to request an ID Technician for service. After normal working hours, refer to the Crime Lab on-call Duty Roster kept by the Watch Commander
- Complete and submit a Request for Technician Service Form, PD Form 4100.010 (3/82). The forms are available in Records and can be submitted to the Crime Lab or placed in the Crime Lab box on the Records counter

### **Incident Reports**

Incident Reports contain a check-off indicating whether an ID Technician has been requested or has been at the scene. Checking this box is not an automatic request for an ID Technician. Officers are still required to call Communications, the Crime Lab, or submit a Request for Technician Service Form, PD Form 4100.010 (3/82).

**Priority Request**

If an ID Technician is required on a priority basis, the requesting officer shall obtain a Field Supervisor's approval. A priority request for an ID Technician is made only when evidence cannot be preserved or protected through reasonable measures.

The following incidents are priority requests:

- Homicide
- Officer-involved shooting
- Sex Crimes call-out
- In-custody death
- Photographs needed prior to removal of evidence, victim or suspect
- Evidence that cannot be secured or protected
- Evidence that cannot be preserved due to weather

Priority calls require an explanation of the circumstances to allow the ID Technician to properly prepare for the crime prior to responding.

**Special Requests**

If more than one ID Technician is required during daytime hours, the investigating officer shall advise the Communications Supervisor, who will notify the Crime Lab. After 1700 hours, the request shall be made through the Communications Supervisor to the Watch Commander who will notify the ID Technician on-call.

**Vehicle Requests**

If a vehicle is impounded for a felony, a "Hold for Prints" sticker shall be placed on the windshield. The Incident Report number should be indicated on the sticker and the Impound Report. If the officer determines that latent prints are to be lifted, a request for technician service may be made by calling the Communications Center and providing the vehicle description and type of processing requested.

**Auto Burglaries**

If a burglarized vehicle (459-APC) meets at least one of the following criteria, the officer may request an ID Technician and Crime lab services. The officer or employee taking the report should call Communications or the Crime lab during normal business hours.

- A suspect is in custody
- The victim or a witness obtained a license number, or usable suspect information
- Where property taken is identifiable by serial number, other identifiers, or unique markings

If the Auto Burglary Report is taken in the evening, the victim should be advised to preserve the vehicle from outside contamination and call the Crime Lab the following business day to have the vehicle printed at the station. If the vehicle cannot be driven, the victim should call the Crime Lab to make other arrangements. The victim can reach the Crime Lab by calling 570-7205.

The officer should never tell the victim to drive the vehicle to the Station for printing without first calling the Crime Lab for an appointment.

### **ID Technician Service Requests for Crimes Other Than Auto-Burglaries**

ID Technician services should be requested in the following circumstances:

- Window entries
- Cases where extensive ransacking has taken place
- Cases where articles suitable for obtaining latent prints are known to have been handled by the suspect
- Cases where pry marks, footprints, or tire marks are present and photographs or plaster casts are required
- Felony crime scenes where a suspect has been arrested
- Vandalism (extensive damage) where prints, photos, et cetera, may assist in the identification and/or prosecution of the suspect

### **ID Technician service should not be requested in the following circumstances:**

- Where entry is questionable (door unlocked, no ransacking, unknown loss)
- Where the articles or surfaces handled by the suspect are unsuitable for obtaining latent prints (concrete; rough, dirty, scaly wood; cloth or uneven surfaces, except where photographs can be used)
- Where the article or surfaces handled by the suspect have also been handled by other individuals (door handles, drawer handles, counter tops, et cetera)

### **Information to be Given to the Victim**

#### **ID Technician not requested:**

- Advise the victim that the ID technician will not be requested and explain why the request is not being made
- If there is further concern, give the victim the Crime Lab phone number, 570-7205, and ask them to call during normal business hours

#### **ID Technician is requested:**

- Advise the victim that the ID Technician will arrive as soon as possible, however, it may be the following day
- Advise the victim to have someone at the scene to admit the ID Technician
- Do not tell the victim that an ID Technician will arrive at a specific time or will call prior to responding

### **Before Leaving the Crime Scene**

Advise the victim to protect and preserve the crime scene. The officer should assist the victim in preserving articles to be processed for prints. The officer should not take evidence to the Station to be fingerprinted, unless it is an article that was left at the scene by the suspect and does not belong to the victim.

## 8.4 JUVENILE

Revised December 15, 2016  
The Investigations Bureau has audit responsibility.

### 8.4.1 DEFINITIONS

Revised December 15, 2016

- A) Dependent child - Any person, under 18 years of age, who is subject to abuse or neglect committed by his or her parent or guardian (see Welfare and Institutions Code (WIC) [§ 300](#)).
- B) Status offender - Any person, under 18 years of age, who persistently or habitually refuses to obey the reasonable and proper orders or directions of his or her parents, guardian, or custodian, or who is beyond the control of that person, or who is under 18 years of age when he or she violated any ordinance, of any city or county of this state establishing a curfew based solely on age that is within the jurisdiction of the juvenile court which may adjudge the minor to be a ward of the court (see WIC [§ 601](#)).
- C) Juvenile offender - Any person, under 18 years of age, who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense) (see WIC [§ 602](#)).

### 8.4.2 JUVENILE INTAKE AND DETENTION

Revised December 15, 2016

All juveniles taken into custody, with the exception of some dependent and found children who are described in WIC [§ 300](#) and [§ 601](#), will be taken to the Juvenile Investigations' facility for processing. Juveniles brought into the booking area shall be searched prior to the removal of handcuffs.

The following juveniles cannot be detained at the Juvenile Investigations facility and shall be transported to a hospital or county facility:

- 1) Under the influence of alcohol or drugs to the point of being unable to care for themselves;
- 2) In need of immediate or continuing medical care;
- 3) Who are an immediate threat to themselves or others;
- 4) Who present a physical control problem;
- 5) Who require special handling that may exceed the abilities of booking personnel;
  - a) If in doubt, contact Juvenile Investigations; after normal operating hours, contact the adult booking desk for guidance.

Occasionally, a situation may arise that does not meet the criteria in the above list. In these instances, officers should consult with a Juvenile Investigations' supervisor or a field supervisor for guidance.

#### 8.4.2.1 DEPENDENT AND FOUND CHILDREN

Revised December 15, 2016



Dependent and found children, while awaiting final disposition by DCFS, shall not be housed temporarily in the Public Safety Building or any other police facility where status offenders, juvenile offenders or adult offenders are located. All dependent children, and those taken into temporary custody, under authority of WIC [§ 305](#), shall be released directly to DCFS in the manner described below:

- A) Found children
  - 1) Found children, listed solely as a missing person, in police custody may be released to a parent or a legal guardian.
  - 2) If a parent or legal guardian cannot be reached, the child shall be released to DCFS.
  - 3) Under no circumstances shall an officer allow a citizen, who has found a child, to return the child to his or her parent(s) or legal guardian(s). The officer shall take charge of the child.
- B) Dependent children (WIC [§ 300](#))
  - 1) Dependent children who have warrants may be brought to the Juvenile Investigations' facility for processing.
  - 2) Children under 3 years of age - On rare occasions, children under 3 years of age may have warrants; these children shall not be brought to the Juvenile Investigations' facility.
  - 3) Dependent children shall not be detained with status offenders or juvenile offenders.
  - 4) The arresting officers shall keep WIC [§ 300](#) children in constant visual and auditory contact.
  - 5) Dependent children, who are taken by DCFS and not brought to the Juvenile Investigations' facility, must still be processed through the booking computer.

#### **8.4.2.2 CUSTODY OF STATUS OFFENDERS**

Revised December 15, 2016

Any minor arrested solely on a Juvenile Court warrant, issued pursuant to WIC [§ 601](#), shall be booked. After booking is complete, the following options are available for processing:

- 1) If a parent or guardian is contacted, but unable to respond within 6 hours, officers may transport the minor to his or her parent or guardian with authorization from the Watch Commander.
- 2) If a parent or guardian cannot be reached, officers should contact DCFS to arrange placement with a Status Offender Detention Alternative (SODA) home (for juveniles who reside within Los Angeles County) or coordinate an alternative placement solution with DCFS.

#### **8.4.2.3 CUSTODY OF JUVENILE OFFENDERS**

Revised December 15, 2016

Any minor who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense), pursuant to WIC [§ 602](#), will be booked. The following options are available after booking:

- 1) Release the minor back to a parent or legal guardian.
- 2) Arrange for the minor to be detained in a county facility.
- 3) Arrange an alternative solution with DCFS.

#### **8.4.2.4 NOTIFICATION OF PARENT OR GUARDIAN**

Revised December 15, 2016

Per WIC [§ 627](#), officers shall take immediate steps to notify the juvenile's parent, guardian or a responsible relative that the juvenile is in custody, and the location where the juvenile is being held. This includes situations where a juvenile is taken directly to a hospital.

Pursuant to WIC [§ 627\(b\)](#), "Immediately after being taken to a place of confinement pursuant to this article and, except where physically impossible, no later than one hour after being taken into custody, the minor shall be advised and has the right to make at least two phone calls from the place where he [or she] is being held, one completed to his [or her] parent or guardian, a responsible relative, or his [or her] employer, and another call completed to an attorney."

#### **8.4.3 MEDICAL CARE OF JUVENILES**

Revised December 15, 2016

Arresting officers are responsible for the proper medical care of juveniles they detain. Juveniles who are bleeding, have open wounds, are complaining of pain, or are showing signs of medical distress must immediately, and prior to booking, be taken to a hospital.

Any juvenile, who is under the influence of alcohol or drugs to the point of being unable to care for themselves, should be immediately transported to the hospital.

Officers shall not administer medication to juveniles.

Occasionally, a juvenile may need to be admitted to a hospital or have a need for continuous medical treatment. If the juvenile being detained has committed a serious felony, they will need to be booked at an approved county medical facility. Juveniles who have committed minor offenses may be released, not booked. Contact Juvenile Investigations for guidance when these situations occur; after normal operating hours, contact the adult booking desk for guidance.

Officers shall notify the booking personnel of the minor's medical condition, and of any drug or alcohol use, prior to booking.

In instances where an officer requires guidance regarding a situation, officers should contact a Juvenile Investigations' supervisor or a field supervisor. A Juvenile Investigations' supervisor or a field supervisor is responsible for determining if a juvenile's medical condition deems the juvenile acceptable for booking. If the juvenile is considered unacceptable for booking, it is the arresting officer's responsibility to ensure the care and transportation of the juvenile.

**8.4.3.1 SUICIDAL JUVENILES**

Revised December 15, 2016

Juveniles who are suicidal shall not be taken to a Juvenile Booking facility; rather, they shall be transported to a hospital that will accept juveniles held under WIC [§ 5150](#) (see Training Bulletin #62).

If a juvenile is brought to the booking facility and exhibits suicidal behavior or makes suicidal statements, they shall be transported to a hospital that will accept juveniles held under WIC [§ 5150](#) (see Training Bulletin #62). The booking officer will notify the Watch Commander that the juvenile was taken to the hospital from the Juvenile Booking Facility.

If a juvenile has committed a crime and is taken directly to a hospital that accepts juveniles being held under WIC [§ 5150](#), officers shall notify a Juvenile Investigations' detective; if after hours, officers shall notify adult booking. Officers shall also ensure that a copy of the paperwork is sent to Juvenile Investigations before the end of shift.

If a juvenile is detained for a status offense and will be taken to a hospital that accepts juveniles being held under WIC [§ 5150](#), the juvenile shall not be cited. Instead, officers shall file an RNB and any required reports.

**8.4.3.2 SEPARATION OF JUVENILES AT JUVENILE INVESTIGATIONS DETAIL**

Revised December 15, 2016

Dependent children shall not be detained with status offenders or juvenile offenders.

Status offenders shall not be held, or have contact, with juvenile offenders. Contact is defined as verbal or visual communication between individuals.

The arresting officer shall remain in constant visual and auditory contact with all juveniles until the appropriate paperwork is completed and until they are notified by the assigned booking employee that they are relieved.

**8.4.4 JUVENILE CITATIONS**

Revised December 15, 2016

Officers have the discretion of booking a juvenile or issuing a misdemeanor citation for a variety of offenses, or any infraction. A complete list of citable offenses is located at Juvenile Investigations. Before citing a juvenile, officers must confirm the juvenile's name, address, and birthdate through proper identification. If a juvenile's parent or guardian is available to confirm the juvenile's name, address, and birthdate, officers may issue a citation in the field without seeing identification. A school district employee, with access to current school records, may be utilized to confirm a juvenile's identification.

Juveniles whose identity cannot be confirmed in the field must be brought to Juvenile Investigations. While at the Juvenile Facility, if the officer can confirm the juvenile's identity through Records or contact with a parent or guardian, the officer may issue a citation and release the juvenile to their parent or guardian. The arresting officer is

responsible for the supervision of the juvenile until they are released to a parent or guardian, or until the arresting officer is relieved by juvenile booking personnel.

If a juvenile is arrested for a warrant and a separate citable charge, the officer may:

- 1) Book the juvenile for the warrant and the citable charge, or;
- 2) Book the juvenile for the warrant only and cite the juvenile for the additional citable charge.

#### **8.4.4.1 JUVENILE CITATIONS – NON-CITABLE JUVENILES**

Revised December 15, 2016

An officer shall not cite and release a minor in the field if the minor has consumed any alcohol, or has ingested any illegal drug or substance.

#### **8.4.5 ADMONISHMENTS TO JUVENILES**

Revised December 15, 2016

This heading has no text.

##### **8.4.5.1 MIRANDA ADVISEMENT**

Revised December 15, 2016

All in custody, status offenders or juvenile offenders shall be read their Miranda Rights per WIC [§ 625\(c\)](#), regardless of whether the minor is questioned or not.

##### **8.4.5.2 GLADYS R QUESTIONNAIRE**

Revised December 15, 2016

When citing or arresting a juvenile who is 13 years of age or younger, officers shall complete a Gladys R. Questionnaire. Once filled out, it must be attached to the citation or booking report.

#### **8.4.6 TRUANCY, LOITERING – DAYTIME & NIGHTTIME**

Revised December 15, 2016

This heading has no text.

##### **8.4.6.1 DAYTIME LOITERING ENFORCEMENT & PROCESSING**

Revised December 15, 2016

Officers may arrest or assume temporary custody, during school hours, of any minor subject to compulsory, full-time education or to compulsory, continuation education found away from his or her home and who is absent from school without valid excuse, per California Education Code [§ 48264](#) and Long Beach Municipal Code (LBMC) [§ 9.58.020\(a\)](#).

##### **8.4.6.2 CURFEW ENFORCEMENT & PROCESSING**

Revised December 15, 2016

Officers may arrest or assume temporary custody, during nighttime hours, as per LBMC [§ 9.58.01](#), of any minor found loitering in a public place without proper supervision or permission from a parent, legal guardian or employer.

Arresting officers are responsible for detaining the juvenile until a parent or legal guardian arrives, or the juvenile is released to another approved entity per Manual § 8.4.2.2

#### CUSTODY OF STATUS OFFENDERS

#### **8.4.7 JUVENILE DETENTION - WEAPONS**

Revised December 15, 2016

Officers shall deposit their weapons in the gun lockers provided prior to entering a WIC [§ 601](#) and [§ 602](#) detention areas, per Penal Code [§ 4574\(a\)](#).

## **8.5 SPECIAL INVESTIGATIONS**

### **8.5.1 LICENSING**

The following list identifies City offices and the respective licensing activities provided.

#### **Office of the Chief of Police – 570-7301**

- Concealed Weapons Pursuits

#### **Financial Management Bureau, Billing & Collection Section – 432-3909**

- Alarm agents
- Alarm business
- Alarm Systems
- Garage Sales

#### **Special Permits – 570-7427**

- Adult book stores
- Adult Movies/Theaters
- After Hours Clubs
- Alcohol Beverage Control Licensing
- Arcades, amusement games and rides and machines
- Bail permittee, agents and solicitors
- Bingo
- Candy selling (charitable)
- Charitable solicitations
- Entertainment cafes with/without dancing
- Family billiard rooms
- Fortune telling
- Going out of business sales
- Las Vegas nights
- Live musical event
- Masseurs and massage parlors
- Miscellaneous adult entertainment business licenses
- Occasional dance permits
- Parking lot sales
- Peddlers and vendors
- Pool halls, pool tables, pinball machines and miscellaneous amusement machines
- Private investigators
- Private patrol operators
- Private patrol persons (any problem or complaints)
- Public card rooms
- Public dance halls
- Rummage sale permits
- Selling clubs (i.e., coupon books)

- Street hawkers
- Taxi cab drivers
- Taxi cab operators
- Tow truck drivers
- Tow truck operators
- Transient business (i.e., transient photographer)

**Pawn Shop – 570-7273**

- Antique dealers
- Coin and stamp shops
- Handgun dealers
- Junk dealers
- Pawnshop dealers
- Salvage yards
- Secondhand stores
- Swap meets
- Thrift shops

**Special Events– 570-7462**

- Block parties
- Movie filming
- Races and walks
- Special events
- Street closures

**State of California, Department of Consumer Affairs – 620-4360**

- Auction
- Tear gas permits

**City Health Department – 427-7421**

- Baked food sale permits

Inquiries regarding any license or permit that is not listed should be directed to City Hall, licensing Division, telephone number 570-6211.

**8.5.2 SPECIAL INVESTIGATIONS – CONFIDENTIAL INFORMANT FILE SYSTEM**

- Officers shall adhere to Manual § 8.5.3 USE OF INFORMANTS/INFORMANT PAYMENT POLICY
- Subsequent to file compilation, new confidential informants shall be given an alpha-numeric file number

**Confidential Informant Alpha-numeric File System**

- The alpha-numeric number shall originate from the filing officer's photo number and consist of one letter followed by three numbers, and then by two numbers, followed by the last two numbers of the current year (example: A-123-01-88)
- The letter for the file originates from the first number of the filing officer's photo number

**Example: If the officer's photo number begins with #1**

- The following three numbers originate from the last three numbers of the filing officer's photo number
- The next two numbers indicate the number of confidential informants of the filing officer
- The final two numbers identify the current year

**Example:** The filing officer's photo number is 1889. The officer's first confidential informant alphanumeric file number would be: A889-01-88. His/her next number would be A889-02-88.

The filing officer shall complete three, 3x5 index cards with the following information:

- Name of confidential informant
- New confidential informant alpha-numeric identification number
- Name and photo number of filing officer
- Date
- Bureau/Division and/or Section/Detail of filing officer
- One card shall be submitted to the Drug Investigations Lieutenant who shall be responsible for file maintenance
- One card shall be given to the officer's immediate supervisor for future audit
- One card shall be retained by the filing officer for reference
- All references to the confidential informant in reports, expense receipts, and imprest cash expenditures will be made using the assigned, alphanumeric number
- To avoid duplication, it shall be the filing officer's responsibility to confirm with the Drug Investigations Lieutenant or his/her designee, to ensure that an existing file is not duplicated

### **8.5.3 USE OF INFORMANTS/INFORMANT PAYMENT POLICY**

It shall be the policy of this Department to pay City funds to informants, either as reimbursement for expenditures incurred incidental to a police investigation, or as a reward for services rendered in the furtherance of a police investigation.

Whenever an informant is used, and particularly when there is a request for payment of City Funds to an informant either as reimbursement or as a reward for services rendered, specific procedures shall be followed to ensure proper documentation and that payments conform to established City and Department policies.

#### **Procedures**

The following factors should be adhered to when dealing with a confidential informant:



- When meeting with an informant in the field, an officer shall be accompanied by, or under the surveillance of at least one other officer
- The relationship between the officer and the informant shall remain on a professional level at all times
- The officer's supervisor shall be advised of any scheduled or unscheduled meetings the officer has with an informant
- The officer shall not accept gifts or gratuities from an informant

All confidential informants, whether compensated or no, shall have a file jacket that shall be retained in the confidential informant file and maintained within the Drug Investigations Section, with the exception of Administrative Security who shall maintain their own file. The file shall be locked and all access recorded.

Each file shall contain:

- Individual photograph of the informant to be utilized
- Criminal Identification and Information check
- Long Beach Police Department Rap Sheet
- Department of Motor Vehicle check
- Address verification
- Accomplishment Record
- Completed Fingerprint Card

**NOTE:** There shall not be any payments made to an informant prior to completion of all the above.

- All agreements for compensation shall be recorded in the informant's file
- All agreements with the informant must be reiterated to the informant prior to his/her participation, for example
- What expenses shall be paid to him/her
- What he/she should tell the court of probation office if information is requested of them
- The law regarding the handling of narcotics and other evidence
- He/she should be given explicit instruction regarding what to do and what not to do (i.e., handling narcotics, entrapment, et cetera)
- The dangers involved
- All agreements and arrangements between the informant and an officer must have the prior approval of a supervisor
- All negotiations involving a would-be informant and his/her attorney shall be approved by a Lieutenant or his/her designee
- The terms between the informant and the Department will be submitted to the District Attorney as soon as possible for approval
- All work completed by the confidential informant shall be recorded on his/her accomplishment record
- Advance payments are not to be made without a detailed explanation of the transaction and the approval of a Lieutenant and/or Division Commander
- Investigating Officer is required to provide an updated confidential informant file jacket to the Drug Investigations Section Supervisor at the time payment is requested

- The file shall be left with the cash withdrawal slip so both may be completed at the conclusion of the transaction
- Investigating Officer shall not make promises or guarantees to either defendants or informants
- Informants shall be instructed that unless they are working under the direction of an officer, they are acting in an independent capacity, not as an agent of the Department
- Individual arrested for a violation of law shall be used as an informant only after being booked for such violation. Subsequent to booking, prospective informants may be released pursuant to [§ 849\(b\) PC](#) by the investigating officer, or may be required to post bail or be released on their own recognizance (OR)
- Individuals on formal probation require the approval of their probation officer prior to being used as a confidential informant
- Individuals with a history of violent crimes (i.e., armed robbery, battery on a peace officer, et cetera) or child molestation shall not be used as confidential informants without the permission of a Lieutenant. Utilization of these types of informants is strongly discouraged.

#### **8.5.4 CONFIDENTIAL INFORMANTS – PAYMENTS TO (SECRET SERVICE FUND)**

Confidential informants shall be compensated for services based on the following criteria:

- Importance of the violator (how serious was the violation?)
- Type and/or quantity of the drug or other activity involved
- Criminal record of the violator
- Clientele of the violator (i.e., juveniles, et cetera)

If a confidential informant is unsatisfactory, the investigating officer shall submit a written report to the Drug Investigations Section Lieutenant detailing the confidential informant's unsatisfactory performance. A confidential informant may be considered unsatisfactory who:

- Fails to keep appointments
- Fails to follow the instructions of the Investigating Officer
- Gives false or misleading information
- Does not give information at the level of which he/she has knowledge
- Is unsatisfactory for any other reason

Before a confidential informant is permitted to purchase evidence, he/she must be identified, thoroughly searched and kept under surveillance prior to meeting with the suspect. He/she must again be searched upon his/her return. Under no circumstances may a confidential informant return. Under no circumstances may a confidential informant retain any of the evidence.

Anytime a confidential informant of another agency is utilized, the confidential informant shall be documented with this Department prior to the expenditure of City funds.

#### **Payment/Approval Schedule**

- Payment of \$1.00 to \$200.00 to a confidential informant requires prior approval by the Section Sergeant
- Payment of \$201.00 to \$400.00 requires prior approval by a Lieutenant or Division Commander
- Payments exceeding \$400.00 shall be presented to the Deputy Chief, Investigations Bureau in a confidential memorandum requesting payment. Specific grounds for payment shall accompany this request. Other accomplishments by the confidential informant should be readily available, if requested. Requests for consideration in criminal matters shall follow these same guidelines
- The Deputy Chief, Detective Bureau shall verbally apprise the Chief of Police whenever a payment exceeds \$2,000.00 and shall seek approval prior to making payment to the confidential informant
- Weekly, Imprest Cash Fund Reports documenting confidential informant payments shall be prepared by each Section supervisor and signed by the Section Lieutenant, Division Commander, and the Bureau Deputy Chief

In order to initiate the confidential informant payment process, the case investigator, when applicable shall complete the following identified forms.

- Background Data Form: A background data form must be completed for each confidential informant. In addition to the personal data information, the investigating officer shall complete a background check and obtain a current photograph of the confidential informant. If the data information is not current, it is the responsibility of the investigating officer to update the form
- Record of Accomplishments: To support the reliability of a confidential informant, it is necessary to keep an accurate record of the activity that the confidential informant is involved in. The form is self-explanatory and must have an entry by the investigating officer for each transaction in which the confidential informant is involved
- Informant Instructions: Confidential informants used by the Department become agents for the Department. To protect the Department and the confidential informant, specific rules must be adhered to. These rules are partially set forth in the informant's instructions. The instructions shall be read to the confidential informant by the investigating officer and each statement shall be initialed by the confidential informant to acknowledge that he/she understands the instructions
- Expense Receipt: This form is used for recording payments to a confidential informant. It requires two officer's signatures; one issuing the payment, the other acting as a witness. The numbered form is filed in the confidential informant's jacket and also noted on the Imprest Cash receipt
- Cash Receipt: This form records the cash draw of City funds used, and the name of the supervisor issuing the funds
- Juvenile Parental Consent Form: This form shall be completed when officers find it necessary to utilize a juvenile informant. As a general rule, juveniles shall not be used as confidential informants, however, under special circumstances, exceptions may be made. In the event a juvenile is used, written approval must be obtained from the juvenile's parents or legal guardian. A Lieutenant shall give final approval prior to

using a juvenile as a confidential informant. If the juvenile is ward of the court or has charges pending, permission by the Superior Court must be obtained

Payment for the purchase of any drug shall be discussed between the case agent and supervisors. Payment should be based on the quality of the confidential informant, amount of drug seized, the number of subjects arrested, and the extent of the investigation.

### **Major Cash Seizures**

Payment to confidential informants utilized in reverse sting operations or drug seizures that result in cash seizures are subject to the following guidelines:

- Payment shall be discussed between case agent and Drug Investigations Section Supervisor and based on the confidential informant's credibility, past case history, potential for future use, reliability, level of case, liability factor, et cetera
- Payment shall not exceed 10% of the total monetary amount seized
- Payments shall conform to established City and Department policies pertaining to the use of and payment to confidential informants

### **8.5.5 INTERAGENCY ASSET SEIZURE**

Department policy shall be to determine the equitable distribution of seized assets on a case-by-case basis. Mutual determination and agreement shall be made as early in the investigation as possible.

Participating agencies shall agree to the criteria followed in determining the distribution of seized assets. Criteria shall include the following:

- Determine the number of agencies participating in the operation including the prosecution
- Determine the amount and type of supporting equipment used by each agency
- Number of personnel representing each agency
- Number of work hours expended and degree of participation by each agency
- Determine which agency has ultimate control over the investigation and informant. How will informant payments be made?
- All arrangements relative to the sharing of assets shall be reviewed by the Section Lieutenant and approved by the SID Commander and Deputy Chief, Investigations Bureau.

If participating agencies are unable to mutually agree on the percentage of assets received, the dispute shall be referred for mediation to the District Attorney's Office or the Federal Agency having jurisdiction.

Department personnel shall cooperate with the mediating agency and provide the necessary information for determination of assets received. If disagreement prevails, the District Attorney will submit the matter to arbitration. The arbiter's findings are binding on

all parties. The United States Attorney shall review disputed cases involving the FBI and DEA for a final binding determination.

#### **8.5.6 FORFEITED PROPERTY – ADOPTION & TRANSFER OF FEDERAL & STATE FORFEITED PROPERTY**

The Asset Forfeiture Officer of the Drug Investigations Section shall be responsible for the filing of Federal forfeitures (United States Department of Justice, Form DAG-71) involving property seizures. The Asset Forfeiture Officer shall be responsible for the filing of state forfeitures involving property seizures with the Los Angeles County District Attorney's Office.

##### **Federal Procedure**

Federal forfeitures shall be submitted as soon as possible, but not later than 21 days following the seizure of property in a joint investigation or, in the case of an adopted seizure, within 21 days after the property is transferred to the Federal Bureau of Investigation.

All Federal forfeiture forms and requests for Federal adoption requiring the signature of the Chief of Police shall be submitted to the Chief's Office within 10 days subsequent to the seizure in order to comply with Federal time limits.

Some cases may require further investigation, i.e., probable cause for search warrants of multiple bank accounts and records. In those incidents, the Federal forms may have to be submitted to the Chief later than the 10-day time period. A memorandum to the Chief detailing the reasons for the delay shall accompany the forms.

##### **State Procedure**

State forfeitures shall be submitted to the Los Angeles County District Attorney's Office within 10 days and not later than 15 days following a seizure of property.

State forfeitures requiring more than the 15-day filing period shall require prior authorization by the Los Angeles County District Attorney's Office.

All State forfeitures shall comply with the narcotic forfeiture policy and filing procedure.

#### **8.5.7 DESIGNATION OF CONTROLLED SUBSTANCES FOR REVERSE STINGS AND CANINE UNIT (CU) OPERATIONS**

Revised December 17, 2020

Reviewed December 17, 2020

The Investigation Bureau will have review responsibility.

The Department shall ensure the accountability and control of illegal substances used in reverse sting and CU operations by adhering to the following procedures:

- Upon adjudication of a narcotics case, controlled substances designated for use in future reverse sting and CU operations shall be identified and brought to the attention of the Crime Laboratory, by a supervisor of the Drug Investigations or CU Section, for

weighing and analysis. A report shall be prepared and maintained by the Crime Laboratory.

- All repurposed controlled substances will be given a new DR number and entered into “proproom” within the property management system by the Forensic Science Services Division (FSSD). Separate tag numbers and item numbers will be assigned to each type or quantity of reverse sting or CU controlled substances. The original case DR number and item number from which the controlled substances were obtained from will be included in the new tag number.
- After the Crime Laboratory conducts their analysis the item shall be packaged and sealed, and then sealed into a larger outer plastic bag.
- The repurposed controlled substances will then be transported to the Evidence Control Section (ECS) for storage in a separate location from other evidence. The ECS will be responsible for maintaining a record of the location of all repurposed controlled substances. All transactions involving repurposed controlled substances will be recorded and maintained by the ECS utilizing the chain of custody within the property/evidence management system.

#### **8.5.7.1 FORENSIC SCIENCE SERVICES DIVISION RESPONSIBILITIES**

Revised December 17, 2020

Reviewed December 17, 2020

The Investigation Bureau will have review responsibility.

- The FSSD will be responsible for collecting all repurposed controlled substances in the Evidence Control Section.
- Each item shall be weighed in grams and qualitatively analyzed, if possible.
- The Criminalist shall prepare a report indicating case number, weight, and analysis for each item.
- All analyzed items shall be returned to the ECS.

#### **8.5.8 USE OF CONTROLLED SUBSTANCES IN REVERSE STING, CU, AND OUTSIDE AGENCY OPERATIONS**

Revised December 17, 2020

Reviewed December 17, 2020

The Investigation Bureau will have review responsibility.

Only the Drug Investigations Section (DIS) shall be authorized to conduct reverse narcotic stings and shall ensure accountability of controlled substances. §[11367.5](#) of the Health and Safety Code shall be adhered to and used as reference. The Special Investigations Division (SID) Commander shall approve all reverse stings. The following procedures shall be followed:

##### **8.5.8.1 DRUG INVESTIGATIONS SECTION (DIS)**

Revised December 17, 2020

Reviewed December 17, 2020

The Investigation Bureau will have review responsibility.

The DIS Lieutenant shall evaluate potential reverse stings and ensure the following:

- If necessary, the Case Investigator will present the case to the District Attorney for review, prior to implementation.
- The identity of the intended buyer is established and his/her desire to freely engage in the transaction can be articulated to preclude an entrapment defense.
- LACLEAR has been contacted and all deconfliction has been done to ensure that the buyer is not a police officer or agent.
- DIS will obtain a court order to use repurposed controlled substances from any closed case. The DIS will advise the FSSD of the quantity and type of drugs needed.
- Checked out repurposed controlled substances shall be securely stored in the DIS narcotics safe when not being utilized in an approved operation.
- At the conclusion of the operation, the repurposed controlled substances shall be returned to FSSD.

#### 8.5.8.2 CANINE UNIT (CU)

Revised December 17, 2020

Reviewed December 17, 2020

The Investigation Bureau will have review responsibility.

- The CU will obtain a court order to use repurposed controlled substances from any closed case (see Manual 7.1.33 DRUGS FOR K-9 RECOGNITION TRAINING for more specific CU policies).

#### Outside Agencies

The following procedures are required regarding outside agencies:

- A letter to the Chief of Police from the requesting agency must be received with all pertinent information and copies of all necessary documents that support the request. These documents must include a current copy of the agency's "Controlled Substance Registration Certificate" issued by the United States Department of Justice, Drug Enforcement Administration. This document will outline the schedule of drugs the agency is permitted to possess.
- The above request must be submitted to the Chief of Police for approval.
- The outside agency representative will obtain a court order to use repurposed controlled substances from any closed case.
- Controlled substances checked out by an outside agency, not being held as evidence on a new case, will be returned no later than one year from the date they are received by the outside agency.

#### Return of Repurposed Controlled Substances

FSSD personnel shall adhere to the following procedures when dealing with returned repurposed controlled substances:

- Repurposed controlled substances that are returned unused, with the outer seal still intact, shall require no further analysis.
- Repurposed controlled substances that are returned with the outer seal broken, but the item is **not** evidence – A Property Report shall indicate "Analyze and return to the ECS". Results will be compared with the retained sample and any significant discrepancies will be immediately reported. Any discrepancy shall be noted in a

supplemental report, under the new DR number obtained by FSSD, filed by the section that checked out the item, documenting the reason for the discrepancy.

- Repurposed controlled substances that are returned with the outer seals broken and the item is evidence – A Property Report shall be prepared indicating this is repurposed controlled substances indicating the closed case which it was collected from. The Criminalist will compare results and weights from the earlier analysis; any significant discrepancies will be immediately reported under the new DR of the successful sting operation, filed by the section/agency that checked out the item.

DIS personnel shall adhere to the following procedures when dealing with returned repurposed controlled substances:

- Checked out repurposed controlled substances shall be returned to the ECS as soon as possible following the conclusion of any reverse sting operation.
- Any discrepancies in the returned items found by FSSD shall be immediately reported to DIS supervision and a report shall be filed documenting the reason for the discrepancies.

CU personnel shall adhere to the following procedures when dealing with returned repurposed controlled substances:

- Any discrepancies in the returned items found by FSSD shall be immediately reported to CU supervision and a report shall be filed documenting the reason for the discrepancies (see Manual 7.1.33 DRUGS FOR K-9 RECOGNITION TRAINING for more specific CU policies).

Outside agency personnel should adhere to the following procedures when returning repurposed controlled substances:

- Controlled Substances checked out by an outside agency, not being held as evidence on a new case, will be returned one year from the date they are received by the outside agency.
- Any discrepancies in the returned items found by FSSD shall be immediately reported to the outside agency supervision and a report shall be filed documenting the reason for the discrepancies.

### **8.5.9 INVESTIGATION OF CLANDESTINE LABORATORIES**

Officers shall adhere to the following procedures relative to the investigation of suspected or confirmed clandestine laboratories.

#### **Background**

The introduction of a variety of new chemicals and compounds in the drug manufacturing processes has revealed previously unknown dangers to personnel if exposed to hazardous chemicals.

Due to the hazardous nature of clandestine laboratories, officers of the Drug Lab Team, Drug Investigations Section, Special Investigations Division and Crime Lab have received



specialized training and equipment and are knowledgeable in the innate dangers associated with the manufacturing of dangerous drugs.

An entry into clandestine labs and exposure to related chemicals is extremely dangerous. The existence of suspects in a lab when officers make entry pose even greater danger. Health hazards associated with exposure to carcinogens, water reactant chemicals, fire, and explosion in lab investigations have never been greater. In an effort to preclude any personnel injuries, the following procedures shall be adhered to when investigating clandestine laboratories.

## Procedures

### Preliminary Investigation

Patrol personnel shall not enter a known clandestine laboratory, occupied by suspects or not, absent authorization from a member of the Drug Investigations Section, Drug Lab Team or the Department's Hazardous Materials Coordinator.

- If entry is made into a location previously unknown to contain a lab and one is discovered, officers shall immediately vacate the location and notify their supervisor and Watch Commander

If You Suspect You Have Located a Laboratory:

- I. Determine if a lab exists:
  - Attempt to discover the source of any chemical odor
  - Look for unusual activity in the area (i.e., people carrying buckets, chemical containers or debris; lookouts, fleeing suspects)
- II. If a Lab Exists:
  - Notify the Fire Department. **DO NOT** have them respond to the location. Request the Fire Department to standby a few blocks away so they may respond if there is an emergency
- III. Precautions
  - If suspects attempt to dispose of or destroy items, **DO NOT** stop them. (You cannot destroy a lab by dumping or burning)
  - If a suspect attempts to throw a liquid on you, use that force which is necessary to stop him/her. These chemicals may cause death or disfigurement
  - Remember, ether and other solvents are highly flammable and a spark can cause ignition
  - If you stop a suspect leaving a lab location and he/she has any type of white powder, do not field test, hold for evidence

**ALL LABS ARE EXTREMELY DANGEROUS. THE CHANCES OF FIRE AND EXPLOSION ARE ALWAYS PRESENT. THE GASES THAT CERTAIN CHEMICALS EMIT WILL KILL YOU, IF NOT NOW, LATER.**

## Officer Responsibilities

- The senior officer or supervisor present is the Incident Commander, until relieved by a higher-ranking officer
- Treat the location as a crime scene
- Contain the scene and prevent the escape of suspects
- Notify the Fire Department relative to the explosive dangers
- Notify the Watch Commander to ensure notification of the Hazardous Materials Coordinator and the Drug Investigations Section Lieutenant
- Establish a command post

**Supervisor Responsibilities**

- Incident Management
- Review of all related reports
- Preparation of Unusual Occurrence Report

**Hazardous Materials Coordinator Responsibilities**

- Evaluate contamination of officers and equipment at the scene
- Take steps to decontaminate officers and equipment at the scene
- Notify the Health Department and request their response to the scene
- Notify the City's on-call hazardous materials storage and disposal contractor

**Drug Investigations Section, Drug Lab Team Responsibility**

- Collection and preservation of evidence samples for criminal prosecution

**NOTE:** [Long Beach Municipal Code](#) Sections 1820.010 through 1820.380 provide for the removal of a nuisance and dangerous buildings. Long Beach Municipal Code Section 1808.050 defines a nuisance or dangerous building. Item #14 of that Section applies to buildings containing clandestine labs and allows the Health Department to declare the building unsafe for human habitation and subsequent demolition.

**Watch Commander Responsibilities**

Mandatory incident notification to the following:

- Special Investigations Division, Division Commander
- Drug Investigations Section, Drug Lab Team (on file in Watch Commander's Office)
- Detective Division, Crime Lab, Hazardous Materials Coordinator

**OFFICERS WORKING DIRECTLY WITH THE PROCESSING OF A CLANDESTINE LAB SHALL WEAR DISPOSABLE HAZARDOUS MATERIALS SUITS IMPERVIOUS TO THE CHEMICALS USED; A RESPIRATOR TO FILTER-OUT DANGEROUS VAPORS AND POWDERS (PREFERABLY A SELF-CONTAINED BREATHING APPARATUS) AND GOGGLES.**

**8.5.9.1 ALERT TASK FORCE & CALL-OUT PROCEDURE**

**POLICY**

The Allied Laboratory Enforcement Response Team (ALERT Task Force) is composed of State, County and local law enforcement officers. The mission of ALERT is to investigate, seize and dismantle clandestine drug laboratory operations, and target methamphetamine drug distributors who acquire their source drugs from clandestine laboratory operators in Los Angeles County.

The goals of ALERT are as follows:

- Provide investigative and technical expertise to Los Angeles County law enforcement agencies by responding to methamphetamine laboratories.
- Initiate and investigate clandestine laboratories, specifically targeting repetitive methamphetamine laboratory operators.
- Identify, target and investigate methamphetamine distributors who acquire the source drug from clandestine laboratories.
- Provide clandestine laboratory enforcement and safety training to law enforcement agencies and the citizens of Los Angeles County.

**Procedures for a Found Lab**

Clandestine laboratories are most often found by patrol officers or narcotics detectives during unrelated investigations. Labs, chemicals and equipment may be found in vehicles, motel rooms, mobile homes, sheds, yards, garages, houses, apartments or businesses. Lab operators are often heavily armed and at times have elaborate security systems.

Labs range from small processing operations using only jars and bottles to large-scale operations that produce hundreds of pounds of methamphetamine. The chemicals can cause fires, explosions, toxic exposures, and the release of poisonous gases. Clandestine lab operators are known to dump dangerous chemicals in surrounding areas; so extreme caution must be exercised.

Another concern for officers is encountering suspects who may throw chemicals on them. Additional problems occur if the suspects have visible contamination on their clothing, or if an officer becomes contaminated. Except in emergency situations, individuals who have been exposed to chemicals or other contaminants should be isolated and approved decontamination procedures should be followed prior to the individual leaving the area of exposure, or coming into contact with other people, objects, or food.

When a lab is suspected, or located, a Field Supervisor and the Fire Department should be notified as early as possible. Patrol officers have the primary responsibility of containing and controlling the lab scene pending the arrival of the Fire Department and Drug Investigations Section (DIS). Officers should have as little contact as possible with the actual laboratory and, when necessary, evacuate the lab location, neighboring buildings and area. Do not allow entry of any person(s) into the secured area unless the individual(s) is authorized, properly trained, or must perform an emergency function.

**Drug Investigations Section (DIS) Responsibilities**

If the Drug Investigations Section is not already on scene, they should then be notified.

- A DIS detective will be assigned as case agent and will prepare a search warrant, when necessary. Lawful entry may be gained due to the exigency and a hazardous materials cleanup could lawfully be done. However, to ensure a successful prosecution, a search warrant is the preferred approach.
- DIS detectives shall be responsible for suspect interviews and follow-up investigations.
- The case agent will prepare a Supplemental Report and file the case with the District Attorney.

**ALERT Task Force Call-Out**

Notification to ALERT can be made directly to the Los Angeles Office of the California Bureau of Narcotic Enforcement (BNE) by the Field Supervisor or case agent, or through the Communications Center. ALERT can be contacted during business hours at telephone number (213) 887-4111, or 24 hours a day at the Department of Justice (DOJ), Sacramento Command Post at (916) 227-3244.

Upon arrival, ALERT will take over any site safety issues and conduct a thorough search of the crime scene. Evidence will be inventoried, photographed, sampled, and fingerprinted where appropriate. Contaminated suspects will be decontaminated by ALERT and provided with disposable clothing, when necessary.

ALERT will notify the California Department of Toxic Substances Control (DTSC) who will issue an Environmental Protection Agency (EPA) number for this event, and arrange for a hazardous materials disposal company to complete the cleanup. ALERT will prepare the appropriate DOJ reports, property inventory, and State reports.

When a public health hazard or chemical waste disposal is suspected, the Fire Department will assess the need for response by the City Department of Health and Human Services Hazardous Materials Specialists and be responsible for making the notification.

**Officer Responsibilities**

- Patrol officers, except under circumstances such as contaminated or injured prisoners will do transportation and booking of the suspects. Contaminated suspects will be decontaminated at the scene, and their clothing will be retained as evidence or disposed of appropriately.
- Notify Jail personnel that the suspects were arrested inside a clandestine laboratory and have been through a decontamination process.
- The dispatched officers will prepare the Arrest Report to include all probable cause and exigent circumstances, if any that led to the arrest and lab seizure. An evidence report may be necessary if items of uncontaminated evidence are retained by LBPD.

**8.5.11 REGISTRATION OF SEX, DRUG & ARSON OFFENDERS**

Convicted narcotics (drug), arson, and sex offenders shall be registered by the Department in accordance with State law at a time and place prescribed by the Chief of Police.

### **Narcotics Registrants**

Pursuant to Section [11590 Health and Safety Code](#), upon release from State prison, county jail, or as directed by the court, individuals convicted of certain narcotics violations, will be instructed to register, within 30 days, with the local law enforcement agency having jurisdiction over their place of residence.

Once the registered individual moves within the same law enforcement jurisdiction they must, within 10 days, complete a change of address form, either by appointment or over the telephone.

Under the current requirements, a narcotics registrant's responsibility to maintain their registration extends 5 years beyond their discharge from probation of parole.

### **Arson Registrants**

Pursuant to Section [452 PC](#), upon release from State prison, county jail, or as directed by the court, individuals convicted of arson will be instructed to register, within 14 days, with the local law enforcement agency having jurisdiction over their place of residence.

Once the registered individual moves within the same jurisdiction, they must complete a change of address form **within 10 days**, and only by appointment.

An Arson registrant's responsibility to maintain current registration is a lifetime requirement.

### **Sex Registrants**

Pursuant to Section [290 PC](#), upon release from State prison, county jail, or as directed by the court, individuals convicted of certain sex offenses will be instructed to register with the local law enforcement agency having jurisdiction over their place of residence within 5 working days.

Once the registered individual moves within the same jurisdiction, they must complete a change of address form within 5 working days and do so by appointment only. If they move outside of their registered jurisdiction, they must register with their new jurisdiction and notify their old registered jurisdiction within 5 working days.

The registered sex offender must annually up-date their registration within 5 working days of their birthday.

A sex registrant's responsibility to ensure their registration is accurate and current is a lifetime requirement and failure to do so is punishable as a felony.

**Procedure**

Currently registration for narcotics, arson, and sex violators is by appointment only through the Family Services Section, Registration Unit. Appointments can be made by telephoning (562) 570 5692 between the hours of 0730 and 1600 Monday through Friday.

**8.5.11.1 SEX OFFENDER IDENTIFICATION INFORMATION (MEGAN'S LAW)****POLICY**

California Penal Code, [Section 290.4](#) was enacted in January 1997, and is commonly referred to as "Megan's Law." This law obligates municipal police departments of cities with populations of more than 200,000, such as the Long Beach Police Department, to provide access to the database containing information on registered sex offenders to the public for viewing. The database is obtained from the California Department of Justice and personnel in the Community Relations Division shall supervise its use.

**PROCEDURES**

The computer containing information on registered sex offenders is located in the Community Relations Division. Members of the public may view the information as follows:

- The Megan's Law Database is available for public access on a walk-in basis Monday – Friday 0800-1700. Individual viewing may be limited to 15 minutes, depending on public demand and the workload of personnel in the Community Relations Division.

To view the Database information, the applicant must comply with the following:

- Present valid identification in the form of a California Driver's License or California Identification Card
- Sign a statement on the "Request to View Sexual Offender Identification Information" form (BCIA 4078, 4/97) provided by the Department of Justice, stating that:
  - The applicant is not a registered sex offender
  - The applicant understands the purpose of the release of information is to allow members of the public to protect themselves and their children from sex offenders
  - The applicant understands the information from the database may not be reproduced mechanically or photographically by the public; however, handwritten notes are allowed
  - The applicant understands it is unlawful to use information obtained from the database to commit a crime against a registrant, or engage in illegal discrimination or harassment of any registrant. (A copy of the signed statement may be provided to the applicant)

The Community Relations Division shall maintain the register of applicants and the signed statement by the applicant who wishes to view the database information in a file for five years. The records of persons requesting to view the database are confidential and not subject to disclosure pursuant to the Public Records Act. Copies of applications

concerning requests to view the database may be disclosed to law enforcement agencies for law enforcement purposes.

Department personnel shall not provide any sex registration information by telephone, except to law enforcement personnel for law enforcement purposes. Refer telephone inquiries to the Department of Justice at (900) 463-0400.

Department personnel can view the database information for law enforcement purposes during normal business hours by contacting the Sex Crimes Detail. If an emergency occurs during non-business hours, which requires database access, contact the Sex Crimes Detail Sergeant or on-call SART Detective.

Department personnel shall not disseminate any information obtained from the database in any area outside the City limits of Long Beach without the permission of the Detective Division Commander or Deputy Chief, and the law enforcement agency having jurisdiction of the locale to be notified.

An offender's registration status and classification may be verified anytime by accessing CLETS, Violent Crime Information Network.

See also TB #218 "Sex Offender Status – Community & Individual Notification (Megan's Law)

#### **8.5.12 WARRANT SUSPECT PICK-UP POLICY**

The Warrant Detail shall be responsible for securing transportation of Long Beach warrant suspects from foreign jurisdiction for booking at the Long Beach Police Department. During regular business hours, all notifications or requests for transportation shall be referred to the Warrant Detail through the Watch Commander. At other times, all notifications or requests for transportation should be made directly to the Watch Commander.

##### **Warrant Suspects in Custody in Los Angeles County**

Warrant suspects in custody with Los Angeles County must be picked by the Long Beach Police Department within 24 hours of their arrest.

If the 24-hour time limit does not fall within the normal work of the Warrant Detail, the Watch Commander shall obtain all pertinent information regarding the suspect and make written notification to the Warrant Detail. NO further action by the Watch Commander will be required.

If the 24-hour time limit does not fall within the normal work shift of the Warrant Detail, AND the total amount of bail is \$2,500.00 or less, the Watch Commander shall request the arresting agency to release the suspect and cite him/her into Long Beach Court. The Watch Commander will advise the citing agency of the appropriate court date (obtained from the Business Desk).

If the 24-hour time limit does not fall within the normal work shift of the Warrant Detail, AND the total amount of bail is greater than \$2,500.00, the Watch Commander shall send a unit as soon as practical. The Watch Commander shall inform the arresting agency of our intention to pick up the suspect and provide them with an estimated time of arrival.

**Warrant Suspects In Custody in Other Than Los Angeles County**

All warrant suspects in custody in other than Los Angeles County must be transported to Long Beach within five days of their arrest. The Warrant Detail will handle the majority of these cases.

The Watch Commander shall take all pertinent information and make written notification to the Warrant Detail. The Watch Commander shall advise the arresting jurisdiction that the suspect will be picked up by the Warrant Detail.

**Under NO circumstances shall the Long Beach Police Department:**

Accept an arrestee on a warrant who requires medical treatment without prior and proper medical treatment being rendered by the arresting jurisdiction. Discretion should be used in accepting suspects with medical problems. (Citations in lieu of booking) Advise the arresting agency to release the suspect and that our agency will reactivate the warrant.

**8.5.13 RELEASE OF CRIMINAL STATISTICS TO THE PUBLIC**

Information contained in the monthly statistical report may be released to the general public. The following reports are available at the Long Beach Main Library:

- Reported Crime Monthly, Quarterly and Annual

To release criminal statistics or other crime information for a specific address or area, employees shall adhere to the following procedures:

**Community Relations**

- Requests for reports compiled for the City Council should be referred to the Library
- The Community Relations Division may release information to the public by reporting district only. Requests may be made in person, by telephone, or in writing, and are limited to one month's worth of one reporting districts' statistics. Requests for multiple reporting districts or multiple month statistics should be directed to the Library
- If information is requested for a specific address, or for crime information not contained in the monthly Statistical Report, or by reporting district, a letter for the request shall be submitted to the Chief of Police. Upon approval, the Chief of Police may charge the requesting party the actual cost of collecting and duplicating the data prior to the release of information in accordance with City policy

**Crime analysis Unit**

- All non-law enforcement requests for criminal statistics will be directed to the Office of the Chief of Police for approval



- Upon approval by the Chief of Police, the Crime Analysis Unit will process the request and return to the Chief's Office
- Only criminal statistical information and reports approved by the Office of the Chief of Police may be released to the public from the Crime Analysis Unit. The Chain of command shall be strictly adhered to with these reports

#### **8.5.14 NARCOTICS FLASH FUND**

The Narcotics Flash Fund was established to have money readily available to assist Narcotics Detectives in purchasing narcotics during undercover operations. This fund has \$27,500.00 cash stored in the Drug Investigations Section safe.

Personnel authorized to receive money from the Narcotics Flash Fund shall adhere to the following procedures:

- The Section Lieutenant, Division Commander, Bureau Chief and Chief of Police shall be verbally briefed on the operation
- A memorandum from the Special Investigations Division Commander to the Budget Management Division Manager shall indicate the amount needed and to whom the check should be made payable. This memorandum shall be maintained by the Budget Management Division
- A check shall be issued to the indicated person by the Budget Management Division and requires two signatures from the following positions: Sergeant, Lieutenant, or Division Commander of the Drug Investigations Section (only one Sergeant may sign). This person shall be accompanied to the bank by another officer to negotiate the check
- All money withdrawn from the account must be re-deposited within 24 hours after withdrawal, and the deposit receipt given to Budget Management Division personnel. If the transaction occurs after hours, the money must be secured in either the narcotic's safe, or the safe in the Office of the Chief of Police. If it is impractical for the money to be re-deposited within 24 hours, the Investigations Bureau Deputy Chief may authorize additional time to retain the money
- This fund will be audited each calendar month by a member of the Budget Management on a random, unannounced basis

#### **8.5.15 DRUG INTERDICTION FUND**

The Drug Interdiction Fund was established to supplement the funds available to Narcotics Detectives during undercover operation. The account is to be accessed only in an emergency situation when large sums of money need to be flashed in order to make undercover purchases of narcotics. This fund has \$100,000.00 deposited in a checking account at the Bank of America.

Personnel authorized to receive money from the Drug Interdiction Fund shall adhere to the following procedures:

- A memorandum explaining the circumstances must be submitted to the Chief of Police for approval. When time is limited to make a transaction, a verbal briefing from a Sergeant or above to the Chief of Police will be sufficient
- Upon approval, a check will be issued to the requesting party. The check then requires two signatures from the following positions: Chief of Police, Executive Secretary for the Chief of Police, Chief of Staff, and Deputy Chief of Investigations Bureau
- All money withdrawn from the account must be re-deposited within 24 hours after withdrawal, and the deposit receipt given to the Office of the Chief of Police. If the transaction occurs after hours, the money must be secured in wither the narcotic's safe, or the safe in the Office of the Chief of Police. If it is impractical for the money to be re-deposited within 24 hours, the Chief's Office must be immediately notified
- This fund will be audited each calendar month by a member of the Budget Management Division on a random, unannounced basis

### **8.5.16 VEHICLE CONTAINMENT TECHNIQUE**

Revised December 17, 2020

Reviewed December 17, 2020

The Investigation Bureau will have review responsibility.

#### [Special Order – Vehicle Containment Technique 2024-2](#)

#### **8.5.16.1 PRE-DEPLOYMENT**

Revised December 17, 2020

Reviewed December 17, 2020

The Investigation Bureau will have review responsibility.

A briefing shall be conducted with all personnel involved prior to the deployment of the VCT. Briefings shall include:

- Information on the criminal case involved
- Location(s) of the surveillance or area to be searched
- Possible or known suspect(s) and vehicles
- Known threats
- A tactical review to determine if SWAT/REACT should be included in the mission
- Notification to all involved personnel of the jurisdiction
- Medical plan including route to the nearest trauma center
- Deconfliction notifications made

#### **8.5.16.2 DEPLOYMENT**

Revised December 17, 2020

Reviewed December 17, 2020

The Investigation Bureau will have review responsibility.

The VCT shall be deployed with a minimum of three vehicles that possess and utilize an emergency police lighting package which provides 360 degrees of visibility. An additional police vehicle, either a dual purpose or a marked patrol vehicle shall be utilized unless otherwise approved by a supervisor.

During the deployment of the VCT, authorized officers shall be easily identifiable as police officers and shall be wearing a minimum of one of the following:

1. Tactical vest, plate carrier or raid jacket with the word "POLICE" visible on the front and back.
2. A police officer uniform.

Considerations for the use of VCT include, but are not limited to the following:

- Type of weapon used
- The suspect's criminal history and propensity for violence
- Preservation of evidence
- Recovery of property
- Arrest and identification of unknown suspects
- Prevention of pursuits
- Safety to the community and the involved officers
- Deployment of less lethal munitions when appropriate

Modifications to the VCT should emphasize the successful containment, arrest, and safety to the public and involved officers.

#### **8.5.16.3 NOTIFICATIONS**

[Special Order – Vehicle Containment Technique 2024-2](#)

#### **8.5.16.4 VEHICLE CONTACT**

[Special Order – Vehicle Containment Technique 2024-2](#)

#### **8.5.16.5 VCT TRAINING**

[Special Order – Vehicle Containment Technique 2024-2](#)

## **8.6 VICE INVESTIGATIONS**

### [Special Order - Vice Operations - 2024 - 1](#)

#### **8.6.1 HANDLING OF LEWD CONDUCT COMPLAINTS**

Revised August 17, 2017

The Investigations Bureau has audit responsibility.

##### **8.6.1.1 DEFINITIONS**

Revised August 17, 2017

Lewd conduct is any unlawful act that occurs in a public place, committed by an individual with the purpose of arousing the libido or sexual interest of themselves or the person towards which the act is directed. Lewd conduct criminal offenses typically involve but are not limited to pornography related crimes, prostitution or indecent exposure related crimes.

##### **8.6.1.2 SCOPE**

Revised August 17, 2017

When responding to a lewd conduct complaint, the primary goal is to handle the specific complaint, as well as create an environment that prevents future activity from occurring.

Enforcement of lewd conduct laws should include collaborative work between the Vice Investigations Section, other Police Department resources, City departments, community organizations, and business owners. Proactive measures should include, but not be limited to the following:

- Parking marked police vehicles in areas where lewd conduct complaints are frequent;
- High visibility by patrol officers,
- Create a less conducive environment for public sexual activity using crime prevention through environmental design (CPTED) strategies, which establishes a cooperative link between police and citizen groups to monitor areas where complaints of lewd conduct occur.

##### **8.6.1.3 ENFORCEMENT**

Revised August 17, 2017

Investigations of suspected lewd conduct should focus on locations that generate complaints. Long Beach Police Department personnel assigned to investigate suspected lewd conduct will not engage in discriminatory practices including discrimination based on, but not limited to race, color, national origin, religion, gender, gender identity, sexual orientation, or sexual self-identification.

Undercover operations, with the purpose of investigating lewd conduct activity in response to specific complaints, should be used only when necessary and preventive

measures are no longer practical. The Commander of the Detective Division shall approve these operations.

#### 8.6.1.4 PROCEDURES

Revised August 17, 2017

The Vice Investigations Section shall document and maintain complaints received regarding public sexual activity.

Complaints shall be documented through a department report (DR) and referred to the appropriate Patrol Division Commander for primary responsibility. If the Patrol Division is unable to resolve the complaints, they should document their efforts in a supplemental follow-up report and the Vice Investigations Section may be requested as an investigative resource.

The Vice Investigation Section utilizes the following strategies when investigating a lewd conduct complaint: Vice Detectives shall present a written action plan to Vice Investigations Section Supervisors for approval.

- 1) Vice Investigations Supervisors should identify and collaborate with stakeholders who have an interest in the complaint location. Partners to be considered are community watch groups, community neighborhood organizations, private security companies, other City Departments, and nearby businesses.
- 2) Develop a plan to address the complaint to incorporate strategies of education, prevention and suppression, with consideration given to the following areas:
  - a) **Signage** - The use of signs can warn that public sexual activity is a crime and may lead to arrest and/or citations.
  - b) **Crime Prevention Through Environmental Design (CPTED)** - Building design, lighting improvements, tree and shrub trimming, and site renovation are effective deterrents to discourage activity associated with lewd conduct.
  - c) **Hours of Operation** - Limit a location's hours of operation, when applicable.
  - d) **Public Outreach** - Utilize social media and community outreach to publicize the complaints and warn that illegal activity may result in arrests and/or citations.
- 3) When Vice Investigations Section employees initiate a lewd conduct operation, a specific time frame will be established for the investigation. At the end of the specific time frame, the assigned supervisor will evaluate the effectiveness of the investigation and determine if an additional operation period is needed.
- 4) Undercover Vice Investigations Detectives shall not initiate, simulate or engage in lewd activity while investigating criminal activity. Detectives shall not engage in behavior consistent with "cruising," such as hand gestures, demonstration of overt emotions, or known signals.
- 5) Detectives shall not simulate masturbation, utilize props, or commit a lewd act in an attempt to initiate any criminal activity. Detectives shall not engage in behaviors intended to encourage the commission of lewd conduct in their presence, or communicate sexual advances.
- 6) Under circumstances where probable cause exists to make an arrest, a detective shall, as soon as possible or reasonable, identify himself or herself as a Long Beach

Police Officer and arrest the suspect. Detectives shall not intentionally delay an arrest when probable cause to make an arrest is present.

## 8.7 SPECIAL VICTIMS INVESTIGATIONS

Revised March 2, 2018

The Investigations Bureau will have audit responsibility.

### 8.7.1 DOMESTIC VIOLENCE/SEXUAL ASSAULT RESOURCES FORM

Renumbered 11/8/17, Revised 2004

(PD Form 2310.003)

As mandated by State Senate Bill 835, effective January 1, 1992, all sworn personnel involved in a sexual assault investigation shall furnish the victim(s) with a "Domestic Violence/Sexual Assault Resource Form", ([PD Form 2310.003](#)) which describes the victim's basic rights and identifies local resources, services, and 24-hour telephone numbers.

- With prior approval by the victim, sworn employees shall inform a local rape crisis center whenever a sexual assault victim is taken to a hospital for examination and treatment
- Sworn employees shall provide the victim with a copy of [PD Form 2310.003](#) (Domestic Violence/Sexual Assault Victim Resource Form)
- Documentation that the victim was provided a Resource Form shall be indicated in related police reports

### 8.7.2 DEFINITIONS

Revised November 4, 2021

**Abuse** – is intentionally or recklessly causing or attempting to cause bodily injury or placing another person in reasonable apprehension of imminent serious bodily injury to himself, herself, or another, per CPC § [13700\(a\)](#).

**Child** – A person under the age of 18 years.

**Child abuse or neglect** – Physical injury inflicted by other than accidental means upon a child, sexual abuse of a child, the negligent failure of a person to protect a child, willful harming or injuring of a child, endangering of the person or health of a child, and unlawful corporal punishment or injury of a child ([CPC §11165.6](#)).

**Domestic Violence** – is abuse committed against an adult or fully emancipated minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had or is having a child or has had a dating or engagement relationship, per CPC § [13700\(b\)](#).

**Dominant Aggressor** – is the person determined to be the most significant, rather than the first aggressor, per CPC § [13701\(b\)](#).

**Injury** - Any physical injury that requires professional medical treatment.

**Serious bodily injury** - A serious impairment of physical condition, including, but not limited to, the loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement.

### **8.7.3 DOMESTIC ABUSE RESPONSE TEAM (DART)**

Revised March 2, 2018

The Long Beach Police Department Domestic Abuse Response Team (DART) works in collaboration with domestic violence advocates, sexual assault nurse examiners, the Los Angeles County District Attorney's Office, and the Long Beach City Prosecutor's Office to provide a comprehensive approach to investigating domestic violence related crimes.

#### **8.7.3.1 DART CALL-OUT CRITERIA**

Revised March 2, 2018

Officers shall notify a Field Supervisor and the on-call DART Detective if any of the following criteria are met:

- 1) Domestic partner felony sexual assault which occurred within the past 24 hours;
  - a) This applies to subjects who are spouses, former spouses, cohabitants, former cohabitants, or have a child in common;
  - b) If there is an alleged domestic partner sexual assault that occurred between 24 and 120 hours (5 days), contact the sexual assault nurse examiner for a forensic exam;
- 2) The victim is treated at an emergency room or admitted to a hospital due to serious bodily injury as defined in [CPC § 243\(e\)\(4\)\(f\)\(4\)](#);
- 3) The victim received serious bodily injury and refused treatment;
- 4) Chronic history of domestic violence;
  - a) Three prior reported domestic violence incidents involving the victim and suspect;
- 5) Domestic violence incidents involving the following:
  - a) Any Long Beach Police Department employee;
  - b) Any sworn law enforcement officer; regardless of agency;
  - c) Any City of Long Beach VIP or other VIP, as determined by the Watch Commander; or
  - d) At the request of the Watch Commander.

Domestic violence incidents involving City employees (non-Police Department), that do not meet the above criteria, shall be noted in the Watch Commander's Log. The log entry shall include notification to the Special Victims Section Lieutenant and the Domestic Violence Sergeant

#### **8.7.3.2 DART CALL-OUT – OFFICER RESPONSIBILITIES**

Revised March 2, 2018

If the incident is a DART call-out, notify a field supervisor. Once a field supervisor has been notified, make notification to the on-call DART Detective; if the DART Detective is



responding, stand by with the victim until the DART Detective provides further instructions.

#### **8.7.3.3 DART CALL-OUT – FIELD SUPERVISOR RESPONSIBILITIES**

Revised March 2, 2018

Field supervisors shall notify the Watch Commander of any DART call-out and ensure proper notification to the on-call Domestic Violence Detective.

#### **8.7.3.4 DART CALL-OUT – WATCH COMMANDER RESPONSIBILITIES**

Revised March 2, 2018

The Watch Commander will ensure the DART call-out is documented in the Watch Commander's Log

#### **8.7.4 DOMESTIC VIOLENCE**

Revised November 4, 2021

The Investigations Bureau shall review this policy on a three-year review cycle.

Reviewed November 4, 2021

This section complies with the mandates established by CPC § [13519](#) and CPC § [13701](#) regarding the handling of domestic violence calls.

#### **8.7.4.1 ENFORCEMENT OF DOMESTIC VIOLENCE LAWS**

Revised November 4, 2021

The Long Beach Police Department shall respond to all calls involving domestic violence. Domestic violence is alleged criminal conduct that shall be investigated. The investigation of domestic violence shall stress the enforcement of laws to protect the victim. Violent behavior in the home is criminal behavior and shall not be tolerated. Dispute mediation shall not be used as a substitute for appropriate enforcement.

#### **8.7.4.2 VICTIM ASSISTANCE**

Revised November 4, 2021

Officers shall provide the following assistance to victims:

- Emergency assistance to the victim, such as offering,
  - Medical care,
  - Transportation to a shelter, or a hospital for treatment when necessary.
- Standby for the victim to remove personal property and assistance in safe passage out of the victim's residence.
- Explain the legal options available to the victim, including the private person's arrest process, protective orders, and in cases of arrest, the follow-up procedures and ensuing criminal proceedings.
- Provide the victim with a copy of the [Victim's Resource Guide](#) which contains information on shelters, referral resources, specific information and rights of victims of domestic violence.

- Provide the victim with a [Report Receipt Form](#) and advise them that they are entitled to a copy of the domestic violence incident report at no cost.

#### **8.7.4.3 DOMESTIC VIOLENCE – REPORTING**

Revised November 4, 2021

The fact that a victim does not desire prosecution shall have no bearing on whether or not a report is filed. A department report shall be filed in all incidents that meet the elements of a domestic violence crime.

Per CPC § [13730](#), domestic violence crime reports shall be identified on the face of the report as a domestic violence incident. When filing a domestic violence report, officers shall select the domestic violence verification option.

In addition to documenting the elements of the crime, domestic violence crime reports shall indicate in writing in the report narrative all the following:

- 1) Whether the officer observed any signs that the alleged abuser was under the influence of alcohol or a controlled substance,
- 2) If there are any previously reported domestic violence incidents involving the same alleged abuser or victim,
- 3) Whether or not a firearm or other deadly weapon was present at the location, and
- 4) Whether there were indications that the incident involved strangulation or suffocation.

#### **8.7.5 DOMESTIC VIOLENCE RESTRAINING ORDERS**

Revised November 4, 2021

The Investigations Bureau shall review this policy on a three-year review cycle.

Reviewed November 4, 2021

California Penal Code § [13710](#) requires that restraining order information be entered into the California Restraining and Protective Order System (CARPOS). The Records Division shall enter any protective order received into CARPOS.

##### **8.7.5.1 EMERGENCY PROTECTIVE ORDERS (EPO)**

Revised November 4, 2021

An officer that obtains an EPO from the court shall do the following:

- 1) Serve the order, if the person can be reasonably located,
- 2) Provide the protected person, or the protected person's parent/guardian with a copy of the order, and
- 3) Submit the EPO to the Records Division for entry into CARPOS.

##### **8.7.5.2 SERVICE OF ORDERS**

Revised November 4, 2021

At the request of a petitioner, an officer at the scene of a reported domestic violence incident shall serve a court order on a restrained party, or at any time that the restrained party is in custody (Family Code § [6383](#) and Penal Code § [13710](#)).

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

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

### **8.7.5.3 OUT OF STATE PROTECTIVE AND RESTRAINING ORDERS**

Revised November 4, 2021

Any protective or restraining order related to domestic or family violence issued by a court of another state, tribe, or territory shall be accorded full faith and credit by the courts of this state. The order shall be enforced, per [Family Code §6381](#), as if it had been issued in this state, for further refer to Manual § 8.7.5.4 ARRESTS AND CITATIONS FOR DOMESTIC VIOLENCE.

### **8.7.5.4 ARRESTS AND CITATIONS FOR DOMESTIC VIOLENCE**

Revised November 4, 2021

#### **A. PHYSICAL ABUSE**

Officers shall make a physical arrest when there is probable cause to believe that a domestic violence related crime has occurred whether in or out of their presence.

Officers shall make reasonable efforts to identify the dominant aggressor in any incident. The intent of law is to discourage when appropriate, but not prohibit, dual arrests. Per CPC § [836\(c\)\(3\)](#) and [13701\(b\)](#), when identifying the dominant aggressor, the officer shall consider:

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

#### **B. RESTRAINING ORDERS**

Officers shall make a physical arrest for restraining order violations regardless of whether the offense was committed in or out of their presence when all the following are met:

- 1) There is probable cause to believe that a violation of a domestic violence restraining order has just occurred,
- 2) The order was served,
- 3) The order has not expired,
- 4) The person presenting the order is the victim/protected person, and
- 5) The order prohibits the conduct alleged to have occurred.

#### **C. MISDEMEANOR CITATIONS**

Officers shall not issue or release a suspect on a misdemeanor citation for any of the following specified offenses:

- [166 CPC](#) – Willful disobedience of a court order, including the terms as written of any process or court order or out of state court order, lawfully issued by any court, including orders pending trial.
- [243\(E\)\(1\) CPC](#) – Battery committed against a spouse, a person with whom the defendant is cohabiting, a non-cohabiting former spouse, a person who is the parent of the defendant's child, a former spouse, fiancé/fiancée, or a person with whom the defendant currently has or had a dating or engagement relationship.
- [273.5 CPC](#) – Corporal injury on a spouse, cohabitant, fiancé/fiancée, person of a previous dating or engagement relationship, mother/father of the offender's child.
- [273.6 CPC](#) – Knowingly and intentionally violating a domestic violence protective order.
- [646.9\(a\) CPC](#) – Stalking
- [29825\(b\) CPC](#) – Owning or possessing a firearm while subject to a protective order, temporary restraining order or injunction.

### **8.7.6 SEXUAL ASSAULT RESPONSE TEAM (SART)**

Revised March 2, 2018

The Long Beach Police Department works in conjunction with sexual assault nurse examiners, sexual assault crisis advocates, child abuse advocates, and the District Attorney's Office to provide a comprehensive approach to investigating sexual assaults. The on-call Sex Crimes Detective will be notified of incidents reported within the first 24 hours of the crime occurring to determine, based on the totality of the circumstances, if they will respond; however, a forensic exam may be conducted for up to 120 hours (5 days) to retrieve evidence. Therefore, even if the Sex Crimes Detective is not responding, or the victim reports the incident after 24 hours, a forensic nurse may still respond for up to 120 hours to conduct a forensic sexual assault examination if the victim wishes an exam.

#### **8.7.6.1 SART CALL-OUT CRITERIA**

Revised March 2, 2018

If any of the following criteria are met, officers shall notify a field supervisor and the on-call SART Detective:

- 1) A felonious sexual assault occurring within the past 24 hours;
- 2) A sexual assault of a serious or sensitive nature (i.e., victim has serious physical injury or appears to be the victim of a serial rapist);
- 3) The attempted abduction of a child, where the primary motive is likely sexual exploitation of the child. If a motive cannot be determined, the assumed motive will be sexual exploitation of the child, based on national case studies (source: National Center for Missing and Exploited Children);
  - a) Response by the SART Detective shall be at the discretion of the detective;
- 4) Sexual assault incidents involving the following:
  - a) Any Long Beach Police Department employee;
  - b) Any sworn law enforcement officer (regardless of agency);
  - c) Any City of Long Beach VIP or other VIP, as determined by the Watch Commander;

5) At the request of the Watch Commander.

Cases involving unlawful sexual intercourse ([CPC § 261.5](#)), also known as statutory rape, may not meet the criteria for a SART call-out; however, a forensic nurse may respond for a sexual assault exam if requested by the victim.

Any incident involving a domestic partner sexual assault requires a DART notification, see Manual § 8.7.3.1 DART Call-Out Criteria.

Any felonious sexual assault occurring between 24 and 120 hours (5 days), does not meet the criteria for a SART call-out; however, officers may contact the sexual assault nurse examiner for a forensic exam if requested by the victim, refer to Manual § 8.7.8 VIOLENCE AGAINST WOMEN ACT (VAWA) SEXUAL ASSAULT EXAMS.

#### **8.7.6.2 SART CALL-OUT – OFFICER RESPONSIBILITIES**

Revised March 2, 2018

If the incident is a SART call-out, notify a field supervisor. Once, a field supervisor has been notified, make notification to the on-call SART Detective; if the SART Detective is responding, stand by with the victim until the SART Detective provides further instructions.

If a forensic exam is to be conducted, the officer shall notify the on-call sexual assault nurse examiner. Officers shall transport the victim to the SART treatment center.

- If a sexual assault victim is at another hospital and cannot be transported to the SART treatment center because of injuries, the SART Detective shall be advised and will consult with the sexual assault nurse examiner regarding the location for the SART exam.

If the victim is 14-years-old or older, notify the Rape Hotline and document in the LBPD incident report the name of the person notified and the time of the notification.

- If the victim is younger than 14-years-old, notify *For the Child* and document in the LBPD incident report the name of the person notified and the time of the notification.

#### **8.7.6.3 SART CALL-OUT – FIELD SUPERVISOR RESPONSIBILITIES**

Revised March 2, 2018

If any of the criteria listed in Manual § 8.7.6.1 SART Call-Out Criteria are met, field supervisors shall notify the Watch Commander and ensure notification is made to the on-call Sex Crimes detective.

#### **8.7.6.4 SART CALL-OUT – WATCH COMMANDER RESPONSIBILITIES**

Revised March 2, 2018

The Watch Commander shall ensure the SART call-out is documented in the Watch Commander's Log

**8.7.7 SEXUAL ASSAULT EVIDENCE**

Revised March 2, 2018

Sexual assault nurse examiners will maintain the supply of sexual assault kits. The kits are used to recover and preserve biological evidence from a sexual assault victim.

A forensic nurse examiner shall examine victims of sexual assaults. The SART exam shall be conducted at the SART treatment center except in extraordinary circumstances, i.e., injury to victim requiring hospitalization. In these instances, the SART Detective shall be advised and will consult with the sexual assault nurse examiner regarding the location of the SART exam, Manual § 8.7.6 SEXUAL ASSAULT RESPONSE TEAM (SART).

After examination, the nurse will place the completed sexual assault kit into the evidence envelope, seal the envelope with the red evidence tag, and give it to the investigating patrol officer or SART Detective.

If officers receive a sexual assault kit from another source, such as other hospitals or police agencies, the same procedures shall be followed.

**8.7.8 VIOLENCE AGAINST WOMEN ACT (VAWA) SEXUAL ASSAULT EXAMS**

Revised March 2, 2018

In 1994, the Federal Violence Against Women Act (VAWA) was first signed into law affording victims of sexual assault the right to a sexual assault examination at no expense to the victim and without having to cooperate with law enforcement. California Senate Bill (SB) 534 was created to bring California into compliance with the Federal law. Effective January 1, 2012, SB 534 amended California Penal Code sections [13823.7](#), 13823.13, and [13823.95](#). California law implemented the following federal VAWA requirements:

- 1) All victims of sexual assault who request a sexual assault forensic medical examination shall be provided one, and the cost of the examination cannot be charged directly or indirectly to the victim;
- 2) No victim of sexual assault shall be required to participate or agree to participate with the local law enforcement agency or the criminal justice system, either prior to the examination, or at any other time;
- 3) The cost of the sexual assault forensic medical examination shall be the responsibility of the law enforcement agency in the jurisdiction where the alleged crime occurred.

Even though VAWA is designed to allow the victim to have a sexual assault exam without the involvement of law enforcement, the State of California is a mandated reporting state; therefore, the sexual assault nurse examiner is required to report the incident to law enforcement. The victim, however, is not required to cooperate with law enforcement or even speak with the officer.

**8.7.8.1 VAWA SEXUAL ASSAULT EXAMS – PATROL OFFICER RESPONSIBILITIES**

Revised March 2, 2018

- 1) Take possession of the VAWA sexual assault kit from the forensic nurse;
- 2) File a Property Report, filling in the following information:
  - a) DR number;
  - b) Date, time, and location of occurrence (provided by sexual assault nurse examiner);
  - c) Victim name (this is not mandatory – if the victim wishes to remain anonymous, use Jane/John Doe as appropriate);
  - d) Finder (sexual assault nurse examiner conducting the exam);
  - e) Crime Class listed as “VAWA Exam” (do not list this as a 261PC);
  - f) Chain of custody listed in the narrative;
  - g) Evidence/Booking Officer name and DID;
- 3) Handle the VAWA kit in the same manner as all other sexual assault kits.

If during, or immediately after, the VAWA forensic exam, the victim decides to file a police report, the sexual assault nurse examiner will complete a full sexual assault exam, and the officer shall take a report following the standard guidelines for sexual assault reports. The on-call SART Detective shall be notified if this occurs during the notification timeline documented in Manual § 8.7.6.1 SART Call-Out Criteria.

**8.7.8.2 VAWA SEXUAL ASSAULT EXAMS – SEX CRIMES SERGEANT RESPONSIBILITIES**

Revised March 2, 2018

- 1) Track the VAWA exam crime class via the Department Record Management System;
- 2) Review electronic disposition requests from the Evidence Control Section and disposition as appropriate, following state guidelines for destruction;
- 3) Ensure crime class changed from VAWA Exam to the appropriate section if the victim comes forward to pursue criminal justice proceedings;
- 4) Ensure the Evidence Control Section is notified of the change in crime class status and new disposition benchmark;
- 5) Assign case to Sex Crimes Detective if victim wishes to pursue.

**8.7.8.3 VAWA SEXUAL ASSAULT EXAMS – SEX CRIMES DETECTIVE RESPONSIBILITIES**

Revised March 2, 2018

If the victim contacts the Police Department within the two-year requirement and wishes to proceed with criminal justice proceedings, the Sex Crimes Detective is responsible for the following:

- 1) Interview and file a narrative DR, thoroughly documenting the victim’s statement and the circumstances of the incident;

- 2) Submit the VAWA examination kit to the Los Angeles Sheriff's Department Scientific Services Bureau for processing;
- 3) Conduct a follow up investigation;
- 4) Submit the case to the District Attorney or City Prosecutor's Office.

#### **8.7.8.4 VAWA SEXUAL ASSAULT EXAMS – EVIDENCE CONTROL SECTION RESPONSIBILITIES**

Revised March 2, 2018

- 1) State and Federal laws require that VAWA examination kits be stored in a manner consistent with the requirements for sexual assault kits;
- 2) VAWA examination kits shall be maintained on a two-year retention schedule from the date of the incident;
- 3) At two years, notify the Sex Crimes Sergeant via Electronic Disposition Record (EDR) of the time limit;
- 4) If approved by the Sex Crimes Sergeant, arrange for disposition of the VAWA sexual assault kit in accordance with existing destruction procedures.

#### **8.7.9 CHILD ABUSE RESPONSE TEAM (CART)**

Revised March 2, 2018

##### **8.7.9.1 CART CALL-OUT CRITERIA**

Revised March 2, 2018

If any of the following criteria are met, officers shall notify a field supervisor and the on-call CART Detective:

**A. Physical abuse criteria**

- 1) The victim is 17-years-old or younger and is treated at an emergency room or admitted to the hospital due to injuries believed to be attributed to child abuse and the suspect is one of the following:
  - a) A parent, guardian, or foster parent;
  - b) A live-in partner of the victim's parent, guardian, or foster parent;
  - c) A family member who resides in the victim's home;
  - d) A babysitter; or,
  - e) A caregiver of the victim.

**B. Sexual abuse criteria**

- 1) The victim is 17-years-old or younger, has been sexually assaulted within 24 hours of reporting, and the suspect is one of the following:
  - a) A parent, guardian, or foster parent;
  - b) A live-in partner of the victim's parent, guardian, or foster parent;
  - c) A family member who resides in the victim's home;
  - d) A babysitter; or,
  - e) A caregiver of the victim.
- 2) The victim is any age, has been sexually assaulted within 24 hours and the suspect is a juvenile.
- 3) Sexual abuse incidents involving an unknown suspect or stranger follow Manual § 8.7.6.1 SART Call-Out Criteria.



**C. Other criteria**

- 1) Child abuse incidents involving any of the following:
  - a) Any Long Beach Police Department employee;
  - b) Any sworn law enforcement officer (regardless of agency);
  - c) Any City of Long Beach VIP, or other VIP, as determined by the Watch Commander; or,
- 2) At the request of the Watch Commander.

**8.7.9.2 CART CALL-OUT – OFFICER RESPONSIBILITIES**

Revised March 2, 2018

If the incident is a CART call-out, notify a field supervisor. Once a field supervisor has been notified, make notification to the on-call CART Detective; if the CART Detective is responding, stand by with the victim until the CART Detective provides further instructions.

**8.7.9.3 CART CALL-OUT – FIELD SUPERVISOR RESPONSIBILITIES**

Revised March 2, 2018

If any of the criteria listed in Manual § [8.7.9 Child Abuse Response Team \(CART\)](#) field supervisors shall notify the Watch Commander and ensure notification is made to the on-call Child Abuse Detective.

**8.7.9.4 CART CALL-OUT – WATCH COMMANDER RESPONSIBILITIES**

Revised March 2, 2018

The Watch Commander will ensure the CART call-out is documented in the Watch Commander's Log.

**8.7.10 SUSPECTED CHILD ABUSE REPORT (SCAR)**

Revised March 2, 2018

A Suspected Child Abuse Report (SCAR) is a report generated through the Department of Children and Family Services (DCFS) and cross-reported to law enforcement agencies for investigation.

The DCFS Hotline receives information regarding suspected child abuse and generates a SCAR. DCFS immediately, or as soon as practically possible, must cross report by telephone, fax, or electronic transmission to the law enforcement agency having jurisdiction over the case of any suspected child abuse or neglect [[CPC §11166\(l\)](#) and [§11166\(j\)](#)]. Incidents involving abuse or neglect in the City of Long Beach are sent to the Long Beach Emergency Communications Bureau (Communications), where a patrol unit is dispatched to investigate allegations of suspected abuse.

**8.7.10.1 SCAR – EMERGENCY COMMUNICATIONS BUREAU RESPONSIBILITIES**

Revised March 2, 2018

The Communications supervisor reads and reviews all SCAR reports to determine if the details in the report meet the criteria of child abuse or neglect. If the Communications supervisor determines that a SCAR meets the criteria of child abuse or neglect, then they forward the SCAR to the Communications dispatcher for immediate entry as a call for service indicating suspected physical abuse, sexual abuse, or neglect of a child, per current dispatch policy. The dispatcher shall dispatch a field unit to investigate the SCAR and make notification to the field supervisor.

If it is determined the location of the incident listed on the SCAR did not occur in Long Beach, the Communications supervisor shall notify DCFS Command Post of the misrouted SCAR, and telephonically notify the responsible agency ([CPC § 11165.9](#)). Notification to the command post of the re-routed SCAR and the correct responsible agency will be annotated on the SCAR report.

Communications is responsible for forwarding all SCARs to the Child Abuse Detail. The call number and any notes shall be annotated on a SCAR report that generates a call for service.

The Communications supervisor shall monitor the electronic transmission of SCARs and notify the Child Abuse Sergeant if no SCAR reports are received within a 24-hour period.

#### **8.7.10.2 SCAR – PATROL OFFICER RESPONSIBILITIES**

Revised March 2, 2018

The responding officer shall contact the child listed as the victim on the SCAR report to determine if child abuse has occurred. Upon suspicion that a child has been abused or neglected, the responding officer shall conduct a thorough investigation of the alleged abuse or neglect.

If the officer is unable to contact the victim, the officer shall make every attempt to confirm that the address listed on the SCAR is accurate. If the address is correct, but the officer does not make contact, the officer will document in the call history that he or she did not make contact. The officer shall notify the dispatcher that contact was not made and identify a time when the SCAR should be reopened to attempt contact later. The officer shall document all information in the call history, and the SCAR will be closed with no disposition (ND). When the SCAR is re-opened, a field unit will be dispatched to continue the investigation. The original call will be reopened through Communications.

If the officer determines the child is at another location such as school or daycare, the officer must respond to that location, if it is within the City of Long Beach, to contact the child. All attempts to contact the child should be documented in the call history.

If contact is not made with the victim and the officer has exhausted all attempts to locate the victim, the officer shall notify the field supervisor and document it in the call history. The field supervisor shall notify the Watch Commander, and a Watch Commander's Log entry will be made if a SCAR is closed without making victim contact. At no time shall a

SCAR be closed when contact is not made with the victim without Watch Commander approval.

#### **8.7.10.3 SCAR – FIELD SUPERVISOR RESPONSIBILITIES**

Revised March 2, 2018

A field supervisor will continually assess the status of a SCAR when a unit is dispatched on a SCAR investigation.

A field supervisor will notify the Watch Commander on all SCAR investigations where all leads have been exhausted, and the victim is not located.

#### **8.7.10.4 SCAR – WATCH COMMANDER RESPONSIBILITIES**

Revised March 2, 2018

The Watch Commander is responsible for the following:

- Ensure that all field supervisors are monitoring SCAR investigations;
- Periodically evaluate the progress of SCAR investigations and determine if the investigation should be passed on to the Child Abuse Detail; and,
- Ensure a Watch Commander's Log entry is completed when a victim has not been contacted and all means to contact a victim are exhausted.

#### **8.7.10.5 SCAR – CHILD ABUSE SUPERVISOR RESPONSIBILITIES**

Revised March 2, 2018

The Child Abuse Sergeant is responsible for the following:

- Review all SCARs received from the Communications Center and determine if the crime of child abuse exists;
- Ensure the victim is contacted on all SCARs requiring an investigation;
- When necessary, contact DCFS, or other entities, in an attempt to contact a victim of a SCAR. When located, dispatch a unit to investigate the SCAR;
- Ensure the investigation is conducted on all abuse allegations; and,
- Manage E-SCAR system; input disposition of all investigations into E-SCAR.

#### **8.7.10.6 SCAR – SPECIAL VICTIMS SECTION LIEUTENANT RESPONSIBILITIES**

Revised March 2, 2018

The Special Victims Section Lieutenant is responsible for the following:

- Conduct random audits of the E-SCAR system; and,
- Ensure proper investigation and disposition of cases are conducted.

## **9                   LEGAL**

### **9.1                COMPENSATION FOR INJURIES INCURRED ON-DUTY**

Employees who have received regular “injured on-duty” salary (compensation) from the City of Long Beach for injuries sustained on-duty shall notify the Chief of Police, in writing, of any intent to seek, sue, solicit or accept compensation as damages for such injury from any third party. This notice shall be filed before any action taken. This shall include the fact of the claim and name of the respondent.

#### **Compensation for Other Damages On-Duty**

Employees shall not seek in any way, nor shall they accept from any person, money or other compensation for damages sustained or expenses incurred by them in the line of duty without prior, written notification to the Chief of Police.

## 9.2 NOTIFICATION TO SCHOOL AUTHORITIES OF THE ARREST OF SCHOOL EMPLOYEES

### POLICY

It is the responsibility of the Police Department, upon the arrest of a school employee for any of the following offenses, to see to it that appropriate notifications to school authorities are made. Authorizing codes, specific offenses and notification procedures are detailed in Training Bulletin #212:

- When a school employee is arrested for a sex offense as defined in [Education Code §44010](#)
- When a school employee is arrested for a sex offense which requires registration ([290 PC](#))
- When a school employee is required to register as a substance abuser ([11590 H&S](#))
- When a school employee is arrested for drug paraphernalia as it relates to LSD ([11364 H&S](#))

## 10 USE OF FORCE

Revised April 14, 2023

The Support Bureau shall review this policy on a two-year review cycle.

Reviewed October 12, 2023

Police legitimacy is public trust and confidence in the police, acceptance of police authority and the belief that officers are fair when they perform their duties.

The highest priority of the LBPB is reverence for human life. Officers shall remain professional and ethical, treat others with respect, and remain fair and unbiased.

Officers are empowered with the authority to detain, search, arrest, and use force. Our community depends on our officers' faithful exercise of that authority. Misuse of that authority can lead to grave constitutional violations, as well as significant loss of public trust.

Officers respond to dynamic and rapidly evolving enforcement situations. Officers shall constantly assess the situation, which includes de-escalation techniques and the need to use force.

No policy can anticipate every conceivable situation or exceptional circumstance that officers may face. In all circumstances, officers are expected to exercise sound judgment and critical decision-making when using force options.

## 10.1 USE OF FORCE – DEFINITIONS

Revised October 12, 2023

For purposes of this section, the following definitions shall apply:

**Force** – Any action to control a subject or to overcome resistance through the use of physical strength, weaponless defense techniques, pain compliance techniques, defensive weapons, or a combination thereof.

**Controlling Force** – Ranges from the application of an expectorant shield or hobble restraint, to exerting a firm grip on a subject, to pain compliance control holds to an ongoing effort at physical control.

**Intermediate Force** – Any force which has a significant risk of injury. Intermediate force includes, but is not limited to, takedowns, impact weapons, police canine, conducted electrical weapons, and the discharge of a less lethal munition.

**Deadly force** – Any use of force that creates a substantial risk of causing death or serious bodily injury. Deadly force includes, but is not limited to, the discharge of a firearm.

**Feasible** – Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person.

**Totality of the circumstances** – All facts known at the time, including the conduct of the officer and the subject leading up to the use of force.

**Communications Center** – Synonymous with Disaster Preparedness and Emergency Communications Department (DPEC).

**10.2 USE OF FORCE – LEGAL AUTHORITY TO USE FORCE**

Revised October 12, 2023

Only those Police Department employees defined below are subject to this policy.

**Jail Special Services Officer**

A Jail SSO may use reasonable force in establishing and maintaining custody of persons delivered to them by a law enforcement officer (CPC § 831(f)).

During the transport of a prisoner or prisoners, a Jail SSO may use reasonable force in establishing and maintaining custody of persons delivered to them by a Peace Officer (CPC § 831.6(d)).

**Long Beach City College and Civic Center Special Services Officer**

The SSO may only use the amount of force reasonably necessary to defend themselves or another.

**Marine Patrol Special Services Officer**

**CPC § 836.5(a)** – A public officer or employee, when authorized by ordinance, may arrest a person without a warrant whenever the officer or employee has reasonable cause to believe that the person to be arrested has committed a misdemeanor in the presence of the officer or employee that is a violation of a statute or ordinance that the officer or employee has the duty to enforce.

**CPC §836.5(b)** – There shall be no civil liability on the part of, and no cause of action shall arise against, any public officer or employee acting pursuant to subdivision (a) and within the scope of his or her authority for false arrest or false imprisonment arising out of any arrest that is lawful or that the public officer or employee, at the time of the arrest, had reasonable cause to believe was lawful. No officer or employee shall be deemed an aggressor or lose his or her right to self-defense by the use of reasonable force to effect the arrest, prevent escape, or overcome resistance.

**Police Officer and Airport SSO (Peace Officer)**

**CPC §834(a)** - If a person has knowledge, or by the exercise of reasonable care, should have knowledge, that they are being arrested by a peace officer, it is the duty of such person to refrain from using force or any weapon to resist such arrest.

**CPC §835a(b)** - A Peace Officer who has reasonable cause to believe that a person to be arrested has committed a public offense may use objectively reasonable force to:

1. Arrest a person,
2. Prevent escape, or
3. Overcome resistance.



**CPC §835a(d)** – A peace officer who makes or attempts to make an arrest need not retreat or desist from their efforts by reason of the resistance or threatened resistance of the person being arrested.

A peace officer shall not be deemed an aggressor or lose the right to self-defense by the use of objectively reasonable force. For the purposes of this policy, “retreat” does not mean tactical repositioning or other de-escalation tactics.

## **10.3 USE OF FORCE - GENERAL**

### **10.3.1 USE OF FORCE COMPLAINTS**

Revised April 14, 2023

Employees shall immediately notify a supervisor if a person requests to make a complaint regarding a use of force incident. Complaints may be submitted in writing, telephonically, electronically, or in person, with a supervisor or directly with the Internal Affairs Division. Employees shall follow procedures for filing, investigating, and reporting complaints in LBPD Manual § 4.1.1 PERSONNEL COMPLAINTS.

### **10.3.2 DUTY TO INTERVENE AND REPORT**

Revised October 12, 2023

The duty to intervene is the responsibility of a Peace Officer or SSO to prevent or stop excessive force. The level at which a Peace Officer or SSO intervenes depends upon the reasonable opportunity and the totality of the circumstances.

When verbal intervention is not feasible or is not sufficient to stop the act, Officers shall physically intervene. Officers shall report an incident of perceived excessive force to a supervisor, as soon as practicable.

The word intervene as used in this policy shall have the same meaning as the word intercede as defined in Government Code § 7286(a)(4) states: "Intercede" includes, but is not limited to, physically stopping the excessive use of force, recording the excessive force, if equipped with a body-worn camera, and documenting efforts to intervene, efforts to deescalate the offending officer's excessive use of force, and confronting the offending officer about the excessive force during the use of force and, if the officer continues, immediately reporting to a supervisor who shall notify the watch commander on duty and stating the offending officer's name, unit, location, time, and situation, in order to establish a duty for that officer to intervene.

A Peace Officer or SSO that has received all required training on the requirement to intervene and fails to act pursuant to Government Code § 7286 shall receive corrective action or discipline up to and including in the same manner as the Peace Officer or SSO that committed the excessive force.

#### **10.3.2.1 DUTY TO INTERVENE AND REPORT – RETALIATION**

Revised October 12, 2023

No employee shall retaliate against another employee who reports a suspected excessive force incident. Government Code § 7286 states that retaliation is demotion, failure to promote to a higher position when warranted by merit, denial of access to training and professional development opportunities, denial of access to resources necessary for an officer to properly perform their duties, or intimidation, harassment, or the threat of injury while on duty or off duty.

A supervisor, upon notification of alleged retaliation, shall take prompt and reasonable steps to address any retaliatory action taken against any member of this Department, for further refer to City Personnel Policies and Procedures § [2.2 Unlawful Harassment Complaints](#) and Manual § 4.1.1 Personnel Complaints - Employee Responsibility.

### **10.3.3 DE-ESCALATION**

Revised April 14, 2023

De-escalation is attempting to stabilize a situation and reduce the immediacy of the threat so that more options and resources can be called upon to resolve the situation through voluntary compliance.

De-escalation techniques include the use of time, distance, and cover, and may reduce the need for force and increase officer and civilian safety.

A Peace Officer or SSO shall use de-escalation techniques, crisis intervention tactics, and/or other alternatives to force, when feasible.

### **10.3.4 VERBAL WARNINGS**

Revised April 14, 2023

A verbal warning shall be given, by a Peace Officer or SSO, prior to any use of force likely to cause serious injury, unless it would otherwise endanger the safety of officers, or when it is not feasible due to the circumstances. The purpose of the warning is to give individuals a reasonable opportunity to comply with the officer's direction.

In situations where officers perceive there is a language barrier, an effort should be made to request an officer who speaks that language, when feasible.

### **10.3.5 VULNERABLE POPULATIONS**

Revised April 14, 2023

Vulnerable populations include but are not limited to children, elderly persons, people who are pregnant, and people with physical, mental, and developmental disabilities. Vulnerable persons may have a limited ability to understand or comply with commands or higher susceptibility to injury.

A Peace Officer or SSO who perceives a person to be part of a vulnerable population shall consider additional alternatives such as de-escalation techniques, crisis intervention tactics, requesting specially trained police units to assist, and/or other alternatives to force, when feasible.

### **10.3.6 MEDICAL AID**

Revised April 14, 2023

When reasonable and safe to do so, Peace Officer(s) or SSO(s) shall ensure prompt and proper medical aid is provided for any person injured in a use of force incident.

## **10.4 USE OF FORCE – FIREARMS**

### **10.4.1 AUTHORIZED TRAINING**

Revised October 12, 2023

This policy is not intended to prohibit the on-duty discharge of a firearm during authorized practice and training at an approved area.

### **10.4.2 NEGLIGENCE DISCHARGE**

Revised April 14, 2023

The discharge of any weapon by careless or negligent handling by an on-duty or off-duty employee shall constitute a neglect of duty.

### **10.4.3 DISPLAY OF FIREARMS**

Revised April 14, 2023

A Peace Officer or SSO shall not draw or point a firearm except when the Peace Officer or SSO reasonably believes it may be necessary for their own safety or for the safety of others.

### **10.4.4 SURROUNDINGS AND POTENTIAL RISK**

Revised April 14, 2023

A Peace Officer or SSO shall consider their surroundings and the potential risk of harm to others before discharging a firearm. A Peace Officer or SSO shall not unnecessarily endanger bystanders or the public, to the extent reasonable under the circumstances.

### **10.4.5 WARNING SHOTS**

Revised April 14, 2023

The discharge of a firearm as a warning shot is not authorized.

### **10.4.6 EXCEPTIONAL CIRCUMSTANCES**

Revised October 12, 2023

Exceptional circumstances may necessitate the discharge of a firearm at a target other than a person, when the Peace Officer or SSO reasonably believes there is an imminent threat to life or of serious bodily injury.

## **10.5 POLICE OFFICER – FORCE POLICY**

Revised December 13, 2023

Police Officers shall attempt to achieve control through direction, forewarning, or reasonable physical force.

Police Officers shall, based on the totality of the circumstances, only use a level of force that they reasonably believe is proportional to:

- The seriousness of the suspected offense or
- The reasonably perceived level of actual or threatened resistance.

When an officer has reasonable cause to believe a person has committed a public offense the officer may use objectively reasonable force to:

- 1) Effect a lawful detention;
- 2) Effect a lawful arrest;
- 3) Prevent escape; or
- 4) Overcome resistance.

An officer may also use objectively reasonable force to protect themselves or another person from injury or death.

The decision by a Police Officer to use force shall be reviewed and evaluated carefully and thoroughly, in a manner that reflects the gravity of that authority and the serious consequences of the use of force by Police Officers, in order to ensure that officers use force consistent with law and agency policies.

The decision by a Police Officer to use force shall be reviewed and evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using force.

Force incident reviews shall also consider the officer's tactics and the conduct of the subject leading up to, during, and after the use of force.

### **10.5.1 POLICE OFFICER – DEADLY FORCE**

Revised April 14, 2023

A Police Officer shall not use deadly force except, when necessary, in defense of human life. In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case and shall use de-escalation techniques if reasonably safe and feasible to an objectively reasonable officer.

Where feasible, a Police Officer shall, prior to the use of force, make reasonable efforts to identify themselves as a Police 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.

A Police Officer shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable Police Officer would believe the person does not pose an imminent threat of death or serious bodily injury to the Police Officer, or to another person.

#### **10.5.2 POLICE OFFICER – IMMINENT THREAT**

Revised April 14, 2023

A Police Officer is justified in using deadly force upon another person when they reasonably believe, based on the totality of the circumstances, that such force is necessary to defend against an imminent threat of death or serious bodily injury to the Police Officer, or to another person.

A threat of death or serious bodily injury is “imminent” 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 Police Officer, or another person.

Imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed.

#### **10.5.3 POLICE OFFICER – IMMEDIATE APPREHENSION**

Revised April 14, 2023

A Police Officer is justified in using deadly force upon another person when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury if the Police Officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended.

#### **10.5.4 POLICE OFFICER – SHOOTING AT MOVING VEHICLES**

Revised April 14, 2023

Police Officers shall not discharge a firearm at a moving vehicle unless the occupants of the vehicle are presenting an imminent threat and there are no other reasonable options.

Police Officers shall avoid placing themselves in the path of, or reach inside, a moving vehicle; and if feasible, move out of the way of an oncoming vehicle. Police Officers shall not shoot at any part of a vehicle to disable the vehicle.

Police Officers shall weigh the need to shoot at an imminent threat in a moving vehicle against the risk that the discharge of a firearm may create, such as harm to other persons

in the vehicle, the public, or the danger of an uncontrolled vehicle from an incapacitated driver.

The discharge of firearms at a moving vehicle, by a Police Officer, is authorized only in the event of an imminent threat.

#### **10.5.5 POLICE OFFICER – SHOOTING FROM MOVING VEHICLES**

Revised April 14, 2023

Police Officers shall not discharge a firearm from a moving vehicle unless an imminent threat is present and there are no other reasonable options.

Police Officers shall consider the increased risk that shooting from a moving vehicle creates, and if feasible, consider the options of exiting the vehicle or driving away from the imminent threat.

The discharge of firearms from a moving vehicle, by a Police Officer, is authorized only in the event of an imminent threat.

#### **10.5.6 POLICE OFFICER – DIRECTED FIRE**

Revised April 14, 2023

Directed fire is a tactic of delivering controlled gunfire at a specific area, capable of containing the officer's rounds, where a suspect may not be directly exposed, but from where the suspect poses an imminent threat.

Directed fire shall only be used when no other reasonable course of action would allow officers to protect themselves or the public from an imminent deadly threat. Police Officers shall weigh the need to use directed fire against the risk that the discharge of a firearm may create to the public.

Directed fire may be used in the following circumstances:

- a) Moving Persons to Safety - when there is a need to move a person from a position of imminent harm to one of safety, OR
- b) Moving for Tactical Advantage - to maneuver officers from a position of disadvantage to a position of tactical advantage to stop an imminent threat, when responding to an incident, such as an active shooter or an organized terrorist attack.

A Police Officer, as soon as feasible, shall notify the supervisor of the use of directed fire or the intended use of directed fire.

The use of directed fire is a deadly force option and is only authorized for use by a Police Officer.

**10.6 SPECIAL SERVICES OFFICER (SSO) – FORCE POLICY**

Revised April 14, 2023

**10.6.1 AIRPORT SSO – FORCE POLICY**

Revised October 12, 2023

Airport SSOs shall attempt to achieve control through direction, forewarning, or reasonable physical force.

When acting in furtherance of their primary duty, Airport SSOs shall, based on the totality of the circumstances, only use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance. Force may be used to accomplish the following:

- 1) Effect a lawful detention, arrest, prevent escape or overcome resistance
- 2) Protect themselves, the subject or another person from injury or death

The decision by an Airport SSO to use force shall be reviewed and evaluated carefully and thoroughly, in a manner that reflects the gravity of that authority and the serious consequences of the use of force by Peace Officers, in order to ensure that the force used is consistent with law and agency policies.

The decision by an Airport SSO to use force shall be reviewed and evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using force.

Force incident reviews shall also consider the Airport SSO's tactics and the conduct of the subject leading up to, during, and after the use of force.

**10.6.1.1 AIRPORT SSO – DEADLY FORCE**

Revised October 12, 2023

An Airport SSO shall not use deadly force except, when necessary, in defense of human life. In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case and shall use de-escalation techniques if reasonably safe and feasible to an objectively reasonable officer.

Where feasible, an Airport SSO shall, prior to the use of force, make reasonable efforts to identify themselves as an Airport SSO 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.

An Airport SSO shall not use deadly force against a person based on the danger that person poses to themselves if an objectively reasonable Airport SSO would believe the person does not pose an imminent threat of death or serious bodily injury to the Airport SSO or to another person.



**10.6.1.2 AIRPORT SSO – IMMINENT THREAT**

Revised October 12, 2023

An Airport SSO is justified in using deadly force upon another person when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary to defend against an imminent threat of death or serious bodily injury to the Airport SSO or to another person.

A threat of death or serious bodily injury is “imminent” 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 Airport SSO or another person.

Imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed.

Airport SSOs are not authorized to discharge a firearm at or from a moving vehicle.

**10.6.2 MARINE PATROL SSO – FORCE POLICY**

Revised October 12, 2023

Marine Patrol SSOs shall attempt to achieve control through direction, forewarning, or reasonable physical force.

A Marine Patrol SSO, based on the totality of the circumstances, shall only use a level of force they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance, when:

- 1) The Marine Patrol SSO believes another person is going to harm the Marine Patrol SSO or another, or
- 2) Arresting a person for a misdemeanor in violation of a statute or ordinance that the Marine Patrol SSO has the duty to enforce.

The reasonableness of a particular use of force shall be reviewed and evaluated from the perspective of a reasonable Marine Patrol SSO possessing the same information, training, and experience, and faced with the same circumstances as the Marine Patrol SSO who used force.

Force incident reviews shall also consider the Marine Patrol SSO's tactics and the conduct of the subject leading up to, during, and after the use of force.

**10.6.2.1 MARINE PATROL SSO – DEADLY FORCE**

Revised October 12, 2023

A Marine Patrol SSO shall not use deadly force except, when necessary, in defense of human life. In determining whether deadly force is necessary, officers shall evaluate each

situation in light of the particular circumstances of each case and shall use de-escalation techniques if reasonably safe and feasible to an objectively reasonable officer.

Where feasible, a Marine Patrol SSO shall, prior to the use of force, make reasonable efforts to identify themselves as a Marine Patrol SSO 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.

A Marine Patrol SSO shall not use deadly force against a person based on the danger that person poses to themselves if an objectively reasonable Marine Patrol SSO would believe the person does not pose an imminent threat of death or serious bodily injury to the Marine Patrol SSO, or to another person.

#### **10.6.2.2 MARINE PATROL SSO – IMMINENT THREAT**

Revised October 12, 2023

A Marine Patrol SSO is justified in using deadly force upon another person when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary to defend against an imminent threat of death or serious bodily injury to the Marine Patrol SSO, or to another person.

A threat of death or serious bodily injury is “imminent” 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 Marine Patrol SSO, or another person.

Imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed.

Marine Patrol SSOs are not authorized to discharge a firearm at or from a moving vehicle.

#### **10.6.3 JAIL SSO – FORCE POLICY**

Revised October 12, 2023

Jail SSOs shall attempt to achieve control through direction, forewarning, or reasonable physical force.

Based on the totality of the circumstances, a Jail SSO may only use proportional force:

- 1) When the Jail SSO reasonably believes that another person is going to harm the Jail SSO or another, or
- 2) To establish and maintain custody of persons delivered to them by a law enforcement officer, or
- 3) To transport a prisoner or prisoners, delivered to them by a peace officer.

The reasonableness of a particular use of force shall be reviewed and evaluated from the perspective of a reasonable Jail SSO possessing the same information, training, and experience, and faced with the same circumstances as the SSO who used force.

Force incident reviews shall also consider the SSO's tactics and the conduct of the subject leading up to, during, and after the use of force.

#### **10.6.3.1 JAIL SSO – DEADLY FORCE**

Revised April 14, 2023

A Jail SSO shall not use deadly force except, when necessary, in defense of human life. In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case and shall use de-escalation techniques if reasonably safe and feasible to an objectively reasonable officer.

Where feasible, a Jail SSO shall, prior to the use of force, make reasonable efforts to identify themselves as a Jail SSO 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.

A Jail SSO shall not use deadly force against a person based on the danger that person poses to themselves if an objectively reasonable Jail SSO would believe the person does not pose an imminent threat of death or serious bodily injury to the Jail SSO, or to another person.

#### **10.6.3.2 JAIL SSO – IMMINENT THREAT**

Revised October 12, 2023

A Jail SSO is justified in using deadly force upon another person when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary to defend against an imminent threat of death or serious bodily injury to the Jail SSO, or to another person.

A threat of death or serious bodily injury is "imminent" 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 Jail SSO, or another person.

Imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed.

Jail SSOs are not authorized to discharge a firearm at or from a moving vehicle.

#### **10.6.4 LONG BEACH CITY COLLEGE (LBCC) AND CIVIC CENTER SSO – FORCE POLICY**

Revised April 14, 2023

An LBCC/Civic Center SSO shall only use force when, based on the totality of the circumstances, the SSO reasonably believes that another person is going to harm the SSO or another. The SSO may only use the amount of force reasonably necessary to defend themselves or another.

The reasonableness of a particular use of force shall be reviewed and evaluated from the perspective of a reasonable person possessing the same information, training, and experience, and faced with the same circumstances as the LBCC SSO or Civic Center SSO who used force.

Force incident reviews shall also consider the SSO's tactics and the conduct of the subject leading up to, during, and after the use of force.

##### **10.6.4.1 LBCC SSO AND CIVIC CENTER SSO – DEADLY FORCE**

Revised April 14, 2023

An LBCC/Civic Center SSO shall not use deadly force except, when necessary, in defense of human life. In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case and shall use de-escalation techniques if reasonably safe and feasible to an objectively reasonable officer.

Where feasible, an LBCC SSO/Civic Center SSO shall, prior to the use of force, make reasonable efforts to identify themselves as an SSO 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.

A LBCC/Civic Center SSO shall not use deadly force against a person based on the danger that person poses to themselves if an objectively reasonable LBCC SSO or Civic

Center SSO would believe the person does not pose an imminent threat of death or serious bodily injury to the SSO, or to another person.

##### **10.6.4.2 LBCC SSO AND CIVIC CENTER SSO – IMMINENT THREAT**

Revised October 12, 2023

An LBCC/Civic Center SSO is justified in using deadly force upon another person when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary to defend against an imminent threat of death or serious bodily injury to the LBCC SSO or Civic Center SSO, or to another person.

A threat of death or serious bodily injury is "imminent" 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 LBCC SSO or Civic Center SSO, or another person.

Imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed.

LBCC SSOs and Civic Center SSOs are not authorized to discharge a firearm at or from a moving vehicle.

**10.7 PHYSICAL CONTROL**

Revised October 12, 2023

When a subject makes an ongoing effort at defeating an employee's attempt at physical control which does not result in injury or ongoing complaint of pain, the employee with the highest level of physical contact or the filing officer shall notify their supervisor and document the details of the incident. The documentation shall include what control was used, the actions of the employee(s) and the subject(s), and the name of the supervisor notified. The physical control incident shall be documented in either an electronic incident report, RNB, or call history.

**10.7.1 PHYSICAL CONTROL – SUPERVISOR RESPONSIBILITIES**

Revised October 12, 2023

The supervisor shall ensure the employee with the highest level of physical contact, or the filing officer has completed the appropriate documentation. The supervisor is not required to respond to the scene.

If the supervisor is involved in a physical control incident, they shall notify another supervisor or their next in command.

When a Jail SSO is involved in a physical control incident a trained Detention Supervisor shall handle the above supervisor responsibilities and notify the booking sergeant as soon as practicable. If a trained Detention Supervisor is not available the responsibilities shall fall to the Booking Sergeant.

## 10.8 USE OF FORCE – REPORTING AND REVIEW

Revised October 12, 2023

The decision to use force shall be reviewed and evaluated carefully and thoroughly, in a manner that reflects the gravity of that authority and the serious consequences of the use of force, to ensure that officers use force consistent with law and agency policies.

The decision to use force shall be reviewed and evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using force. Additionally, the review of the use of deadly force shall consider the necessity for the defense of human life.

Force incident reviews shall consider the tactics leading up to, during, and after the use of force and whether the force used by the officer(s) was objectively reasonable based upon the totality of the circumstances. Factors to consider when determining reasonableness, include but are not limited to the following:

- Whether there is a legal basis for the use of force
- The severity of the crime
- The nature of the threat to the public, officers, or the subject
- The conduct and level of resistance by the subject
- The availability of other officers or resources
- The proximity of weapons to the subject
- The subject's access to weapons
- The training and experience of the officer
- Officer versus subject factors such as age, size, relative strength, skill level, injury/exhaustion, and number of officers versus subjects

### 10.8.1 USE OF FORCE – FORCE OPTION CATEGORIES

Revised October 12, 2023

Force options are placed into general categories of foreseeable injury.

- a) **Controlling Force** – Force which has a minimal risk of injury
- b) **Intermediate Force** – Force which has a significant risk of injury
- c) **Deadly Force** – Force which has a substantial risk of death or serious bodily injury

Should an officer use a force option outside of Department training, the officer shall fully articulate the circumstances and why Department trained force options were not utilized.

### 10.8.2 USE OF FORCE – INTERNAL REPORTING AND NOTIFICATION

Revised October 12, 2023

A reportable use of force occurs when any Peace Officer or SSO, in the course and scope of their employment, whether on-duty or off-duty uses:

**a) Controlling Force**

- Which resulted in injury or an ongoing complaint of pain

**b) Intermediate Force**

**c) Deadly Force**

An officer shall immediately notify a supervisor regarding a reportable use of force incident unless exigent circumstances delay the notification. If an officer is off-duty and involved in a reportable use of force, the officer shall notify the Watch Commander as soon as practicable and document the incident pursuant to Manual § 10.9.1. USE OF FORCE – INVOLVED EMPLOYEE RESPONSIBILITIES.

### **10.8.3 USE OF FORCE – REVIEW LEVELS**

Revised October 12, 2023

The LBPD categorizes force options into one of the following three levels:

**Level 1**

- Chemical agents
- Takedowns
- Controlling force which resulted in injury or an ongoing complaint of pain
- Less lethal munitions when discharged at but do not strike a person

**Level 2**

- Conducted electrical weapon
- Impact weapons
- Police Service Canine
- Less lethal munitions which strike an individual
- Vehicle Containment Technique (VCT), only when intentional vehicle contact is made by the officer
  - The employee's Supervisor shall notify the Watch Commander and the Division Lieutenant. The Division Lieutenant shall handle the use of force review responsibilities of both the Watch Commander and Division Lieutenant.

**Level 3**

- Deadly force including, but not limited to firearms, knives or any other objects (including vehicles) used as a lethal weapon.

Incidents of force directly involved in an officer involved shooting or in-custody death will follow the established review process in Manual § 8.2.7 FIREARMS-SHOOTING REVIEW BOARD and will not be reviewed through the officer's standard chain of command. Any other force not directly related to an officer involved shooting or in-custody death shall follow the established review process as listed above and in Manual § 10.9 USE OF FORCE – RESPONSIBILITIES.





**10.9 USE OF FORCE – RESPONSIBILITIES**

Revised October 12, 2023

**10.9.1 USE OF FORCE – INVOLVED EMPLOYEE RESPONSIBILITIES**

Revised October 12, 2023

**Levels 1-2**

All on-duty employees shall notify their supervisor and complete a report detailing the use of force by the end of the officer's shift, unless there are extenuating circumstances and approval is received by the Watch Commander. The name of the approving Watch Commander shall be documented in the call history.

- 1) Any employee that uses force shall personally document their actions and observations in an electronic incident report.
- 2) Any employee not directly involved, but a witness to a reportable use of force shall personally document their actions and observations in an electronic incident report.

**Level 3**

All on-duty employees shall notify their supervisor and complete an electronic incident report detailing the use of force by the end of the officer's shift. The Homicide Supervisor may authorize a filing extension. Should Homicide not respond, the Watch Commander may authorize a filing extension.

- 1) Any employee that uses force shall personally document their actions and observations in an electronic incident report.
- 2) Any employee not directly involved, but a witness to a reportable use of force shall personally document their actions and observations in an electronic incident report.

If an employee is physically unable to personally document their actions in an electronic incident report, the Homicide Supervisor may authorize the employee to be interviewed for documentation purposes. Should Homicide not respond, the Watch Commander may authorize the employee to be interviewed for documentation purposes.

**Off-Duty Documentation**

Document the circumstances of any level 1-3 use of force with an electronic incident report before the end of their next work shift.

**Compelled Statements**

This section does not apply to compelled statements. For further on compelled statements, refer to Manual § 8.2.6 COMPELLED STATEMENTS.

**10.9.2 USE OF FORCE – SUPERVISOR RESPONSIBILITIES**

Revised October 12, 2023

A Supervisor is responsible for handling use of force investigations involving their employees and shall not investigate their own use of force. The Supervisor shall do the following:

**Level 1-2**

- 1) Respond to the scene and ensure that both a detailed criminal and administrative investigation are conducted surrounding the incident.
- 2) Review the criminal charges against the subject.
- 3) Ensure witnesses are identified and statements obtained.
- 4) Ensure all evidence pertaining to the criminal investigation and use of force has been collected.
- 5) Ensure photographs are taken of all injuries or lack of injuries to the suspect and employee.
- 6) Notify the Watch Commander of the use of force incident as soon as possible and no later than the conclusion of the use of force investigation.
- 7) Notify the on-call Internal Affairs Sergeant on all reportable use of force incidents involving potential misconduct or incidents resulting in the subject being admitted to the hospital or transported for treatment to a hospital for the following:
  - a) Injuries requiring sutures
  - b) Broken bones
  - c) Head injuries
  - d) Any injury deemed as serious
- 8) Respond to the medical facility if the subject is transported.
- 9) Consider arranging for other officer(s) to transport and book the subject if the subject continues to display hostile or confrontational behavior toward the arresting officer(s).
- 10) Direct who will file a supplemental report.
- 11) Review the incident, arrest, and supplemental reports to the use of force incident, and any digital evidence (i.e., photos/video) available at the time of filing involving a level 1 or 2 use of force.
- 12) File a supplemental report documenting their actions related to the use of force incident.
- 13) Complete the *Supervisor's Use of Force Report*.

**Level 3**

- 1) Notify Homicide.
- 2) Should Homicide respond, the supervisor shall manage the scene per Manual § 8.2.1.4 INCIDENT SCENE MANAGEMENT. The Homicide supervisor shall complete a *Supervisor's Use of Force Report* on all force used in the incident.
- 3) If Homicide does not respond, supervisors shall refer to Level 1-2 Supervisor Responsibilities.

**10.9.3 USE OF FORCE – BOOKING SERGEANT RESPONSIBILITIES**

Revised April 14, 2023

The Booking Sergeant shall be responsible for the following in addition to Manual § 10.9.2 USE OF FORCE – SUPERVISOR RESPONSIBILITIES.

**A. Use of force by police officers**

If the use of force incident occurs prior to the release of the subject to detention officers, the Booking Sergeant shall do the following:

- 1) Ensure the involved employee immediately notifies their supervisor regarding the use of force.
- 2) Remain in the Booking area and assist the supervisor with the investigation.
- 3) Ensure any digital evidence (i.e., photos/video) captured by the security camera system is reviewed and collected.
- 4) File a supplemental report documenting their actions related to the use of force incident.

**B. Use of force by both police officers and detention officers**

Any use of force incident involving both police officers and detention officers, occurring inside the Jail after the prisoner has been released to detention officers, shall be investigated by the Booking Sergeant. Refer to LBPD Manual § 10.9.2 USE OF FORCE – SUPERVISOR RESPONSIBILITIES.

- 1) Ensure a field supervisor responds to the medical facility in the event a prisoner is transported to the hospital from the jail.
- 2) Ensure a patrol officer accompanies the prisoner in the event a prisoner is transported to the hospital from the jail.

**C. Use of force by detention officers**

Any use of force incident involving detention officers, occurring inside the Jail after the prisoner has been released to detention officers, shall be investigated by the Detention Supervisor. Refer to LBPD Manual § 10.9.4 USE OF FORCE – DETENTION SUPERVISOR RESPONSIBILITIES. The Booking Sergeant shall be responsible for the following:

- 1) Ensure a field supervisor responds to the medical facility in the event a prisoner is transported to the hospital from the jail.
- 2) Ensure a patrol officer accompanies the prisoner in the event a prisoner is transported to the hospital from the jail.
- 3) Review and forward the *Supervisor's Use of Force Report* to the Watch Commander.

**10.9.4 USE OF FORCE – DETENTION SUPERVISOR RESPONSIBILITIES**

Revised October 12, 2023

Detention Supervisors shall not investigate their own use of force. A Detention Supervisor is responsible for handling use of force investigations involving their employees.

In use of force incidents involving detention officers, the detention supervisors shall do the following:

**Level 1-2**

- 1) Respond to the scene and ensure that a investigation is conducted surrounding the incident.
- 2) Review the criminal charges against the subject.
- 3) Ensure witnesses are identified and statements obtained.
- 4) Ensure all evidence pertaining to the use of force has been collected and if additional criminal charges exist request a patrol officer to file a report.

- 5) Ensure photographs are taken of all injuries or lack of injuries to the suspect and employee.
- 6) Notify the Booking Sergeant of the use of force incident as soon as possible, prior to the end of the work shift.
- 7) Notify the Booking Sergeant on all reportable use of force incidents involving potential misconduct or incidents resulting in the subject being admitted to the hospital or transported for treatment to a hospital for the following:
  - a) Injuries requiring sutures
  - b) Broken bones
  - c) Head injuries
  - d) Any injury deemed as serious
- 8) Request a patrol officer to assist if the subject is transported to a hospital.
- 9) Direct who will file supplemental reports.
- 10) Review the incident and supplemental reports to the use of force incident, and any digital evidence (i.e., photos/video) available at the time of filing involving a level 1 or 2 use of force.
- 11) Complete the *Supervisor's Use of Force Report*.

**Level 3**

- 1) Notify the Booking Sergeant.

**10.9.5 USE OF FORCE – WATCH COMMANDER RESPONSIBILITIES**

Revised October 12, 2023

Watch Commanders shall not investigate their own use of force and shall direct another supervisor to respond and handle the investigation and reports.

The Watch Commander shall do the following:

- 1) Ensure that a detailed investigation is conducted surrounding the incident and respond to the scene if necessary.
- 2) Review the incident/arrest reports, along with all connecting reports regarding the use of force incident and either approve or send them back to the supervisor for corrections or additional information.
- 3) Ensure the incident is entered in the Watch Commander's Log.
- 4) Ensure the on-call Internal Affairs Sergeant is notified on all reportable use of force incidents involving potential misconduct, or incidents resulting in the subject being admitted to the hospital or transported for treatment to a hospital for the following:
  - a) Injuries requiring sutures
  - b) Broken bones
  - c) All head injuries
  - d) Any injury deemed as serious
- 5) Review the *Supervisor's Use of Force Report* involving any level 1, 2, or 3 use of force as well as any digital evidence (e.g., photos/video) available.
- 6) Make recommendations for a final determination and take corrective action if necessary.
- 7) Forward the *Supervisor's Use of Force Report* to the involved employee's Lieutenant within a timely manner.

Note: When the Vehicle Containment Technique (VCT) is deployed and the officer makes intentional vehicle contact, the employee's Division Lieutenant is responsible for completing the use of force review normally conducted by the Watch Commander.

If a use of force occurs outside the Long Beach Police Department's jurisdiction while on-duty, the Watch Commander determines whether a supervisor responds to the scene. The Watch Commander shall evaluate the need for further investigation and take appropriate action on all on-duty use of force incidents.

### **10.9.6 USE OF FORCE REVIEW – INVOLVED EMPLOYEE LIEUTENANT RESPONSIBILITIES**

Revised October 12, 2023

The involved employee's lieutenant shall do the following:

- 1) Review the Supervisor's Use of Force Report involving any level 1, 2, or 3 use of force, as well as any digital evidence (i.e., photos/video) available.
- Make recommendations for a final determination and take corrective action if necessary.
- Forward the *Supervisor's Use of Force Report* to the involved employee's Commander within a timely manner.

When reviewing a use of force, Lieutenants should consider utilizing the Early Intervention Program (Manual § 3.50 Early Intervention Program (EIP)).

### **10.9.7 USE OF FORCE REVIEW – DIVISION COMMANDER RESPONSIBILITIES**

Revised October 12, 2023

The Division Commander shall review the *Supervisor's Use of Force Report* involving any level 1, 2, or 3 use of force, including any police reports and digital evidence (i.e., photos/video). These reviews shall be done in a timely manner.

#### **Level 1**

After review do one of the following:

- Determine that the use of force is in policy and forward the completed Supervisor's Report to Internal Affairs to be maintained in accordance with the Record Retention Schedule, or
- Take corrective action and forward the completed Supervisor's Report to Internal Affairs to be maintained in accordance with the Record Retention Schedule, or
- Recommend further review and forward the completed Supervisor's Report to the Bureau Chief.

If a level 2 use of force results in serious injury including but not limited to an injury requiring sutures/staples, broken bones, head injury or any other serious injury, it shall be forwarded to the involved employee's Bureau Chief for review and final determination.

The involved employee's Bureau Chief reserves the right to review any level 1 use of force incident.

**Level 2-3**

After review do the following:

- Make recommendations for a final determination, and
- Take corrective action if necessary, and
- Forward the completed Supervisor's Report to the Bureau Chief for review.

**10.9.8 USE OF FORCE REVIEW – BUREAU RESPONSIBILITIES**

Revised October 12, 2023

The Bureau Chief or their designee shall review the *Supervisor's Use of Force Report* including any police reports and digital evidence (i.e., photos/video). These reviews shall be done in a timely manner.

**Level 1-2**

After review do the following:

- Determine that the use of force is in policy and forward the completed Supervisor's Report to Internal Affairs to be maintained in accordance with the Record Retention Schedule, or
- Take corrective action and forward the completed *Supervisor's Use of Force Report* to Internal Affairs to be maintained in accordance with the Record Retention Schedule, or
- Request an Internal Affairs investigation and forward the completed *Supervisor's Use of Force Report* to Internal Affairs.

**Level 3**

After review do the following:

- Make recommendations for a final determination, and
- Take corrective action if necessary, and
- Present to the Chief of Police or designee for final determination, and
- Forward the completed Supervisor's Use of Force Report to Internal Affairs to be maintained in accordance with the Record Retention Schedule.

If the use of force was part of a significant tactical event, the Deputy Chief, or designee, shall consider requesting the Tactical Operation Committee (TOC) review the incident.

**10.9.9 USE OF FORCE REVIEW – CHIEF OF POLICE RESPONSIBILITIES**

Revised October 12, 2023

The Chief of Police or their designee shall make a final determination on all level 3 use of force incidents.

**10.9.10 USE OF FORCE REVIEW – INTERNAL AFFAIRS RESPONSIBILITIES**

Revised October 12, 2023

Internal Affairs shall do the following:

- Complete an investigation, if requested.
- Ensure compliance with any findings or recommendations.
- Maintain the Supervisor's Use of Force Report in accordance with the Record Retention Schedule.

#### **10.9.11 USE OF FORCE REVIEW – TRAINING SECTION RESPONSIBILITIES**

Revised October 12, 2023

When requested, the Training Section shall evaluate a use of force incident to determine the need for future training. For Level 3 incidents, the Training Section shall follow the recommendations of the Shooting/In Custody Death Review Board ([Manual § 8.2.7/8.2.8](#)) or the Critical Incident Debrief Committee (Manual § 7.5.2.5).

The Training Section shall ensure that personnel authorized to use force participate in *Use of Force Training* which shall include a review of this policy every two years at minimum.

The Training Section shall maintain training records per City and Department policy, in accordance with state and federal law.



## **10.10 USE OF FORCE – EXTERNAL REPORTING**

Revised April 14, 2023

### **10.10.1 DEPARTMENT OF JUSTICE DATA REPORTING**

Revised October 12, 2023

The Long Beach Police Department shall report levels 1-3 use of force incidents to the Department of Justice in compliance with CGC § 12525.2 and any other applicable Federal or State requirements.

### **10.10.2 DISCLOSURE OF PUBLIC RECORDS**

Revised April 14, 2023

The Long Beach Police Department shall disclose public records related to use of force incidents in accordance with CPC § 832.7 and any other applicable Federal or State requirements.

**10.11 AR-15 RIFLES**

Revised April 14, 2023

AR-15 rifles are a deadly force option authorized for use by trained Department personnel who have qualified in the most recent AR-15 qualification period. For further refer to Manual §§ 10.5.1 POLICE OFFICER – DEADLY FORCE, 10.8.1 USE OF FORCE – FORCE OPTIONS and 10.8.2 USE OF FORCE – INTERNAL REPORTING AND NOTIFICATION.

**10.11.1 DEFINITIONS – AR-15**

Revised October 12, 2023

**Deployment** – Retrieving the AR-15 for use during an incident.

**Range Master** – The supervisor assigned as the sergeant in charge of the range.

**10.11.2 AR-15 RIFLE QUALIFICATION**

Revised October 12, 2023

Police officers who have been certified through the Department approved AR-15 rifle course shall qualify with the AR-15 rifle according to the range qualification schedule.

Failure to qualify with an AR-15 rifle will result in the officer losing their authorization to deploy an AR-15 rifle while on duty, until the officer completes the next regularly scheduled AR-15 qualification. If more than two (2) years lapse between successful qualification periods, an officer will lose their AR-15 certification and be required to take a Department approved AR-15 course.

**10.11.3 PERSONALLY OWNED AR-15 RIFLES**

Revised October 12, 2023

Authorized personnel may be issued a Department letter that authorizes an officer to purchase an AR-15 rifle. An officer may deploy an AR-15 rifle in the field once all training and inspection requirements are met.

In order to deploy a personally owned AR-15 rifle in the field, officers must equip their AR-15 as required in Manual § 10.11.4 REQUIRED EQUIPMENT AND SPECIFICATIONS.

Officers shall qualify with their personally owned AR-15 rifle using Department approved ammunition. If a personally owned rifle is inoperable, the officer will be required to have the necessary repairs made, requalify, and have the weapon inspected and approved before deploying, for further refer to Manual § 10.11.7 WEAPON INSPECTION AND MAINTENANCE.

**10.11.4 REQUIRED EQUIPMENT AND SPECIFICATIONS**

Revised October 12, 2023

All AR-15 rifles shall meet the following equipment and specification requirements prior to deploying:

- A. **Manufacturer** – Must have manufactured firearms for over three (3) years and produced over 1000 units.
- B. **Barrel length** – Barrel length shall be between 16 and 20 inches.
- C. **Caliber** – Caliber shall be .223/5.56MM.
- D. **Magazines** – Possess a minimum of two (2), 30-round capacity magazines, subject to the approval of the Range Master, or their designee.
- E. **Ammunition** – Only Department authorized ammunition shall be carried on duty. For further details, refer to LBPD Manual § 6.8.7.5 AMMUNITION – AR-15.
- F. **Sling** – Rifles must be equipped with a 2-point or single-point sling.
- G. **Optic** – All rifles shall be affixed with an optic, subject to the approval of the Range Master, or their designee. If a red dot electronic optic is affixed, the officer must have a co-witness, dual sight system that employs fixed or flip-up sights to ensure the rifle is deployable if the electronic optic is inoperable. The optic manufacturer must have manufactured optics for over three (3) years and produced over 1000 units.

#### 10.11.5 OPTIONAL EQUIPMENT

Revised October 12, 2023

- A. **Light mounts** – Light mounts may be added to the AR-15 only after receiving Department approved training. The light mount is subject to the approval of the Range Master, or their designee. Officers should consider units with momentary switches, and constant “on” and lock “off” switch capabilities.
- B. **Magazine pouches** – Officers may carry a magazine pouch with additional magazines. The type of pouch should be one that quickly attaches to the officer’s gun belt or plate carrier when the rifle is deployed.

Any optional equipment or modification to the AR-15 shall be approved by the Training and Tactical Support Division Commander.

#### 10.11.6 PROHIBITED EQUIPMENT

Revised April 14, 2023

The following equipment shall not be authorized for use on or with AR-15 rifles deployed in the field (SWAT shall be exempt from these restrictions):

- Drum magazines
- Vertical Foregrips
- Bipods or monopods

No employee (including SWAT) is authorized to use an AR-15 rifle with a bullet button.

#### 10.11.7 WEAPON INSPECTION AND MAINTENANCE

Revised October 12, 2023

The Range Master, or their designee shall inspect all Department and personally owned AR-15 rifles prior to deploying the rifle for the first time in the field. They shall inspect all AR-15 rifles that are deployed in the field at every AR-15 qualification to ensure that the weapon functions properly and has all required equipment. The inspection shall include checking the accuracy and proper function of sights and scopes. The configuration of the rifle will be documented, and any changes made to the AR-15 must be inspected and approved by the Range Master, or their designee before deploying.

Division Commanders, or their designee, shall ensure that any Department-owned AR-15 rifle within their Division is inspected by the Range Master, or their designee at every AR-15 qualification.

#### **10.11.8 AR-15 DEPLOYMENT CRITERIA**

Revised April 14, 2023

Authorized personnel may deploy the AR-15 rifle when there is a need for greater distance, firepower, and accuracy. Examples appropriate for use may include, but are not limited to the following situations:

- Armed and barricaded suspect(s)
- Sniper fire
- Silent robbery alarm or armed robbery in progress
- A suspect(s) armed with a firearm or other dangerous life-threatening weapon and wearing protective body armor
- A suspect(s) armed with high-powered weaponry, or has immediate access to weapons that surpass the capability of those normally carried by field officers
- An active shooter
- An armed suspect situated in a tactically advantageous location or area
- During a high-risk vehicle stop

#### **10.11.9 AR-15 STORAGE**

Revised April 14, 2023

All AR-15 rifles shall be stored with the bolt in the forward position on an empty chamber and the safety engaged. The AR-15 may be stored with the magazine inserted in the magazine well.

#### **10.11.10 EMPLOYEE RESPONSIBILITIES**

Revised April 14, 2023

Employees carrying an AR-15 rifle in their patrol vehicle shall be responsible for the following:

- Upon deploying an AR-15 rifle immediately notify the Communications Center, or as soon as practicable. This will alert all personnel that the rifle is deployed and will ensure the deployment is entered in the call history.
- Notify a field supervisor of the AR-15 deployment as soon as practicable.

- After deployment, the AR-15 shall be cleared, rendered safe, and secured in the designated vehicle.

#### **10.11.11 SUPERVISOR RESPONSIBILITIES**

Revised April 14, 2023

When notified of an AR-15 deployment, a supervisor shall immediately respond to the scene. As soon as reasonably able, the supervisor shall assume responsibility of the operation as the Incident Commander. The supervisor shall consider the activation of SWAT when circumstances dictate the use of these weapons. The deployment of the AR-15 rifle will not circumvent the need to activate SWAT.

**10.12 PHYSICAL RESTRAINTS**

Revised April 14, 2023

**10.12.1 CAROTID/NECK RESTRAINT**

Revised April 14, 2023

A Peace Officer or SSO shall not use the carotid restraint, choke hold or other defensive tactic that encircles the neck and/or involves a substantial risk of restricting blood or air flow in order to control or render the person unconscious.

Carotid restraint means a vascular neck restraint or any similar restraint, hold, or other defensive tactic in which pressure is applied to the sides of a person's neck that involves a substantial risk of restricting blood flow and may render the person unconscious in order to subdue or control the person (Government Code § 7286.5).

Choke hold means any defensive tactic or force option in which direct pressure is applied to a person's trachea or windpipe (Government Code § 7286.5).

**10.12.2 OTHER PHYSICAL RESTRAINT – POSITIONAL ASPHYXIA**

Revised April 14, 2023

A Peace Officer or SSO shall not use techniques or transport methods that involve a substantial risk of positional asphyxia as defined in (Government Code § 7286.5).

Positional asphyxia means situating a person in a manner that compresses their airway and reduces the ability to sustain adequate breathing.

This includes, without limitation, the use of any physical restraint that causes a person's respiratory airway to be compressed or impairs the person's breathing or respiratory capacity, including any action in which pressure or body weight is unreasonably applied against a restrained person's neck, torso, or back, or positioning a restrained person without reasonable monitoring for signs of asphyxia.

## **10.13 LESS LETHAL LAUNCHERS AND MUNITIONS**

Revised April 14, 2023

Less lethal munitions are an intermediate force option and shall be available in the field. Less lethal munitions are authorized for use by trained Department personnel. For further refer to LBPD Manual § 10.8.1 USE OF FORCE – FORCE OPTIONS and 10.8.2 USE OF FORCE – INTERNAL REPORTING AND NOTIFICATION.

### **10.13.1 DEFINITIONS – LESS LETHAL MUNITIONS**

Revised October 12, 2023

**Deployment** – Retrieving the less lethal launcher for use during an incident.

**Less lethal launcher** – Any weapon platform used to discharge less lethal munitions.

**Less lethal munition** – Any projectile discharged from a less lethal launcher, also known as kinetic energy projectile.

### **10.13.2 APPROVED LESS LETHAL LAUNCHERS AND MUNITIONS**

Revised October 12, 2023

Only Department approved less lethal launchers using target specific and non-target specific munitions are authorized. Non-target specific munitions are only authorized for Department personnel trained in their use. Department approved munitions are detailed in Special Order - Military Equipment (AB-481).

### **10.13.3 USE OF LESS LETHAL MUNITIONS**

Revised April 14, 2023

A Police Officer is authorized to use less lethal munitions as permitted in [10.5 POLICE OFFICER – FORCE POLICY](#).

Examples appropriate for use may include, but are not limited to, situations in which:

- The subject's actions or words indicate an intent to harm officers, others, or themselves.
- The subject's actions or words indicate an intent to resist detention or arrest.
- The officer reasonably believes the subject may be armed.

### **10.13.4 USE OF LESS LETHAL MUNITIONS – ASSEMBLIES, PROTESTS OR DEMONSTRATIONS**

Revised April 14, 2023

Less lethal munitions are authorized for use during an assembly, protest, or demonstration if the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with all the following requirements (CPC § 13652(b)):

- De-escalation techniques or other alternatives to force have been attempted, when feasible.

- Repeated, audible announcements are made announcing the intent to use kinetic energy projectiles and the type to be used, when objectively reasonable to do so. The announcements shall be made from various locations, if necessary, and delivered in multiple languages, if appropriate.
- Persons are given an objectively reasonable opportunity to disperse and leave the scene.
- An objectively reasonable effort has been made to identify persons engaged in violent acts and those who are not, and kinetic energy projectiles are targeted toward those individuals engaged in violent acts. Projectiles shall not be aimed indiscriminately into a crowd or group of people.
- Kinetic energy projectiles are used only with the frequency, intensity, and in a manner that is proportional to the threat and objectively reasonable.
- Officers shall minimize the possible incidental impact of kinetic energy projectiles on bystanders, medical personnel, journalists, or other unintended targets.
- An objectively reasonable effort has been made to extract individuals in distress.
- Kinetic energy projectiles shall not be used solely due to a curfew violation, a verbal threat, or noncompliance with a law enforcement directive.

#### **10.13.4.1 USE OF LESS LETHAL MUNITIONS – ASSEMBLIES, PROTESTS OR DEMONSTRATIONS – REPORTING REQUIREMENTS**

Revised April 14, 2023

In accordance with CPC § 13652.1(a), the Department shall, within 60 days of each incident, publish a summary on the public facing website of all instances in which a peace officer uses a kinetic energy projectile or chemical agent.

#### **10.13.5 DEPLOYMENT CONSIDERATIONS – LESS LETHAL MUNITIONS**

Revised October 12, 2023

Officers deploying less lethal munitions shall ensure there is a minimum of one additional officer in a position to provide lethal cover, except in situations of civil unrest.

Additional considerations prior to discharging less lethal munitions include, but are not limited to the following:

- Distance and angle to the target
- Type and thickness of subject's clothing
- Subject's size
- Mental state and physical health of the subject, if known
- Weather conditions
- Physical environment between the officer and the suspect such as, windows, shrubbery, other individuals, or anything that may deflect a munition
- Subject is in an elevated position with a potential risk of falling
- Urgency to safely resolve the situation

#### **10.13.6 TARGET AREAS – LESS LETHAL MUNITIONS**

Revised October 12, 2023



It is recommended that target specific munitions be aimed at target areas to reduce serious or fatal injury. Absent an imminent threat, officers shall not discharge a munition within the minimum recommended distance or intentionally target the following areas of the body:

- Head
- Neck
- Chest
- Groin
- Spine
- Lower back

The following are recommended target areas:

**Target specific munitions**

- Primary target areas:
  - Arms below the elbow
  - Stomach
  - Legs
- Secondary target areas:
  - Knees
  - Upper arms

**Non-target specific munitions**

- Target areas
  - Legs

**10.13.7 DEPLOYMENT NOTIFICATIONS – LESS LETHAL MUNITIONS**

Revised April 14, 2023

Officers deploying the less lethal launcher shall immediately, or as soon as practicable, notify the Communications Center over the police radio to alert assisting personnel that the less lethal launcher is deployed.

**10.13.8 MEDICAL AID – LESS LETHAL MUNITIONS**

Revised April 14, 2023

Although classified as less lethal weapons, there is a potential to inflict serious or fatal injury. In all cases where a less lethal munition strikes a person, officers shall ensure that proper medical aid is provided as soon as practicable.

**10.13.9 STORAGE AND LOADING – LESS LETHAL MUNITIONS**

Revised April 14, 2023

All less lethal launchers shall be stored unloaded. The officer assigned to deploy the less lethal launcher shall inspect munitions to ensure that only less lethal munitions are loaded

and in good condition. When feasible, the munitions shall be verified by another officer prior to deployment.

#### **10.13.10 TRAINING – LESS LETHAL MUNITIONS**

Revised April 14, 2023

All authorized users of less lethal munitions shall receive refresher training including annual qualification.

**10.14 CONDUCTED ELECTRICAL WEAPONS (CEW)**

Revised April 14, 2023

Conducted electrical weapons (CEWs) are an intermediate force option authorized for use by trained Department personnel. For further refer to Manual § 10.8.1 USE OF FORCE - FORCE OPTION CATEGORIES and 10.8.2 USE OF FORCE – INTERNAL REPORTING AND NOTIFICATION.

**10.14.1 USE OF CONDUCTED ELECTRICAL WEAPONS**

Revised April 14, 2023

Officers shall only use a CEW when the officer perceives the subject's actions involve violence, threatened violence or when the crime is serious in nature.

For further refer to the following individual employee force policy §§:

- 10.5 POLICE OFFICER – FORCE POLICY
- 10.6.1 AIRPORT SSO – FORCE POLICY
- 10.6.2 MARINE PATROL SSO – FORCE POLICY
- 10.6.4 LONG BEACH CITY COLLEGE (LBCC) AND CIVIC CENTER SSO – FORCE POLICY

**10.14.2 DEPLOYMENT CONSIDERATIONS – CEW**

Revised April 14, 2023

While the use of the CEW involves the potential for serious injury, there may be an even greater risk in certain situations. Absent compelling circumstances, officers shall consider the use of other available force options as an alternative to the CEW in the following situations:

- 1) Subjects holding a firearm
- 2) Multiple applications and/or the duration of an application on the same individual
- 3) Handcuffed prisoners
- 4) Known pre-teen children
- 5) Known elderly and/or visibly disabled persons
- 6) Known pregnant women
  - a) The back and/or lower extremities shall be targeted when possible.
- 7) Subjects on elevated surfaces
- 8) Flammables
- 9) Vehicle Operators
  - a) Including bicycles and scooters
- 10) Subjects that are fleeing

**10.14.3 TARGET AREAS – CEW**

Revised April 14, 2023

Absent an imminent threat, officers shall not intentionally target the following areas of the body:

- Head

- Neck
- Upper torso/chest area
- Groin

**10.14.4 MEDICAL AID – CEW**

Revised April 14, 2023

If the CEW is used and the subject is taken into custody, the subject shall be medically evaluated by medical personnel who can assess the need for further treatment prior to booking.

**10.14.5 CARRY AND PLACEMENT – CEW**

Revised April 14, 2023

The CEW shall be carried with the safety switch in the unarmed position, in a Department approved holster, and on the opposite side from the officer's firearm.

**10.14.5.1 YELLOW GRIP SLEEVE – CEW**

Revised April 14, 2023

The yellow grip sleeve is designed to assist employees in differentiating a less lethal CEW from a firearm. All employees assigned a CEW shall receive a Department issued yellow grip sleeve.

Employees who are assigned a CEW shall ensure their device is equipped with the yellow grip sleeve upon issuance. Employees are responsible for maintaining the grip sleeve and requesting a replacement in the event it is damaged.

**10.14.6 EMPLOYEE RESPONSIBILITIES – CEW**

Revised April 14, 2023

Employees shall attempt to locate and process evidence associated with the CEW, such as cartridge(s), probes, and wires. The probes shall be treated in accordance with Department biohazard evidence packaging procedures.

**10.14.7 TRAINING AND MAINTENANCE – CEW**

Revised October 12, 2023

All authorized users of the CEW shall receive refresher training including annual qualification. The Training Section is responsible for maintenance of the CEW.

**10.15 IMPACT WEAPONS – BATON, POLICE UTILITY FLASHLIGHT & SAP**

Revised October 12, 2023

When used to strike, impact weapons are an intermediate force option, authorized for use by trained Department personnel. The sap is only authorized for use by a peace officer. For further refer to Manual § 10.8.1 USE OF FORCE - FORCE OPTION CATEGORIES and 10.8.2 USE OF FORCE – INTERNAL REPORTING AND NOTIFICATION.

**10.15.1 DEFINITIONS – IMPACT WEAPONS**

Revised April 14, 2023

**Sap** - The sap is a weighted, leather, impact weapon.

**Police utility flashlight** - The police utility flashlight is a hand-held electric light. Its construction permits its use as an optional impact weapon.

**Baton** - The baton is an impact weapon that is cylindrical in shape and typically made of wood.

**10.15.2 USE OF IMPACT WEAPONS**

Revised April 14, 2023

Impact weapons may be used as permitted in an employee's specific force policy. For further refer to the following individual employee force policy §§:

- 10.5 POLICE OFFICER – FORCE POLICY
- 10.6.1 AIRPORT SSO – FORCE POLICY
- 10.6.2 MARINE PATROL SSO – FORCE POLICY
- 10.6.4 LONG BEACH CITY COLLEGE (LBCC) AND CIVIC CENTER SSO – FORCE POLICY

Examples in which impact weapons may be used include but are not limited to the following:

- To stop an attack.
- To overcome resistance.
- When the suspect has an advantage over the officer due to the suspect's physical stature.
- When an officer is a member of a tactical squad in a crowd or riot control formation, a baton may be used to move, separate, disperse or deny a person access to a structure or through an area.
- Impact weapons may be used for other purposes, including but not limited to, breaking glass in an emergency and as a lever in controlling a suspect's movements.

**10.15.3 MEDICAL AID – IMPACT WEAPONS**

Revised April 14, 2023

In cases where an impact weapon is used, officers shall ensure that proper medical aid is provided as soon as practicable.

**10.15.4 TARGET AREAS – IMPACT WEAPONS**

Revised April 14, 2023

The following are approved target areas, including but not limited to:

- Arms
- Legs
- Chest
- Midsection
- Ribcage

Absent an imminent threat, officers shall not intentionally strike the following areas of the body:

- Head
- Neck
- Throat
- Spine
- Kidneys
- Heart
- Groin
- Knee Joints

Any intentional application of an impact weapon to the head, neck or throat shall be considered a use of deadly force.

**10.15.5 BATON SPECIFICATIONS**

Revised April 14, 2023

**10.15.5.1 STANDARD BATON**

Revised April 14, 2023

The specifications for the standard issue baton are as follows:

- Second year growth hickory or other similar hardwood.
- Length shall be 26 to 29 inches.
- Diameter shall be 1¼ inches.
- Weight shall be between 15 and 22 ounces.
- A black rubber sleeve grommet which is tapered and approximately 1<sup>5</sup>/<sub>8</sub> inches in diameter, shall fit snugly around the baton.

As an alternative to the above baton, officers may purchase, at their own expense, a baton manufactured from epoxy wood laminate. The baton shall meet the following specifications:

- Length shall be 26 to 29 inches.
- Diameter shall be 1<sup>1</sup>/<sub>8</sub> inches.
- Weight shall not exceed 22 ounces.

- A black rubber sleeve grommet which is tapered, and approximately 1½ inches in diameter, shall fit snugly around the baton.

#### **10.15.5.2 MOBILE FIELD FORCE BATON**

Revised October 12, 2023

Mobile field force batons may be deployed during civil unrest, crowd demonstrations involving potential violence, or any other critical situation.

The specifications for the standard issue mobile field force baton are as follows:

- Second year growth hickory or other similar hardwood.
- Length shall be 42 inches.
- Diameter shall be 1¼ inches.
- Weight shall not exceed 32 ounces.
- A black rubber sleeve grommet which is tapered and approximately 1⅝ inches in diameter, shall fit snugly around the baton.

As an alternative to the above baton, officers may purchase, at their own expense, a baton manufactured from epoxy wood laminate. The baton shall meet the following specifications:

- Length shall be 42 inches.
- Diameter shall be 1⅞ inches.
- Weight shall not exceed 33 ounces.
- A black rubber sleeve grommet, which is tapered, and approximately 1½ inches in diameter, shall fit snugly around the baton.

**10.16 CHEMICAL AGENTS**

Revised April 14, 2023

**10.16.1 USE OF CHEMICAL AGENTS**

Revised April 14, 2023

Chemical agents, (e.g., oleoresin capsicum, OC pepper gel/pepper balls), CN tear gas and CS gas are an intermediate force option, authorized for use by trained Department personnel. For further refer to Manual § 10.8.1 USE OF FORCE – FORCE OPTION CATEGORIES and 10.8.2 USE OF FORCE – INTERNAL REPORTING AND NOTIFICATION.

Chemical agents may be used as permitted in an employee's specific force policy. For further refer to the following individual employee force policy §§:

- 10.5 POLICE OFFICER – FORCE POLICY
- 10.6.1 AIRPORT SSO – FORCE POLICY
- 10.6.2 MARINE PATROL SSO – FORCE POLICY
- 10.6.3 LONG BEACH CITY COLLEGE (LBCC) AND CIVIC CENTER SSO – FORCE POLICY

**10.16.2 USE OF CHEMICAL AGENTS – ASSEMBLIES, PROTESTS, OR DEMONSTRATIONS**

Revised October 12, 2023

Chemical agents are authorized for use during an assembly, protest, or demonstration if the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, or to bring an objectively dangerous and unlawful situation safely and effectively under control and only in accordance with all the following requirements (CPC § 13652(b)):

- If the chemical agent to be used is tear gas, its use shall be approved by a Lieutenant or above, who is at the scene.
- De-escalation techniques or other alternatives to force have been attempted, when feasible.
- Repeated, audible announcements are made announcing the intent to use chemical agents and the type to be used, when objectively reasonable to do so. The announcements shall be made from various locations, if necessary, and delivered in multiple languages, if appropriate.
- Persons are given an objectively reasonable opportunity to disperse and leave the scene.
- An objectively reasonable effort has been made to identify persons engaged in violent acts and those who are not, and chemical agents are targeted toward those individuals engaged in violent acts. Projectiles shall not be aimed indiscriminately into a crowd or group of people.
- Chemical agents are used only with the frequency, intensity, and in a manner that is proportional to the threat and objectively reasonable.



- Officers shall minimize the possible incidental impact of chemical agents on bystanders, medical personnel, journalists, or other unintended targets.
- An objectively reasonable effort has been made to extract individuals in distress.
- Chemical agents shall not be used solely due to a curfew violation, a verbal threat, or noncompliance with a law enforcement directive.

### **10.16.3 MEDICAL AID – CHEMICAL AGENTS**

Revised April 14, 2023

In all cases where a chemical agent is used, officers shall ensure that proper medical aid is provided as soon as practicable.

**10.17 EXPECTORANT SHIELD**

Revised April 14, 2023

The expectorant shield is a controlling force option, authorized for use by trained Department personnel. For further refer to Manual § 10.8.1 USE OF FORCE – FORCE OPTION CATEGORIES and 10.8.2 USE OF FORCE – INTERNAL REPORTING AND NOTIFICATION.

**10.17.1 USE OF EXPECTORANT SHIELD**

Revised April 14, 2023

The expectorant shield may be used with in-custody subjects who are spitting, threatening to spit, or are violent and bleeding from the mouth or head.

**10.17.2 EXPECTORANT SHIELD – RESPONSIBILITIES**

Revised April 14, 2023

**10.17.2.1 EMPLOYEE RESPONSIBILITIES**

Revised April 14, 2023

Employees using the expectorant shield are responsible for the following:

- An employee shall monitor the subject once the shield has been applied.
- Remove the expectorant shield from the subject as soon as it is safe to do so.
- Notify their supervisor regarding the use of the expectorant shield, as soon as practicable.
- Document the circumstances surrounding the application of the expectorant shield in the appropriate electronic incident report.

**10.17.2.2 SUPERVISOR RESPONSIBILITIES**

Revised October 12, 2023

Supervisors are responsible for the following:

- Supervisors shall ensure the officer documents the circumstances surrounding the application of the expectorant shield in the appropriate electronic incident report.
- If the application of the expectorant shield is determined to be a reportable use of force, refer to Manual § 10.8.2 USE OF FORCE – INTERNAL REPORTING AND NOTIFICATION.

**10.18 HOBBLE RESTRAINT DEVICE**

Revised April 14, 2023

The hobble restraint device is a controlling force option, authorized for use by trained Department personnel. For further refer to Manual § 10.8.1 USE OF FORCE – FORCE OPTION CATEGORIES and 10.8.2 USE OF FORCE – INTERNAL REPORTING AND NOTIFICATION

**10.18.1 USE OF HOBBLE RESTRAINT DEVICE**

Revised October 12, 2023

The hobble restraint device may be used if a prisoner is combative, violent, or if an employee reasonably believes the prisoner may pose a threat to themselves or transporting employees.

Employees shall attempt to use the technique in which the prisoner's legs are immobilized while in the prone position. Once the hobble is applied, the prisoner shall be placed in a recovery position or seated in an upright position, ensuring the subject's ability to breathe is not restricted. A subject shall never be restrained with a hobble restraint device where their feet are tied and the hobble is attached to the handcuffs, also known as hog-tied. At no time shall the loose end of the hobble restraint device hang outside of the vehicle while it is in motion.

**10.18.2 HOBBLE RESTRAINT DEVICE – RESPONSIBILITIES**

Revised April 14, 2023

**10.18.2.1 EMPLOYEE RESPONSIBILITIES – HOBBLE RESTRAINT**

Revised April 14, 2023

Employees using the hobble restraint device are responsible for the following:

- An employee shall monitor the subject once the hobble has been applied.
- Remove the hobble restraint device from the subject as soon as it is safe to do so.
- Notify their supervisor regarding the use of the hobble restraint device, as soon as practicable.
- Document the circumstances surrounding the application of the hobble restraint device in the appropriate electronic incident report.

**10.18.2.2 SUPERVISOR RESPONSIBILITIES – HOBBLE RESTRAINT**

Revised October 12, 2023

Supervisors are responsible for the following:

- Supervisors shall ensure the employee documents the circumstances surrounding the application of the hobble restraint device in the appropriate electronic incident report.
- If the application of the hobble restraint device is determined to be a reportable use of force, refer to 10.8.2 USE OF FORCE – INTERNAL REPORTING AND NOTIFICATION

**10.19 SPECIAL CIRCUMSTANCES**

Revised October 12, 2023

The special circumstances described in this section are not a use of force. Employees using force option equipment, other than a firearm, upon an animal shall notify a supervisor as soon as practicable and document the incident in the appropriate electronic incident report. If an animal is injured and the owner is not present, the employee shall notify Animal Care Services. For further on firearm incidents involving animals refer to 10.4.6 EXCEPTIONAL CIRCUMSTANCES.

For the use of non-firearm related force option equipment, an officer shall request approval from a supervisor before using it on an inanimate object (light fixture, window, etc.) unless exigent circumstances exist. Should exigent circumstances exist, then the officer shall notify the supervisor as soon as feasible. Officers shall document the incident in the appropriate electronic incident report.

## **APPENDIX A: ACTIVE SPECIAL ORDERS**

[Special Order – Airport SSO 8-2-19](#)

[Special Order – Barricaded Suspect – Search Warrant Requirements – 2023-3](#)

[Special Order – Bullet Resistant Vests 5-4-17](#)

[Special Order – Cartridge Shell Case Policy 11-5-20](#)

[Special Order – Community Services Assistant Position 2023-7](#)

[Special Order – Discontinuation of Telephonic Stolen Vehicle Report 7-1-15](#)

[Special Order – Electronic Device Searches 12-18-19](#)

[Special Order – Facial Hair Pilot Program – 2023-2](#)

[Special Order – Facial Recognition Technology 3-18-21](#)

[Special Order – Firearms Processing Policy 10-20-20](#)

[Special Order – Major Crime Scene Processing Procedures 10-10-20](#)

[Special Order - Military Equipment \(AB-481\)](#)

[Special Order – Mobile Devices 12-6-18](#)

[Special Order – MobilEye 06-18-15](#)

[Special Order – No Knock Warrants 6-16-20](#)

[Special Order – Overtime Protocols – 2024 – 3](#)

[Special Order - Patrol Relief Option Pilot Program 2023-9](#)

[Special Order – Physical Fitness Program 2023-6](#)

[Special Order – Public Records Act Request 12-27-18](#)

[Special Order – Special Services Officer Uniform Pilot Program – 08-07-23](#)

[Special Order – Stop Data Collection 12-6-18](#)

[Special Order – Tiger \(Text\) Connect App 9-18-18](#)

[Special Order – Transgender Individuals 9-27-18](#)

[Special Order – Unmanned Aircraft System 10-28-21](#)

[Special Order – Vehicle Containment Technique 2024-2](#)

[Special Order – Vehicle Pursuits – 2023-5](#)

[Special Order – Vice Operations – 2024-1](#)