



## *Santa Cruz County Sheriff-Coroner*

Number: O.80

Date: 07/19/07

### **SUBJECT: HAZARDOUS MATERIALS RESPONSE**

#### **POLICY**

It shall be the policy of this office to respond and to assist other agencies which have primary responsibility at the scenes of hazardous materials contamination.

#### **PURPOSE**

To establish responsibilities and actions required to meet Santa Cruz County's obligation to protect the health and safety of its citizenry and natural environment from incidents involving hazardous materials.

#### **REFERENCES**

"Santa Cruz County Area Plan for Response to Hazardous Materials Releases," jointly prepared by the County Health Department and Office of Emergency Services.

Santa Cruz County Emergency Plan, dated September 2005.

California Vehicle Code, Sections 353, 2451, 2452, 2453 and 2454

California Health and Safety Code, Section 1482.5 and Section 25398, et. seq.

California Penal Code, Section 409.5

#### **PROCEDURE**

- I. Hazardous Materials
  - A. The basic concept of mutual aid is the core of any effective and organized response to a hazardous materials incident.
    1. On any incident requiring multiple agency response, the first arriving agency, potentially the Sheriff's Office, will implement the Incident Command System and assume the role of Incident Commander.

2. The first arriving agency will continue to exercise Incident Command authority until relieved by the agency having legal responsibility in the jurisdiction in which the incident occurred.
3. The designated authority for scene management within an affected jurisdiction is expected to assume command of the operational area as soon as possible.
4. For hazardous materials incidents in which agencies who have multi-jurisdictional responsibilities contribute to the command and coordination at the scene, a unified command will be employed.
5. If the designated authority determines that the situation is beyond the scope of the jurisdiction's capabilities, mutual aid support resources may be requested. However, responsibility for command and control of an incident remains with the pre-designated jurisdiction.

**B. Jurisdictional Responsibility**

1. State Parks and Recreation Department
  - a. On State Park property, the supervising division of the State Parks and Recreation Department would have responsibility for scene management and to coordinate cleanup.
2. California Highway Patrol (CHP)
  - a. On state highways, freeways (including on and off ramps), toll bridges and roads within unincorporated areas of Santa Cruz County, the CHP is the Incident Commander.
3. County
  - a. The CHP is responsible for scene management (Incident Command) of incidents occurring on highways in Santa Cruz County and on all roads in the unincorporated areas of the county.
  - b. For all on-highway incidents, REQUIRING A STATE RESPONSE, CHP is the State Agency Coordinator.
  - c. The fire agency of jurisdiction is responsible for scene management (Incident Command) of incidents occurring off-road. The County Health Department will coordinate

cleanup and at the scene of drug labs with the help of SCCNET resources.

4. Cities

a. Capitola, Santa Cruz and Watsonville

The city fire department/district is responsible for scene management (Incident Command) on all streets and lands within the cities' geographic boundaries. They will work in a unified incident command mode with the city police for incidents occurring on streets.

b. Scotts Valley

The city police department is responsible for scene management on all street and lands within the city's geographic boundaries. They will work in a unified incident command mode with the Scotts Valley Fire Protection District, whose jurisdiction includes the City of Scotts Valley.

5. Navigable Waterways

a. United States Coast Guard/Fish and Game are responsible for scene management (Incident Command).

6. Potable Water (Suitable for Drinking)

a. The fire department of jurisdiction is responsible for scene management (Incident Command). This can develop into Unified Command with County Environmental Health Service and the State Department of Health Services.

7. Fish and Wildlife Affected

a. The fire department of jurisdiction is responsible for scene management (Incident Command). This can develop into Unified Command with the State Department of Fish and Game.

C. Notification

1. Section 8574.16-8574.18 of the Government Code requires that a local government official report any knowledge of a "toxic disaster" to the State Office of Emergency Services. The on duty Watch

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Commander shall notify the County Office of Emergency Services who will, in turn, notify the State Office of Emergency Services of the "toxic disaster".

2. For the purposes of notification, a "toxic disaster"(Government Code 8574.18(a)) is broadly defined as "an occurrence where toxic substances are dispersed in the environment in such a manner as to cause, or potentially cause, injury or death to a significant number of persons or significant harm to the natural environment."



STEVE ROBBINS, Sheriff-Coroner



## *Santa Cruz County Sheriff-Coroner*

Number: O.81  
Date: 07/25/07

### **SUBJECT: IN-CAR VIDEO SYSTEM**

#### **POLICY**

It shall be the policy of the Sheriff's Office to capture video and/or audio recordings using the in-car camera systems of all vehicle pursuits and other enforcement activities or public contacts as defined in this policy. This video will be retained for training, employee evaluation and court purposes.

#### **REFERENCE**

Government Code 26202.6 – Video Retention & Destruction

#### **PURPOSE**

To define the operational and evidentiary guidelines and systems administration of the digital in-car video system.

#### **DEFINITIONS**

Evidence video – video and/or audio recordings which may reasonably be expected to hold some evidentiary value and may potentially be used in future court or other proceedings, whether civil, criminal or administrative in nature. Recordings of this nature may include but are not limited to: direct evidence of criminal conduct; recordings made of the suspect(s) conversations about the crime; use of force by a deputy; and other events as may seem reasonable to retain.

Routine video monitoring – all other recordings which have no apparent evidentiary value. Recordings that fall into this category may include: code 3 response to an incident with no criminal activity documented by the system; system checks made at the start of shift; and other recordings of day-to-day activities from which there is no reasonable expectation of further proceedings arising.

## **PROCEDURE**

### **I. Operating Procedure**

#### **A. Beginning of Shift**

1. Deputies will check the operational status of the video system.
2. Booting the system takes up to 3 minutes.
  - a. Do not attempt to use the system during the boot process as it will freeze or have other system failures.
3. Deputies will ensure that the correct date, time and unit # are displayed.

#### **B. Testing the System**

1. Deputies will make sure the forward camera is pointed in the correct direction to record activity taking place in front of the patrol unit.
2. Deputies will activate the system using the remote microphone.
3. Deputies will ensure that the system activates automatically when the forward red light (position 2 on the control head) is activated on the light-bar.
  - a. Remember - whenever the system is activated, it must be manually stopped from the control head in the vehicle to end the recording.

#### **C. During Shift**

1. Deputies will wear the remote mike unit on their person to enable remote manual activation of the system for recording purposes.
  - a. The system will activate automatically when the forward red light on the light bar is activated.
  - b. Deputies must remember to manually stop recording at the control head in the vehicle once the enforcement action or other activity has ended.
2. Recording Activity Inside the Car

- a. The system may be used to record activity inside the vehicle using the rear facing camera and In-Car Microphone (ICM).
- b. After recording inside the car, the system must be reset for normal recording mode to the front of the vehicle.

3. Recording in Other Directions

- a. The forward camera can be manually turned to record in other directions as may be required by vehicle positioning, etc.
- b. After recording at a different angle, the camera should be returned to the forward position for normal recording.

4. Remote Activation

- a. The remote microphone is capable of activating the system and capturing an audio recording of an event up to 1000 feet away from the patrol unit, even if the "action" is occurring off-camera
- b. The audio portion of the recording may be muted from the remote microphone, but the recording must be manually stopped from the control head in the vehicle once activated.

D. End of Shift

- 1. Deputies will download accumulated video by connecting to the port in their cars while at the gas pumps.
  - a. The download process will start automatically within 2 minutes of connection.
  - b. The car may be unplugged during the download process if necessary and will resume downloading upon being re-connected.

E. Malfunctions

- 1. Deputies will notify the County Radio Shop of any malfunctions of the camera system or remote microphone by completing a Vehicle Malfunction Report.

- a. Deputies will not “deadline” a patrol unit merely because of the malfunctioning video system.
  - 2. Spare microphones are stored in the sergeant’s supply room if needed.
    - a. Remember that the new microphone must be “synched” to the vehicle by turning it on and inserting it into the vehicle mounted charging unit.
    - b. The entire malfunctioning microphone will be routed to the County Radio Shop for inspection/repair.
- F. Unauthorized Recordings
- 1. Unauthorized use of the system is strictly prohibited.
    - a. The in-car video system will not be used to view or record any person or activity except for lawful, law-enforcement purposes.
    - b. Misuse of the system will be referred to the deputy’s supervisor for appropriate disciplinary action.
- G. Review of Recordings
- 1. Recordings can be reviewed in field by deputies or sergeants using the playback features of the system in the patrol unit.
    - a. Deputies are encouraged to review any video or audio recordings they have made prior to writing their reports to help refresh their recollection of important details that may have escaped their attention during the event.
    - b. Once the recordings have been downloaded at the transfer station to the server, they are automatically deleted from the patrol unit hard drive.
  - 2. Sergeants are encouraged to review video submitted by their personnel at least on a quarterly basis to assist them in auditing the performance of deputies assigned to them.
    - a. Sergeants wishing to review video for the purpose of work performance evaluation should make an appointment with the CSI personnel to review the video.



3. The Sheriff, Chief Deputies, Lieutenants and Administration Sergeant are authorized to review recordings stored in the system at their discretion.

#### H. Training Videos

1. Deputies are encouraged to notify their supervisors of any video they feel may be of value for training purposes.
  - a. The deputy will route a memo, via their chain of command, to the FTO Lieutenant describing the nature of the incident and the perceived training value of the video.
2. The FTO Lieutenant will review the circumstances of the incident and relevance of the video as a training tool.
  - a. If approved by the FTO Lieutenant, CSI staff will generate a copy of the video and give it to the FTO Lieutenant.
  - b. The FTO Lieutenant will be responsible for the retention and security of all videos generated for the training program.
  - c. Before approving any video as a training tool, the FTO Lieutenant will consider whether its release would effect any criminal prosecution or civil litigation.
3. No unauthorized copies of digital video will be generated for any purpose.
  - a. No video will be released to any person outside the Sheriff's Office without the prior written approval of the Sheriff or his designee.

#### I. Video Evidence

1. When a deputy has recorded video or audio that should be retained as evidence for use in future court proceedings, they will complete an Evidence & Photographic Report (E&PR) and forward it to the CSI Unit.
  - a. The E&PR will indicate the date, approximate start time, unit # and approximate duration of the video.
  - b. An item will be listed as "Digital Car Video".

- c. If no other items of evidence are booked under this scene #, the hardcopy of the E&PR will be routed to the CSI Unit.
  - d. If other items are booked under this scene #, the hardcopy will be deposited with Sheriff's Property as normal and a copy of the E&PR routed to CSI.
- 2. CSI staff will be responsible for burning the recorded incident to DVD and transmitting the DVD to Sheriff's Property.
  - a. DVDs booked as evidence will be retained and disposed of as per Sheriff's Office Policy O.38 like any other item of evidence.

J. Video Retention

- 1. Video designated as evidence will be retained as outlined above.
- 2. All other video is considered routine video monitoring and shall be purged after one year as defined in Government Code 26202.6

II. System Administration

A. CSI staff is the primary administrators of the video system.

- 1. CSI staff will check the video archive work station daily to ensure it is functioning properly.
  - a. CSI staff will maintain the system, archiving video as necessary and otherwise ensuring the integrity and proper functioning of the system.
  - b. CSI staff is also responsible for transferring video evidence to DVD and delivering it to Sheriff's Property as outlined above.
- 2. The CSI Sergeant will be responsible for adding and deleting users, assigning and changing access authority levels and other administrative functions of the system.

B. The investigations lieutenant and the administration sergeant have the authority to export video from the system and burn a DVD for viewing purposes.

- 1. These people do not have authority to archive, delete or alter video in the system.

- C. The Sheriff, Chief Deputies and other Lieutenants only have the authority to review video directly on the system.
  - 1. They do not have the authority to export video from the system or perform any other administrative or maintenance task on the system.
- D. Other than review by a sergeant as outlined above, no other personnel are authorized to access the system without the approval of a lieutenant or higher authority.

*S. Robbins*

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STEVE ROBBINS, Sheriff-Coroner



## *Santa Cruz County Sheriff-Coroner*

Number: O.82

Date: 07/25/07

### **SUBJECT: RADIO CALL SIGNS**

#### **POLICY**

It shall be the policy of this office to use specified numbers and alpha mnemonics while transmitting on the Sheriff's radio system.

#### **PURPOSE**

To establish uniform radio call signs to facilitate easy identification of the person using the radio.

#### **PROCEDURES**

##### **I. Radio Call Signs**

A. The Sheriff-Coroner will use "S-1" as a call sign.

B. Patrol units assigned to beats.

1. Deputies assigned to normal patrol beats will be designated by a two-part identifier.

2. The first part is a number designating the shift:

- (1) Day Shift
- (2) Early Swing Shift
- (3) Late Swing Shift
- (4) Graveyard Shift

3. The second part is a number designating the assigned beat:

- |                              |                          |
|------------------------------|--------------------------|
| (1) North Coast              | (6) Soquel               |
| (2) San Lorenzo Valley North | (7) Summit               |
| (3) San Lorenzo Valley South | (8) Aptos North          |
| (4) Live Oak East            | (9) Aptos South          |
| (5) Live Oak West            | (10) Pajaro Valley North |
|                              | (11) Pajaro Valley South |

4. If a deputy is assigned as the second unit assigned to a specified beat, the call sign will have the letter "A" following it. A third unit in a beat will have the letter "B", etc.

Example: "1-4-A" is the second unit assigned to the Live Oak East beat.

C. Personnel other than beat units.

1. Sheriff's Office personnel other than beat units will use a three-part designator.

Part 1: A number identifying the person's assignment within the office.

Part 2: A letter phonetically identifying the person's rank.

Part 3: The person's badge number or assigned number.

2. Part 1 definitions:

- |                               |                                 |
|-------------------------------|---------------------------------|
| (1) Patrol                    | (6) Unassigned                  |
| (2) Crime Scene Investigation | (7) Detention                   |
| (3) Detective                 | (8) Administration              |
| (4) Coroner                   | (9) Service Center(s) and SRO's |
| (5) Unassigned                | (10) Special Detail             |

3. Part 2 Definitions:

C – "Charlie" Chief Deputy  
L – "Lincoln" Lieutenant  
S – "Sam" Sergeant  
D – "David" Deputy  
R – "Robert" Reserve  
W – "William" Correctional Sergeant  
X – "X" Supervising Correctional Officer  
H – "Henry" Correctional Officer  
V – "Victor" Volunteer  
Z – "Zebra" SWAT  
G – "George" Security Guard  
N – "Nora" Narcotics Task Force

D. Special Operations Section Units


1. Personnel working in their specialty in a special operations section will be identified by a two-part designator. The first part will be a word describing their specialty such as "Cabrillo", "Jeep" or "Air" The second part will be their rank (if a supervisor) and badge number or a number assigned to them by the unit's leader.
2. Sheriff's SWAT units will be designated by "Zebra" call signs, including rank (if supervisor) and badge number, e.g., "Zebra Sam 19," (SWAT Sergeant) or "Zebra 25" (SWAT Deputy). SWAT rapid response members are designated as "Zebra Primary" units. These are SWAT members with assigned "take-home" vehicles that will immediately respond to assist patrol deputies while other SWAT members assemble and gather equipment.

E. Special Details

1. A special detail is any assignment other than normal patrol beats or permanently-assigned duties described above. These special details will use a three-part designator with the first part being a number assigned by the watch commander. Generally this number will be 10. If there is more than one special detail in service, the watch commander will assign a subsequent number.

F. Special Events

1. A special event is a regularly occurring detail that requires the assignment of personnel for law enforcement purposes. Some of these recurring special events are New Years Eve, Fourth of July, County Fair, Monte Fireworks Show, etc. Personnel assigned to these events will be identified using a two-part designator as determined by the incident commander. The first part will be a word describing their assignment, such as Baker, Delta, Fair, Bike, etc. The second part will be their badge number or an assigned number.

  
STEVE ROBBINS, Sheriff-Coroner



## *Santa Cruz County Sheriff-Coroner*

Number: O.83  
Date: 07/25/07

**SUBJECT: MOBILE DATA COMPUTERS**

### **POLICY**

It is the policy of this Office to ensure the use of Mobile Data Computers (MDC) is in compliance with state and federal law, while adhering to security protocol and Sheriff's Office Policy.

### **PURPOSE**

This policy is intended to comply with FCC rules and regulations, federal and state laws governing discrimination and sexual harassment and Sheriff's Office Policies and Procedures.

### **REFERENCES**

Santa Cruz Consolidated Emergency Communications Center Policies No. 4130, No. 4501 and No. 4502.

### **DEFINITION**

A MDC is a mobile communication device that provides for communication with the Computer Aided Dispatch (CAD) system and field units, between field units, between fixed terminal locations and with various federal, state and county databases.

### **PROCEDURE**

#### **A. Authorized Users**

Sworn Deputies, Community Service Officers, Public Safety Assistants and Public Safety Dispatchers are the only persons authorized to operate the MDC system. The Sheriff, or a designee, may authorize Sheriff's Office personnel. The employee using the MDC system shall be personally responsible for the proper use of Sheriff's Office MDC equipment.

All authorized personnel must complete the Sheriff's Office certified MDC training.

B. Proper Use

The user of the MDC is capable of broadcasting open text messages to single units, multiple units, the CAD system or system-wide. All broadcasts shall be limited to duty-related business. All communications via the MDC will be professional and conducted in a business-like manner. Under no circumstances, shall an employee using the MDC system broadcast jokes, sexual comments or innuendos of a provocative or suggestive nature, racist or derogatory messages or language that creates an intimidating, hostile or offensive working environment of any kind. MDC communications will be monitored and may be a matter of public record.

When operating a vehicle, the safe operations of the vehicle are the employee's primary responsibility. The only "key stroke" allowed while the vehicle is in motion will be the pressing of the "F1" key. No other "key strokes" are to be conducted while the vehicle is in motion. A "key stroke" is considered use of the MDC keyboard or by utilizing the "touch screen" to type information that will be imputed into the MDC for transmittal. Use of the MDC is always of secondary importance and the employee shall consider the need to safely stop the vehicle before using the MDC if the use is going to divert the employee's attention from the safe operation of the vehicle and surroundings. Passenger officer's can operate the MDC while the vehicle is in motion as long as the use of the MDC does not interfere with the driver's ability to operate the patrol vehicle in a safe manner.

No portion of this policy is intended to prohibit or limit the employee from making safety conscious decisions. If there is a compromise of safety in a particular situation related to the use of the MDC, the employee is expected to use voice communications.

No employee, unless specifically authorized to do so, will make any modifications to the MDC, the vehicle MDC set-up or to the MDC software except for user defined options such as screen intensity and passwords.

C. Operation of the Mobile Data Computers

1. Log On / Log Off

Each employee assigned a patrol unit equipped with an MDC or a vehicle equipped with a laptop, shall log on to the system using his/her login name, password and call sign at the time he/she logs on duty. Employees



are also required to notify Dispatch that they are on duty via voice communication. When logging off duty, employees shall log off the MDC system using the log off feature and shall also notify Dispatch that they are off duty via voice communication.

2. State, County and Record management System (RMS) Database Inquiries

The MDC should be used to conduct inquiries into state, county and RMS databases when the employee has an MDC available with the following exceptions:

- a. Conditions do not permit safe use of the MDC;
- b. The employee is out of the vehicle;
- c. Employee needs a specific check that is not available via the MDC. Employees should follow all established department, state and federal guidelines and regulations related to security and dissemination of information.

3. Confirming Wants

Any hits on a wanted person, stolen vehicle or property, etc., received via MDC must be confirmed through Dispatch.

4. Dispatching of Calls

All "Third Priority" calls will be dispatched via the MDC pursuant to NetCom Policy No.4130. These calls for service involve crimes where the time element dictates that no person or property is in jeopardy, are informational in nature or are "public nuisance" type calls. All "Second Priority" and "First Priority" calls will be dispatched via voice communication to filed units. These calls include, but are not limited to, in-progress calls involving property or non-violent calls that require an immediate response or the highest priority call in which the physical well-being of a person is in jeopardy. The dispatcher, at his/her discretion, may choose to send a call via MDC if it is sensitive in nature and should not be broadcast via voice communication.

5. Self-Initiated Calls

Employees may create the following types of self-initiated calls from the MDC:

- a. Follow-up

- b. Patrol Checks (including bar checks, park patrol, foot patrol, etc.)
- c. Crime / Incident reports where the deputy is contacted in the field and a report is needed.

6. Status Change

Employees should continue to use voice communication to update their status on all dispatch-initiated calls. Employees may update their status on self-initiated calls via the MDC.

7. Dispositions

If a deputy self-initiates a call, the deputy can choose to disposition the call or have the dispatcher disposition the call. If the dispatcher initiates a call, then the dispatcher should be advised that a disposition was made to the call.

8. Traffic Stops

Traffic stops will be relayed via voice communication only. Traffic stops can be cleared via MDC as long as NetCom is advised verbally that the unit has cleared.

D. Security and Audits

- 1. Watch commanders will monitor MDC messages to review call response and to ensure MDC use conforms to department standards.
- 2. The Sheriff, or his designee, may periodically and randomly conduct monitoring of the MDC transmissions. This is to insure compliance with this policy, other relevant policies, FCC rules and regulations, and federal and state laws governing discrimination and sexual harassment. All MDC transmissions are subject to open records requests. Unauthorized and inappropriate use of MDC's can lead to potential disciplinary proceedings, including suspension or termination


E. Reporting Equipment or Software Problems

- 1. It is the responsibility of the employee to report any equipment or software problems or malfunctions to the Sheriff's Office Technical Unit. This shall be done by completing a vehicle malfunction form stating the problem or malfunction of the MDC. The patrol unit with the malfunctioning MDC shall be parked near the fleet services building and the white copy of the malfunction form left on the dashboard on the patrol unit. The remaining

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copies of the malfunction form will be placed in the patrol division secretary mailbox.

  
STEVE ROBBINS, Sheriff-Coroner



## *Santa Cruz County Sheriff-Coroner*

Number: O.84

Date: 07/25/07

### **SUBJECT: FIELD TRAINING PROGRAM**

#### **POLICY**

It shall be the policy of this Office to establish and maintain a Field Training Program.

#### **PURPOSE**

To provide the necessary knowledge, skills and procedures to enable newly-hired Deputy Sheriffs and Reserve Deputy Sheriffs to successfully work in a safe, efficient and legal manner.

#### **REFERENCES**

Peace Officer Standards and Training Administrative Manual, "Training"

Section 830, California Penal Code, "Peace Officer Defined"

Section 13510, California Penal Code, "Adoption of Minimum Standards for Recruitment and Training"

Field Training and Evaluation Program Manual

#### **DEFINITIONS**

"Field Training Program" - A comprehensive program of up to 15 weeks wherein the newly-appointed peace officer must undergo a structured format of field training under the supervision of a field training officer or a peace officer who possesses a Basic POST Certificate.

#### **PROCEDURES**

- I. Field Training Program
  - A. The field training program is administered by the Operations Bureau Patrol Division, Field Training Section.
    1. The Field Training Lieutenant shall be responsible for the overall administration of the

field training program.

2. The Field Training Sergeants shall report to the Field Training Lieutenant on all matters pertaining to the progress of the recruit deputy in the field training program.

B. Field Training Officers

1. Field Training Lieutenant

- a. The Field Training Lieutenant shall select officers from the rank of Deputy Sheriff to act as field training officers (F.T.O.)
- b. Any Deputy selected as a field training officer shall agree to the terms set forth in the Field Training Officer's Agreement (copy attached) prior to appointment.

2. Compensation

- a. F.T.O.'s shall receive compensation pay at the rate established by the County.
- b. Alternate F.T.O.'s shall receive compensation pay at the rate established by County while they are assigned a trainee.

3. Insignia

- a. F.T.O.'s shall wear corporal stripes affixed under their shoulder patches as outlined in the uniform policy. These stripes will be on shirts only and not on jackets.
- b. Alternate F.T.O.'s shall wear corporal stripe pins affixed to their uniform collar as outlined in the uniform policy.

4. Training

- a. F.T.O.'s shall attend the POST-certified Field Training Officer School as soon as practical upon appointment.

5. Chain of Command

- a. F.T.O.'s shall be the direct supervisor for the recruit trainee. The F.T.O. shall report directly to the field training sergeant on all matters pertaining to a recruit.

6. Duties

- a. F.T.O.'s shall follow the guidelines in the Field Training and Evaluation Manual which sets forth the daily and weekly evaluations and make recommendations regarding the recruit trainee.
- b. Written examinations and remedial examinations, when necessary, are to be administered following each phase of instruction by the F.T.O.
- c. It is the goal of the F.T.O. to guide and assist a recruit trainee through the field training process leading to solo officer status. The F.T.O.'s function is not simply to evaluate and document but rather to employ those techniques which will facilitate and enhance the learning process.

C. Recruit Training Process

1. Deputy Sheriff Recruit Trainee: Upon hiring, the deputy sheriff recruit trainee will remain un-sworn until after successful completion of the academy. The recruit shall undergo:
  - a. Phase I                      Orientation
  - b. Phase II                     Basic Police Academy
  - c. Phase III                    Field Training Program
  - d. Phase IV                    Completion of probationary period
2. Entry Level Deputy Sheriff: An entry level deputy sheriff is one who has completed the academy within the past three years but is not currently a peace officer, and does not possess a P.O.S.T. Basic Certificate. The entry level deputy sheriff will be sworn in during the first (orientation) week.
3. The entry level deputy sheriff shall undergo:

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- a. Phase I Orientation
  - b. Phase II Field Training Program
  - b. Phase III Completion of probationary period
4. Lateral Entry Recruit Trainee: A lateral entry deputy is one who has completed the basic academy and has a POST Basic Certificate, having completed one year of continuous employment with another law enforcement agency prior to employment with the Santa Cruz Sheriff's Office.
5. Upon hiring, the lateral entry recruit trainee shall undergo:
- a. Phase I Orientation
  - b. Phase III Field Training Program
  - c. Phase IV Completion of probationary period

D. Probationary Evaluation

1. Following the completion of the field training program, all probationary employees will be evaluated on a monthly basis by that employee's shift sergeant until the end of their probationary period.

  
STEVE ROBBINS, Sheriff-Coroner

Number: O.84  
Date: 07/25/07

## FULL TIME FTO AGREEMENT

This agreement is made by and between the Santa Cruz County Sheriff-Coroner, hereafter referred to as Sheriff-Coroner, and Deputy Sheriff \_\_\_\_\_, hereafter referred to as FTO.

Whereas, the Sheriff-Coroner has developed a standardized in-service training program for recruit Deputy Sheriffs and has a need to utilize qualified VOLUNTEER Deputy Sheriffs as Field Training Officers to successfully operate the program.

Whereas, FTO has volunteered for the assignment of Field Training Officer and agrees to fulfill the duties and responsibilities of this assignment to the best of his or her ability.

Sheriff-Coroner and FTO agree as follows:

FTO understands and acknowledges that the full-time FTO assignment under this agreement is a limited term assignment for a period of approximately 18 months from the date below stated and IS NOT a permanent assignment or position, and that premium pay provided to FTO during such assignment will terminate upon expiration of the assignment.

FTO acknowledges that the selection of Field Training Officers is within the sole discretion of the Sheriff-Coroner or his/her designee. FTO understands and acknowledges that the selection as a Field Training Officer by the Sheriff-Coroner DOES NOT obligate the Sheriff-Coroner to select the same FTO for future assignment as Field Training Officer.

FTO understands and acknowledges that upon the expiration of the Field Training Officer assignment represented by this agreement, that any future assignment as a full time Field Training Officer requires the mutual written consent of FTO and the Sheriff-Coroner or his/her designee.

Date: \_\_\_\_\_

FTO: \_\_\_\_\_

FTO Printed Name: \_\_\_\_\_

Sheriff-Coroner by FTO Lieutenant: \_\_\_\_\_ Date: \_\_\_\_\_





## *Santa Cruz County Sheriff-Coroner*

Number: O.86

Date: 06/20/07

### **SUBJECT: USE OF FORCE**

- I. Introduction
- II. Command Presence and Voice
- III. Restraining and Detaining
- IV. Chemical Agent
- V. Baton; Taser; Less Lethal Weapons; K-9 Service Dogs
- VI. Neck Compression Hold
- VII. Deadly Force
- VIII. Reporting the Use of Force
- IX. Notification to Supervisors
- X. Medical Attention for Injuries Sustained Using Force
- XI. Supervisor Responsibility

### **POLICY**

It shall be the policy of this Office to provide guidelines on the use of force.

Sheriff's peace officer and correctional officer personnel, who have reasonable cause to believe that a person to be arrested has committed a public offense, may use reasonable force to affect an arrest, to prevent escape or to overcome resistance.

A peace officer or correctional officer who makes, or attempts to make, an arrest need not retreat or desist from his/her efforts by reason of the resistance or threatened resistance of the person being arrested; nor shall such officer be deemed an aggressor or lose his/her right to self-defense by the use of reasonable force to effect the arrest or prevent escape or to overcome resistance.

Officers shall use only that amount of force that reasonably appears necessary, given the facts and circumstances perceived by the officer at the time of the event, to effectively bring an incident under control. "Reasonableness" of the force used must be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any interpretation of "reasonableness" must allow for the fact that police officers are often forced to make split-second decisions in circumstances that are tense, uncertain and rapidly evolving about the amount of force that is necessary in a particular situation.

The Sheriff's Office provides training regarding use of force annually. Officers are expected to maintain knowledge and demonstrate proficiency in skill with regards to methods and force options deployed. Conversely, if an officer is not trained in a force option, or specific weapon, it is understood that generally, the Office will not condone the use of the option or the weapon.

## **PURPOSE**

To establish general guidelines on reasonable use of force. Each officer is expected to use these guidelines to make use of force decisions in a professional, impartial and safe manner.

## **REFERENCES**

Penal Code Sections 833 through 846; Graham v. Conner (1989) 490 U.S. 386; Tennessee v. Garner (1985) 471 U.S. 1; Smith v. City of Hemet (9<sup>th</sup> Cir. 2005) 394 F.3d 689.  
Sheriff's Office Policy O.87, Tasers; O.99, Service Dogs; O.56, Less Than Lethal Devices

## **PROCEDURES**

### **I. Introduction**

- A. The reasonableness of a particular use of force is judged from the perspective of a reasonable officer on the scene, considering all of the facts and circumstances confronting the officer at the time of an incident. Whether a particular use of force is reasonable takes into consideration the fact that peace officers are often forced to make split-second judgments about levels of force in circumstances that are tense, uncertain, and rapidly evolving.
- B. An officer must take into consideration a number of factors when selecting a force option. These same factors are taken into consideration in evaluating whether an officer's use of force was reasonable under the circumstances. It is understood that officers are expected to make split-second decisions and the amount of time available to evaluate and respond to a situation may impact the officer's decision. Factors that influence the decision to use force include, but are not limited to:
  - 1. Whether the suspect poses an immediate threat to the safety of the officers or others (this is the most important single element in assessing the reasonableness of a specific use of force and includes consideration of officer/subject factors such as age, size, relative strength, skills, injury/exhaustion and number of officers versus number of subjects, as well as the influence of drugs or alcohol on the suspect's behavior and the suspect's proximity to weapons);
  - 2. The severity of the crime at issue;

3. Whether the suspect is actively resisting arrest or attempting to evade arrest by flight;
  4. The availability of alternative methods of capturing or subduing a suspect;
  5. Other exigent circumstances.
- C. An officer need not attempt to gain control over an individual by the use of lower levels of force when reason dictates and the officer can articulate that a higher level of force was reasonable.
- D. Simply put, use of force options need not be progressive when situations dictate otherwise. An officer may go directly to any force option provided that the force selected is reasonable and the officer is able to articulate a reason for not using a lower level. Conversely, an officer must be prepared to de-escalate after the use of force when a subject submits. Note that the category descriptions below are non-exclusive and serve as illustrations of actions which fall within the various levels.

While various degrees of force exist, each officer is expected to use only that degree of force reasonable under the circumstances to successfully accomplish the legitimate law enforcement purpose in accordance with this policy.

## II. Command Presence and Voice

- A. Includes display of authority as a peace officer/correctional officer and such non-verbal means of communication as body language, demeanor, and manner of approaching as well as directions and commands given to the subject. Control of a situation begins with the officer's voice and command presence and under most circumstances, will be sufficient to establish and maintain control.

## III. Restraining and Detaining

- A. Includes an officer laying hands on a subject with the intention of gaining control of the subject. Examples include the use of a firm grip, cursory search, or the application of the twist lock during the low profile handcuffing technique or rear wrist lock during the standing modified search and handcuffing. Also included in this level would be the actual application of temporary restraining devices such as handcuffs.
- B. Includes the application of pain/compliance or takedown techniques to control a struggling or actively uncooperative subject. These techniques may also be used on an individual employing passive resistance techniques.

Officer's utilizing pain compliance techniques shall receive departmentally approved training in such techniques and shall apply the techniques in a departmentally approved manner.

#### IV. Chemical Agents

- A. The use of Oleoresin Capsicum (O.C.) is an intermediate step between hands-on control and the use of the baton due to the extremely low potential for injury with the use of O.C. The use of O.C. would be the next level of appropriate force if hands and control holds are unsuccessful or would be useless.

#### V. Baton; Tasers; Less Lethal Munitions and K-9

- A. The use of the baton; tasers; less lethal munitions and K-9 service dogs is appropriate for controlling very resistive subjects where control holds or the use of O.C. are futile or impractical and the application of one of these injuring forces is necessary to overcome resistance. The use of tasers, less lethal munitions and/or K-9 service dogs must be done in accordance with Sheriff's policy governing their use. This includes training and demonstrated proficiency.

#### VI. Neck Compression Hold

- A. This hold is meant to gain control of an extremely resistive subject for whom lesser levels of force or additional officers are either inadequate or ineffective. This hold leads to a loss of consciousness by the subject and should be released when the deputy feels the subject relaxing. This hold can be life threatening but is not considered to be deadly force (force creating a substantial risk of causing death or serious bodily injury). However, because of the increased risk of danger associated with this hold, it may only be used when the only other option is the use of deadly force.
- B. The officer shall have received departmentally approved training in the use and application of the carotid restraint.
- C. The carotid restraint may only be used when the officer believes that such a hold appears necessary to prevent serious injury or death to an officer or other persons.
- D. Steps to Follow After the Use of the Neck Compression Hold
  - 1. Immediately release the hold after the suspect is unconscious or surrenders.
  - 2. Handcuff the suspect.

3. Check breathing and pulse, provide emergency first aid as necessary.
4. Search the suspect.
5. Have the suspect examined by medical personnel.
6. Advise the jail staff that the neck compression hold has been applied.
7. Advise your immediate supervisor.
8. Advise any officer the suspect is turned over to that the neck compression hold has been applied.
9. Complete a detailed report to reflect what the arrestee specifically did to warrant the deputy's use of the neck compression hold.

## VII. Deadly Force

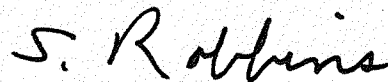
- A. Deadly force is defined as force creating a substantial risk of causing death or serious bodily injury. An officer may use deadly force to protect him or herself or others from what they reasonably believe would be an immediate threat of death or serious bodily injury. Deadly force may be used:
  1. As a means of self-defense from death or serious injury.
  2. To defend the life of another officer.
  3. To defend the life of another person.
  4. To prevent a crime in which human life is in serious jeopardy as a result of a suspect's actions.
- B. An officer may use deadly force to affect the arrest or prevent the escape of a suspected felon where the officer has probable cause to believe that the suspect poses a significant threat of death or serious bodily injury to the officer or others. Under such circumstances, a verbal warning should precede the use of deadly force where feasible.

## VIII. Reporting the Use of Force

- A. Any use of physical force shall be documented promptly, completely and accurately.

## IX. Notification to Supervisors

- A. Supervisory notification is required, as soon as practical, following the application of physical force under any of the following circumstances:
  - 1. Where the application caused physical injury or a complaint of pain or injury.
  - 2. Any application of a control device, less lethal munitions, to include K-9 or the taser.
  - 3. Where the individual has been rendered unconscious.
- X. Medical Attention for Injuries Sustained Using Force
  - A. Medical assistance shall be sought immediately for any person who has sustained visible injury, is complaining of injury, who has been rendered unconscious or suffered a seizure.
- XI. Supervisor Responsibility Regardless of Response or Not:
  - A. Obtain basic facts from involved officers.
  - B. Ensure all injured parties are treated medically including officers. Comply with county and state reporting requirements for injured workers.
  - C. If warranted, separately interview the injured subject to whom force was applied.
  - D. Ensure physical corroborative evidence is collected and processed, such as, photos, crime scene diagrams, audio tapes, etc.
  - E. Make reasonable attempts to ensure all witnesses are identified and interviewed.
  - F. Review and approve all related reports.
  - G. Be cognizant of, and adhere to, appropriate protocols relating to internal affairs investigation and anticipatory civil litigation potentials.
  - H. Notify the chain of command to ensure management staff has all relevant and timely information.



STEVE ROBBINS, Sheriff-Coroner



## *Santa Cruz County Sheriff-Coroner*

Number: O.87  
Date: 06/27/07

### **SUBJECT: ELECTRONIC CONTROL DEVICES (TASER DEVICES)**

#### **POLICY**

It shall be the policy of this Office to authorize the use of Taser brand, electronic control devices by deputies trained in their appropriate use under the specific conditions and guidelines set forth in this procedure and Sheriff's Office Policy O.86 – Use of Force. This official procedure shall establish the proper use of Tasers, assuring for maximum safety of officers as well as citizens.

#### **PURPOSE**

To establish guidelines for the deployment and use of the Taser energy conducted weapon.

#### **REFERENCES**

Sheriff's Office Policy O.86 Use of Force  
Sheriff's Office Policy O.56 Less than Lethal Devices  
Taser International Instruction Manual and Certification Requirements for the Taser device currently deployed.

#### **DEFINITIONS**

"Taser" - An electro-muscular disruption device that disrupts the body's ability to communicate messages from the brain to the muscles causing temporary motor skill dysfunction to a subject. "Taser" is a brand name for an electronic control device.

"Drive Stun" - An alternate function of the Taser is to stun a subject by making direct contact with the body after the air cartridge has been expended or removed.

"Air Cartridge" - A replaceable cartridge for the Taser which uses compressed nitrogen to fire two barbed probes on thin connecting wires sending a high voltage/low current signal into a subject.

"Less Lethal Force" - Is that force which law enforcement uses with the knowledge that the force has the possibility of causing death or serious bodily injury (as opposed to a substantial risk of causing death or serious bodily injury). This force is used to protect the subject from harming himself or others, overcome resistance, and effect arrest as necessary and be consistent with Sheriff's Office Policy O.86 – Use of Force.

## **PROCEDURE**

### **I. Before/During Use of Taser**

- A. Use of the Taser is restricted to deputies who have participated in and completed a full course of instruction in the use of the Taser from Sheriff's Office Taser instructors.
- B. The Taser may be carried, on duty, in a department-approved holster by trained and certified personnel. The holster shall be carried opposite of the duty sidearm on the duty belt.
- C. The use of the Taser shall be considered a use of force and therefore shall only be used according to the law as is reasonable or necessary, consistent with Sheriff's Policy 0.86-Use of Force
- D. The Taser may be used to overcome resistance from subjects who the officer reasonably believes present an immediate, credible threat to the safety of the officer(s), the public, or whenever an officer reasonably believes that a subject poses an immediate, credible threat to the subject's own safety.
- E. Absent exigent circumstances, deputies should avoid activating multiple Taser devices against a single subject at the same time.
- F. In general, the Taser should be deployed for the shortest period possible to take a subject safely into custody. After each application of the Taser, deputies should weigh the circumstances involved to determine whether additional Taser discharges would be effective in safely taking the subject into custody or whether other force options should be considered. Generally, deputies utilizing the Taser to overcome resistance from an individual should not activate the Taser against the same person for more than three (3) five-second cycles.
- G. The Taser is intended to be an alternative to the use of other types of force and is not a replacement for the baton or approved firearms.
- H. The Taser shall not be used against prisoners or persons once they have been controlled and secured.
- I. The Taser shall not be used to punish.

### **II. Considerations**

- A. A Taser shall not be used if the officer has reason to believe:
  - 1. The person(s) have been exposed to a flammable liquid or fumes.
  - 2. The person(s) are in a flammable or explosive environment such as clandestine labs.



3. The person(s) have been in contact with another law enforcement agency and it is possible that the person(s) have been exposed to a potentially flammable type of oleoresin capsicum spray.
  4. On a person who is passively resisting.
  5. As a prod or escort device.
  6. To arouse unconscious, impaired, or intoxicated individuals.
- B. Absent exigent circumstances, the Taser should not knowingly be used to gain compliance from the following people:
1. Pregnant females
  2. Elderly or known physically handicapped persons.
  3. Persons who might fall from significant heights
  4. Persons who are in or near a body of water.
  5. Children
- C. Whenever it is strategically correct and physically possible, the officer should advise the person that a Taser is going to be discharged. This verbal announcement may result in obtaining compliance from the person and avoid deployment. The fact that a verbal warning was given (or reasons why one was not given) shall be documented in the officer's report.
- D. Whenever a Taser is to be deployed, if it is strategically correct and physically possible, the deploying deputy should make other deputies on scene understand that the Taser is about to be deployed and that this application of force is **NOT LETHAL FORCE**. This should be done prior to the deployment of the Taser if at all possible.
- E. Whenever possible, steps should be taken to gather additional support prior to the use of the Taser. Additional deputies should be deployed during the use of the Taser so that they can quickly take a suspect into custody.
- F. No deputy shall simultaneously draw and point a Taser and any firearm. (There may be overlap while transitioning.)
- G. The Taser shall not be purposely fired at the head, neck, or genital area. The Taser and its laser beam shall not be intentionally aimed at any person's eyes.

### III. Procedures after use of the Taser

- A. Discontinue the use of the Taser after the suspect is restrained or surrenders.

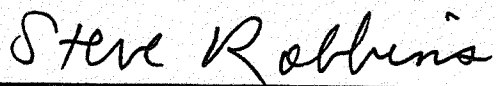
- B. Handcuff the suspect.
- C. Check breathing and pulse, provide emergency first aid as necessary.
- D. Search the suspect.
- E. Evaluate whether paramedics or ambulance personnel need to respond to the location where the Taser has been deployed. In a custodial setting, jail medical personnel shall be asked to respond to the scene. Ask that medical assistance be given to those who require it.
- F. If medical personnel are called to the scene, ask that they assist in the removal of Taser probes as needed.
- G. **IF THE PERSON WHO HAS BEEN EXPOSED TO THE TASER LOSES CONSCIOUSNESS, OFFICERS WILL IMMEDIATELY REQUEST FIRE AND AMBULANCE PERSONNEL EXPEDITE THEIR RESPONSE TO THE SCENE.**
- H. If medical personnel are unable to respond or their response is deemed to be unreasonable, then the deputy (deputies) involved will give that medical attention they are able to render.
- I. Deputies will use discretion before attempting to remove Taser probes if the subject is combative or if the location of the probes is in the face, neck, head, groin, female breasts, or are deeply embedded. In such cases deputies may choose to transport the subject to a medical facility for medical care and probe removal.
- J. Deputies should inspect the probes after removal to ensure that the entire probe and probe barbs have been removed. In the event that any part of the probe is still embedded in the subject's skin, the deputy will notify the appropriate medical personnel to facilitate the removal of the object.
- K. Transport all persons who have been Tased to the nearest hospital for evaluation by medical professionals. The transporting officer shall advise medical staff that the person has been subjected to the Taser device as well as the time of occurrence.
- L. Advise the Bureau Watch Commander (Operations or Detention, as appropriate) that the Taser has been used. The Watch Commander will respond to the scene of any Taser deployment if possible.
- M. Following a medical evaluation transport the suspect to the county jail for booking as appropriate.
- N. Once at the Jail advise the Detention Bureau Watch Commander as well as jail medical personnel that the person(s) being booked into custody have been exposed to the Taser.

- O. Document in the "notes" section of the Santa Cruz Field Arrest Form that the Taser has been utilized.

#### IV. Reporting

- A. On every occasion where a deputy utilizes a Taser to gain compliance from a person a report shall be written documenting the circumstances. This includes all incidents where the Taser is taken from its holster to assist in gaining compliance from a subject whether the Taser is actually discharged or not.
  - 1. The reports shall be completed and submitted to the Watch Commander prior to the employee finishing his/her shift.
  - 2. The report shall include:
    - a. The suspect's specific actions and behavior that required the deployment of the device.
    - b. Documentation of the type and number of verbal warnings that were given to the subject (or reasons why one was not given) prior to deployment of the Taser device.
    - c. Identification of all persons present at the time of taser activation.
    - d. Identification of all persons present during the de-escalation and medical examination process.
    - e. Description of any observable marks or injuries to the suspect.
    - f. Complaints or statements made by the suspect.
    - g. Detailed description of any refusal for medical attention.
    - h. Statements from witnesses
    - i. Sheriff's Office Crime Report case number. Case numbers shall be listed on all documents.
    - j. Any other relevant information regarding the incident.
  - 3. Evidence report(s) shall be completed and should include:
    - a. Discharged Taser cartridges and samples of AFID (Anti-Felon Identification) "microdots" will be collected and placed into evidence whenever possible.
    - b. Probes should be handled and disposed of as biohazard "sharps."

- c. When preparing reports regarding the use of the Taser deputies will include the serial number of Taser(s) used and the serial number of the Taser air cartridge(s) that were deployed.
  - d. Photographs will be taken of any contact site or probe impact sites and any other injuries if applicable. Close-up photos shall be taken in a manner that establishes proper scale to document the size and location of the marks. The time, location and photographer's name shall be included in the report.
- 4. The Watch Commander will ensure that a copy of the incident/crime and evidence report are forwarded to the following locations:
  - a. Sheriff's Records (if applicable)
  - b. Sheriff's Property (if applicable)
  - c. Sheriff's Investigations Division Lieutenant
- 5. Once this record of Taser use has been downloaded from the Taser(s) involved, those reports(s) shall also be forwarded to Sheriff's Office records to be attached to the original report(s) prepared to document the crime (or incident).
- 6. Any accidental discharge of the Taser shall be immediately reported to the on duty Watch Commander. A report shall be completed covering the circumstances of the accidental discharge. An investigation will be initiated if anyone was struck by the accidental discharge.

  
STEVE ROBBINS, Sheriff-Coroner



## *Santa Cruz County Sheriff-Coroner*

Number: O.88

Date: 07/23/07

### **SUBJECT: BODY FLUID EXPOSURE RESPONSE PLAN**

#### **POLICY**

It shall be the policy of this Office to provide information and medical treatment to employees regarding exposure to various contagious diseases.

#### **PURPOSE**

To prescribe a specific response by Sheriff's Office employees and supervisors to body fluid exposure. Specific goals of this policy are:

- To assist in identification of body fluid exposure
- To provide immediate, effective medical treatment for employees,
- To educate, counsel and inform employees regarding the nature of exposure to disease and to promote rational and effective responses by employees and their supervisors.
- To provide a procedure, as prescribed by the Health and Safety Code, which allows the testing of defendant and victim blood for pathogens.

#### **REFERENCES**

California Health and Safety Code 1797.186, 1797.188, 121060 through 121070. Penal Code sections 1524.1, 7500 through 7505. National Red Cross, U.S. Dept. of Justice, Centers for Disease Control, Institute of Medicine, Dominican Hospital Santa Cruz.

#### **DEFINITIONS**

Body Fluids:	Blood, urine, semen, vaginal secretions, vomitus, feces, tears, saliva, and respiratory secretions.
HIV:	Human Immunodeficiency Virus, originally called T-Cell Lymphotropic Virus type III (HTLV-III)
AIDS:	Acquired Immune Deficiency Syndrome, caused by infection of the HIV Virus

Identification of persons infected with HIV or Hepatitis cannot be made based on appearances. For purposes of maximum protection and infection prevention, employees are urged to accept the premise that EVERY PERSON MAY BE INFECTED with a contagious and/or health threatening disease and to practice "universal precautions." Universal precautions include the use of a barrier, such as gloves, masks or eyewear, to prevent skin and mucus membrane contamination with blood or body fluids. Keep all skin defects such as cuts, abrasions, ulcers and areas of dermatitis covered with a bandage. Wash hands and other skin surfaces immediately if contaminated with blood or other body fluids.

Exposure to HIV, Hepatitis and Tetanus can occur in the following ways:

- A wound caused by a sharp object contaminated by blood or blood products,
- A splash of blood or blood products on to an open wound or an area of dermatitis,
- Contact of blood or other body fluids with mucous membrane such as eyes, mouth, nose or genitalia.

These types of exposures may occur during direct mouth-to-mouth CPR, human bites, body fluid splashed into the face and needle punctures by hypodermic syringes.

## **PROCEDURE**

### **A. Reporting by employee**

1. Any Sheriff's Office employee having identified an exposure, or potential exposure, shall immediately contact their supervisor and report the event. In the absence of a supervisor, they will report the event to the Patrol Division on-duty Watch Commander. Detention Bureau staff will contact the on-duty supervisor. In the absence of a supervisor, they will notify the Detention Bureau Watch Commander and report the event.

### **B. Reporting by Supervisor**

1. Upon being notified by an employee of an exposure or potential exposure to body fluids, the supervisor shall take immediate action. The supervisor shall direct the employee to the Dominican Hospital Emergency Room for evaluation and consultation with the on-duty physician as soon as possible.
2. If the exposed employee works in the Detention Bureau, the supervisor will contact the Main Jail Medical Unit to determine if there are any immediate steps that are available to mitigate risks, followed by evaluation and consultation at Dominican Hospital as described above.

3. Appropriate Workers Compensation forms will be filled out as soon as possible. A separate Sheriff's Office incident report will be written as well.

C. Evaluation of Exposure

1. All Sheriff employees will be evaluated by the aforementioned medical providers. If it is determined that the employees need medical attention, the employee will receive attention from the closest emergency room available.

D. Testing Prisoners for Pathogens

1. Peace Officers


Health and Safety Code 121060 permits a court to order a defendant or minor to provide two specimens of blood for testing in the following circumstances:

- a. Suspect is charged in a criminal complaint or juvenile petition; AND
- b. Suspect interfered with the official duties of a peace officer, fire fighter or emergency personnel; AND
- c. Suspect interfered with listed individual by biting, scratching, spitting or transferring blood or other bodily fluids on, upon or through the skin or membranes of the listed individuals.
- d. If the above circumstances exist, the affected employee shall contact the Detective Division. The Detective Division will apply for a court order to obtain reference samples from the suspect. Once obtained, the Detective Division will be responsible to retain the samples and deliver them to the Dominican Path Lab for testing along with the original attending physician's name.
- e. Dominican Path Lab will contact the original attending physician with the results. The physician will notify the Duty Watch Commander in either Patrol or the Main Jail that they have the results. The duty detective will be notified. The attending physician will contact the exposed employee for further consultation/treatment. Note: It is the officer involved, along with Detective Division's assistance, who actually files the petition. The District Attorney merely assists with the filing of the documents.

2. Victims of Crime

Penal Code Section 1524.1 allows for testing of defendants for HIV under the following circumstances:

- a. Probable cause to believe that the accused committed the offense and probable cause to believe that blood, semen or any other bodily fluid, identified by the State Department of Health Services as capable of transmitting the HIV virus, has been transferred to the victim.
- b. Health and Safety Code 121060 allows for the victim to apply for the order to draw blood. Unlike Health and Safety 121060, saliva is not among the enumerated bodily fluids capable of transmitting HIV under Penal Code Section 1521.1. Peace Officers and Corrections Officers can be included within 1521.1, though 121060, Health and Safety, are much more liberal.
- c. For additional protections afforded to law enforcement personnel working in correctional facilities. Refer to Penal Code sections 7500 through 7505.

  
STEVE ROBBINS, Sheriff-Coroner





# County of SantaCruz

Sheriff-Coroner

701 Ocean Street, Room 340, Santa Cruz, CA 95060  
(831) 454-2414 FAX: (831) 454-2353

Steve Robbins  
Sheriff-Coroner

## VOLUNTARY BLOOD TEST FOR INFECTIOUS DISEASES

Date: \_\_\_\_\_

To: Santa Cruz County Sheriff's Office  
701 Ocean Street, Room 340  
Santa Cruz, CA 95060

I, \_\_\_\_\_, hereby give the Santa Cruz County Sheriff's Office permission to have a medical facility draw a sample of my blood for the purpose of having it tested for communicable diseases.

I understand that this test is necessary due to bodily fluid exposure by Sheriff personnel and is not associated with any crime for which I may have been arrested.

I understand that the results of the test will be made available to the Sheriff personnel that were exposed to my bodily fluids and has no affect in any criminal case that I may be facing.

I give this permission freely and voluntarily without any threats or promises having been made to me. I understand I may refuse to grant said permission.

\_\_\_\_\_  
(Signature) Date: \_\_\_\_\_ Time: \_\_\_\_\_

\_\_\_\_\_  
(Witness)

ROBERT LEE, DISTRICT ATTORNEY  
COUNTY OF SANTA CRUZ  
701 Ocean Street, Room #200  
Santa Cruz, California 95060  
TELEPHONE: (831)454-2400

ATTORNEYS FOR THE PETITIONER  
THE PEOPLE OF THE STATE OF CALIFORNIA

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SANTA CRUZ

THE PEOPLE OF THE STATE OF CALIFORNIA, }

SHERIFF CASE NO.

PETITIONER, }

IN RE: (Name), Date of Birth (XX-XX-XX). Drawing of a blood sample for  
communicable disease testing and release of test results.

I, (Name), declare the following:

I am a (Rank) with the Santa Cruz County Sheriff's Office and have  
been employed by the Sheriff's Office for over \_\_\_\_\_ years.

I am currently assigned to the \_\_\_\_\_ Division as a \_\_\_\_\_.

On (date), (circumstances)

I asked (name) if he/she would consent to a blood test for  
communicable diseases but he/she refused to do so voluntarily.

I know based on training and experience that (bodily fluid) may  
transmit communicable diseases.

I know that blood tests can determine if a person is infected with or a carrier of a communicable disease.

I know that medical personnel maintain medical records in a confidential manner and request a court order to disclose the results of medical tests to law enforcement under these circumstances.

I declare under penalty of perjury that the foregoing is true and correct based on information and belief.

Executed on (date) at Santa Cruz, California.

---

(Rank)

(Name)

ROBERT LEE, DISTRICT ATTORNEY  
DISTRICT ATTORNEY'S OFFICE  
COUNTY OF SANTA CRUZ  
701 Ocean Street, Room 200  
Santa Cruz, Ca. 95060  
TELEPHONE: (831)454-2400

Attorney for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SANTA CRUZ

In Re: (Name), Date of Birth (XX-XX-XX). Drawing of a blood sample for communicable disease testing and release of test results.

Good cause appearing, (name) is hereby ordered to submit to the Santa Cruz County Sheriff's Office, in a prescribed medical manner, a sample of his/her blood to be tested for any and all communicable diseases and that the results of those tests be released to this court. This court will then communicate the test results to the exposed Deputy(s) and/or a Sheriff's Office designee.

Dated: (XX-XX-XX)

By telephone (Name of Judge) \_\_\_\_\_

JUDGE OF THE SUPERIOR COURT



## *Santa Cruz County Sheriff-Coroner*

Number: O.90

Date: 03/01/06

### **SUBJECT: CHEMICAL AGENTS**

#### **POLICY**

It shall be the policy of this Office that deputies may carry approved chemical agents and use them in accordance with the procedures outlined.

#### **PURPOSE**

To establish procedures for the use of chemical agent devices, assuring maximum personal safety for members of the Office as well as the public or suspects.

#### **DEFINITIONS**

"Chemical Agents" - Non-lethal irritants used in either liquid, aerosol, smoke, or micro-pulverized powder form.

#### **PROCEDURE**

##### **I. Chemical Agents**

##### **A. Guidelines for Carrying**

1. Members of this Office who have completed the course for the use of chemical agents may carry and use them in the performance of their duties as officers. Members shall use only Office-issued or approved devices.
2. Deputies and officers assigned to uniform duties will carry chemical agents on their duty belts in an approved carrying case. Deputies or officers assigned to plainclothes or undercover assignments may carry chemical agents at their discretion.
3. Correctional Officers may carry chemical agents with the approval of the Detention Bureau Management.

4. Employees may not routinely carry chemical agent grenades, projectiles or other devices unless engaged in, and assigned to, a special unit of the Office or as a patrol supervisor.

**B. Guidelines for Use**

1. The use of chemical agents shall be considered use of force and, therefore, shall only be used according to the law as is reasonable or necessary to affect an arrest, prevent escape, overcome resistance, to protect life or to protect property. Chemical agents may be used to maintain and restore order. Chemical agents may be used on a person(s) to distract or disorient them to the degree that it diminishes their will to fight or resist and causes them to discontinue their illegal activities.
2. Chemical agents may be used to disperse, dislodge, distract, disorient, disrupt and impair activity, deny or limit access and/or detect suspects. Examples of some appropriate situations where uses of chemical agents may be used include:
  - a. Crowd Control and Crowd Management
  - b. Riot
  - c. Cell Extraction
  - d. Barricaded Subjects
  - e. Concealed Suspects
  - f. Suspects feigning injury or death
  - g. Hostage Rescue
  - h. Prevent destruction of evidence
3. Chemical agents are intended to be an alternative to the use of other types of force and are not a replacement for the baton or approved firearms.
4. Within the Detention Bureau, chemical agents will only be used after verbal attempts have failed in controlling a violent, or potentially violent, inmate unless it is tactically necessary to do otherwise.
5. Chemical agents shall not be used against prisoners once they have been controlled and secured.

**C. Procedures for Use**

1. Liquid/aerosol canisters should be aimed towards the face and eyes of the suspect.


2. The liquid/aerosol is recommended to be used at distances of not less than three feet or more than 20 feet. Officers must consider that the use of the device at distances of less than three feet may place the officer in jeopardy of losing the device or being injured. Officers also encounter the risk of being contaminated by the agent themselves at close distances.
3. Officers are not to continue a prolonged discharge of liquid/aerosol projectors into the face of an already incapacitated person or a person not responding to normal applications of the chemical agent.
4. Officers are not to discharge large quantities in small closed areas or automobiles except under conditions representing an extreme hazard to the officer or other person.
5. Chemical agents are not to be used in any area where small infants are present or persons known to have severe respiratory ailments.
6. Use of pyrotechnic, blast dispersion, expulsion, smoke, fog or munitions delivery systems for the dissemination of chemical agents will be performed by personnel trained in the use of these methods. Examples of officers trained in the use of one or more of these methods are those belonging to the S.W.A.T., C.E.R.T., Bomb and Rapid Response Tactical Unit Teams.

D. Procedures After Use

1. Proper decontamination shall be administered as soon as practicable after the application of the agent at the scene or as close thereto as possible. Unless emergency conditions exist, flushing the eyes and face with copious amounts of water should take place within 30 minutes. Determine if affected subject is wearing contact lenses. If so, allow them to remove the lenses or if impracticable, call Emergency Medical Services personnel who are medically trained to remove the lenses. Evaluate if greater medical attention is needed that requires emergency medical treatment.
2. The jail nurse is to be notified of all persons being booked who have been exposed to chemical agents. If decontamination steps fail to provide relief, medical care will be provided. Contaminated clothing shall be removed from the suspect and fresh clothing provided.

E. Reporting

1. Whenever chemical agents are used, the officer utilizing the device, or the officer designated by the Incident Commander, shall prepare a written report.

  
STEVE ROBBINS, Sheriff-Coroner





## *Santa Cruz County Sheriff-Coroner*

Number: O.91

Date: 03/06/06

### **SUBJECT: RESPIRATORY PROTECTION PROGRAM**

#### **POLICY**

It shall be the policy of this Office to maintain a respiratory protection program that complies with California OSHA requirements in order to protect employees.

#### **PURPOSE**

To provide a policy to operate a safe respiratory protection program.

#### **REFERENCE**

Santa Cruz County Sheriff's Office Respiratory Protection Program, March 2006

#### **PROCEDURE**

- I. Program Responsibility
  - A. The Administration Bureau Training Manager shall be designated as the Respiratory Protection Program Manager for the Administration and Operations Bureaus. The Detention Bureau Training Manager shall be designated as the Respiratory Protection Manager for the Detention Bureau.
  - B. The program managers shall maintain all program records.
  - C. The program managers shall annually review the Respiratory Protection Program to ensure it is current.
  - D. The program managers shall schedule training and other periodic activities to meet ongoing program requirements.

## II. Program Components

- A. A respiratory protection program must consist of the following components:
1. Medical Evaluation: All employees must be evaluated by an authorized physician for the purpose of determining eligibility for wearing a respirator. Uniformed employees, hired after 2003, are evaluated by the County Occupational Health Physician during the pre-employment physical examination. Employees, hired before 2003, must complete a Respirator Medical Evaluation Questionnaire for review by the county physician or receive a medical examination by the county physician.
  2. Fit Test: All employees must successfully complete a fit test to determine the appropriate respirator size to ensure proper sealing capability. Fit testing may consist of either qualitative or quantitative tests conducted by trained personnel.
  3. Training: All employees must receive training concerning the proper use, inspection, storage, cleaning and maintenance of a respirator.
  4. Record Keeping: A written Respiratory Protection Program shall be maintained and made available to all employees eligible to wear a respirator. Records of fit testing, training and inspections must be retained by the program managers.

## III. Periodic Requirements

- A. A medical evaluation is required only once unless there is a necessity to re-evaluate based on a medical condition, mental condition, physical change to facial structure or other factor that would affect the ability of an employee to wear a respirator.
- B. Fit testing must be conducted on an annual basis to ensure proper respirator fit and sizing.
- C. Training must be conducted annually.
- D. All employees who have been issued a respirator must perform inspection of issued respirators monthly. A record of the inspection shall be updated by the employee and retained with the respirator. Supervisors shall allow adequate time for employees to inspect their respirators during working

Number: O.91

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hours and to complete the inspection log. The completed inspection log shall be forwarded to the program manager for record keeping.

*Steve Robbins*

STEVE ROBBINS, Sheriff-Coroner



## *Santa Cruz County Sheriff-Coroner*

Number: 0.92  
Date: 06/27/07

### **SUBJECT: FIREARMS**

- I. Discharge of Firearms
- II. Carrying of Firearms
- III. Evaluation Requirements
- IV. Firearms Ammunition
- V. Firearms Off Duty
- VI. Maintenance of Firearms

### **POLICY:**

It shall be the policy of this Office to resort to the lawful use of firearms only when it appears to be necessary and generally;

- 1. as a means of self-defense from death or serious bodily injury
- 2. to defend the life of another Deputy from death or serious bodily injury
- 3. to defend the life of another person from death or serious bodily injury, or
- 4. to prevent a crime in which human life is in serious jeopardy as a result of the suspect's actions.

### **PURPOSE:**

To provide general guidelines for the use of firearms, evaluation courses of fire and the maintenance of Office issued firearms and weapons.

### **PROCEDURE:**

- I. Discharge of firearms
  - A. When a member of the Sheriff's Office accidentally or intentionally discharges their firearm while performing a law enforcement duty, a report shall be written setting forth all circumstances surrounding the incident.
  - B. A Firearms Review Board shall be appointed by the Sheriff to review the facts in each discharge of a weapon by Deputies in the performance of duty. The Board shall prepare a report to the Sheriff setting forth the facts of the incident including if, in the Board's opinion, the discharge violated any law or Office directive.

1. The Board is the fact-finding body, which shall not be responsible for the recommendation of disciplinary action
- C. Shots fired in the air or ground in an attempt to cause a fleeing suspect to stop or surrender are a danger to the Deputy as well as innocent persons and are prohibited except:
1. Shots fired intended to stop a threatened attack upon a Deputy, innocent victims or prisoners by persons engaged in riot.
  2. Shots fired to summon aid when more conventional communication is not effective and the safety of other persons is considered.
  3. Suppression fire intended to prevent offensive action by an armed active suspect, or used to deny access to an area to an armed active suspect.
- D. Shooting of animals which are seriously injured or pose a real threat to the safety of humans is approved when no other disposition is practical. Permission to dispatch an injured animal should be obtained from a Supervisor, if practical.
- E. Firing at or from moving vehicles is generally prohibited. Experience shows such action is rarely effective and extremely hazardous.

## II. Carrying of Firearms

- A. Only those Deputies who have fired an evaluation course for the Sheriff's Office and demonstrated proficiency in the use of firearms shall be allowed to carry firearms on or off duty.
- B. Firearms worn on or off duty, must be carried in a holster fastened to the body by a clip, belt loop, shoulder strap, hip paddle or Velcro type strap. The holster must have a retention device or retention feature that causes the firearm to be safely held in the holster. Holsters must be approved by the Firearm's Committee. Deputies carrying firearms off duty shall also carry their Sheriff's Office identification card, badge and a pair of hand restraints (except for Deputies working undercover).
- C. Deputies shall generally not surrender their firearms. Surrender of a weapon rarely de-escalates a serious situation and can in fact put a Deputy and innocent persons in jeopardy.
- D. As a general rule, Deputies shall not remove a firearm from the holster or

display firearms unless there is sufficient justification. In arresting offenders, deputies may display a firearm for the purpose of gaining and maintaining control of the arrestee or high-risk situation.

- E. All firearms carried on or off duty by members of the Sheriff's Office shall be registered. The Lieutenant in charge of the Firearm's Committee shall ensure that Sheriff's issued weapon's serial numbers are run for registration once per fiscal year. After a master list is established, only registrations on new weapons added to the inventory need be checked on a yearly basis. Weapons deleted from the inventory shall likewise be double checked during one inventory period to ensure their deletion.

### III. Evaluation Requirements

- A. Quarterly prescribed firearms training and evaluation-training sessions will be scheduled for both Sheriff's Office issued firearms and firearms personally owned and carried by deputies.
- B. Demonstrated proficiency shall mean the successful completion at least twice annually (two times each year) of the prescribed evaluation course of fire supervised by a P.O.S.T. certified Sheriff's Office Firearms Instructor.

### IV. Firearms Ammunition / Duty Firearms / Duty Holsters

- A. Deputies shall carry only the GLOCK model 22 .40 caliber pistol as their primary weapon while on duty in uniform. Deputies shall load the GLOCK with Office issued "Speer Gold Dot" .40 caliber 165 grain duty ammunition while working in their official capacity as a Deputy.
- B. Deputies shall carry only the Heckler & Koch MP-5 9mm semiautomatic rifle as a long gun while on duty and in uniform. Deputies shall load the MP-5 with Office issued "Speer Gold Dot" 9mm 147 grain duty ammunition while working in their official capacity as a Deputy.
- C. Deputies assigned to the Sheriff's Office S.W.A.T. team shall be authorized to carry and use the weapons issued to them by their membership on the Sheriff's Office S.W.A.T. team. S.W.A.T. team weapons shall be loaded with Office issued ammunition issued to the S.W.A.T. team. This includes but is not limited to the following S.W.A.T. team weapons:
  - 1. Colt LE6920 SF rifle, Colt AR-15 or CAR 15 rifle or other .223 caliber similar Office issued long gun.

2. Remington 700 .308 caliber bolt-action rifle.
- D. Uniformed Deputies shall carry only the Office issued Safariland "070" or "6280" holster while on duty working in an official capacity for the Sheriff's Office. Deputies wishing to carry the "6280" for use with the M-3 light may purchase it at their own expense. Deputies wishing to carry the 6280 holster and the M3 light shall show proficiency with the holster and light during an Office firearms training day.
- E. Back-up, off duty or undercover firearms shall meet the following specifications:
1. Any revolver or semiautomatic pistol in good working condition with a caliber of no less than .22 and no more than .45. All firearms must be inspected by an Office Firearms Instructor before they are carried.
  2. Any Deputy wishing to carry a back-up, or undercover firearm other than the GLOCK model 22 will be required to demonstrate a working knowledge of and proficiency with that particular firearm before being authorized to carry it. All firearms carried are subject to the same standards as an Office issued weapons.
  3. The GLOCK model 22 .40 caliber pistol loaded with Office issued ammunition may be carried at any time on or off duty.
- A Back-up weapon is defined as a secondary weapon, other than a GLOCK 22, carried by a Deputy while working in an official capacity for the Sheriff's Office. An undercover firearm is defined as a firearm other than a GLOCK 22, carried by a Deputy as a primary firearm due to the Deputies assignment to a special detail or special assignment within the Sheriff's Office.
4. Back up weapons shall be carried securely in holsters/restraint systems approved by the Sheriff's Firearms Committee.
- F. Off Duty Firearms
1. Deputies may carry firearms while off duty. Off duty firearms shall meet the following guidelines: Any revolver or semiautomatic pistol in good working condition with a caliber of no less than .22 and no more than .45. A Sheriff's Office Firearms Instructor must inspect all firearms carried off duty before they are carried. A Firearms Instructor will record the make, model, caliber, serial number and the holster type using a Sheriff's Office off duty evaluation sheet.

2. Deputies carrying off duty firearms shall shoot a Sheriff's Office evaluation course two times each year (same requirement as duty weapons), and must show proficiency with the weapon and the holster/restraint system they intend to carry the firearm in while off duty. The holster/restraint system is subject to the approval of the Firearm's Committee.

## V. Firearms Off Duty

- A. Deputies may carry firearms while off duty. Good judgment as to whether a firearm is carried must be exercised. If circumstances are such that a prudent deputy would not wear a firearm, the firearm should be secured in a safe place available to the deputy.
  1. No off duty Deputy shall carry a firearm into a bar or other establishment having the major part of its business in "on premise" consumption of alcoholic beverages.
  2. No off duty Deputy shall carry a weapon after having consumed an alcoholic beverage.
  3. No off duty Deputy shall carry or display a firearm in a place where common sense and good judgment would dictate not to.

## VI. Maintenance of Firearms

### A. Modifications

1. Evidence that a GLOCK model 22 or Heckler & Koch MP-5 has been dismantled beyond "field stripping" will be considered a modification for the purposes of this section. Deputies are authorized to install a rubber handgrip on the grip of their Office issued GLOCK firearm (such as a "Hogue" or "Pachmyer" grip). Night sights may be purchased by Deputies and shall be installed by an Officer armorer at the request of a Deputy in a timely manner.
2. Modification or repair of Office issued firearms must be done by authorized personnel.
3. Unauthorized personnel shall not dismantle the GLOCK model 22 or the Heckler & Koch MP-5 past "field stripping" procedures.
4. A weapon dropped on a hard surface, into any substance, or if there is any reason to believe a weapon has been damaged by any




means shall be inspected by the deputies immediate supervisor and, if necessary, turned into an office armorer for inspection and repair.

5. Each year, during the month when a Deputy was born, Deputies shall turn in their Office issued GLOCK firearm for inspection maintenance and repair by an Office armorer. Deputies shall contact the Firearms Training Sergeant and will be issued a "loaner" GLOCK for temporary use.

B. Office Armorer Duties

1. Office armorers completing inspections and repairs of Office issued GLOCKS will use the inspection checklist provided by GLOCK, documenting the date, time and work done on each GLOCK. The Firearms training Sergeant will retain the inspection checklist forms documenting the inspection and repairs done.
2. The Firearms Training Sergeant or Office armorer shall later notify the deputy when their issued GLOCK is ready to be picked up.
3. The Firearms Training Sergeant shall coordinate with Firearms Training Staff and armorers for the inspection, maintenance and repair of all Office issued long guns including those issued to S.W.A.T. team members.

  
STEVE ROBBINS, Sheriff Coroner



## *Santa Cruz County Sheriff-Coroner*

Number: O.94

Date: 02/01/06

### **SUBJECT: FIREARMS COMMITTEE**

#### **POLICY**

It shall be the policy of this office to establish a Firearms Committee

#### **PURPOSE**

To establish training recommendations for Sheriff's Office personnel in the use of firearms and to advise the Sheriff on firearms issues.

#### **PROCEDURES**

- I. Firearms Committee
  - A. The Firearms Committee shall have as its members:
    1. Special Operations Lieutenant
    2. Three qualified firearms instructors
  - B. The Committee shall meet at least once within each four-month period and shall make all reports and recommendations to the Sheriff through the Chief Deputy of Administration.

*Steve Robbins*  
STEVE ROBBINS, Sheriff-Coroner



## *Santa Cruz County Sheriff-Coroner*

Number: O.96  
Date: 07/11/07

### **SUBJECT: FIREARM / DEADLY WEAPON CONFISCATION**

#### **POLICY**

It shall be the policy of this Office to confiscate deadly weapons from individuals who are placed under 72-hour mental health holds per 5150 Welfare and Institutions Code (W&I). These individuals may be permanently deprived of such weapons at the direction of the Superior Court.

#### **PURPOSE**

To establish a procedure in compliance with legal requirements for the disposition of confiscated weapons involving mental health cases.

#### **REFERENCES**

Welfare and Institutions Code Sections 5150, 8102  
Penal Code Sections 12020, 12021.3

Documents required to fulfill the procedure:

1. Notices of Firearm/Deadly Weapon Confiscation, (Forms #SHF-0470 and 0471), explains the legal procedure to defendant
2. Notice of Petition
3. Declaration in Support of Petition, explains circumstances of case requiring confiscation of weapon
4. Points and Authorities in Support of Petition, outlines legal foundation supporting confiscation of weapons
5. Declaration of Service by Mail
6. Order on Petition (Default Order)

7. Order On Petition (following hearing)

**DEFINITIONS**

"Deadly Weapon" - Any weapon, the possession or concealed carrying of which is prohibited by Section 12020 of the Penal Code.

**PROCEDURE**

I. Firearm / Deadly Weapon Confiscation

A. Confiscation of Weapon

1. Any peace officer who detains a person for evaluation of their mental condition, 5150 W&I and finds that person owns, has in their possession, or under their control, any firearm or other deadly weapon, SHALL retain custody of such weapon.
2. At the time of confiscation, if the circumstances allow, the deputy shall advise the defendant of the procedure for the return of the weapon seized. The deputy shall complete the Notification of Firearm/Deadly Weapon Confiscation form (Form #SHF-0470) and obtain defendant's signature on the form, if possible. In situations in which the defendant is unable or unwilling to sign, the deputy will so note on the bottom of the form.
3. The deputy will leave the copy of Form #SHF-0470 (which will also serve as a receipt) with the defendant and retain the original to be included in the case file.
4. The deputy must advise the Mental Health Supervisor (or designee) at the time the defendant is delivered to the Mental Health Unit, that a weapon has been seized. The top portion of Form #SHF-0471 (four-page form) will be completed by the deputy and the entire form will be left with Mental Health.
  - a. The deputy is responsible for completing an incident report documenting the facts surrounding the seizure of the weapon(s) as the 5150 form does not contain enough information in itself to complete the subsequent Superior Court petition.
5. The Mental Health Facility shall notify the Sheriff's Office upon release of the defendant and also advise the defendant of the procedure to reclaim the confiscated weapon. Mental Health will

complete Form #SHF-0471 at the time of release and the original will be mailed to the Sheriff's Office.

B. Follow-Up Investigations

1. The Person Crimes Section Sergeant will review these cases and determine if, in the interest of public safety, proceedings should be initiated in court to request permanent forfeiture of the weapon(s).
2. If the Sheriff's Office decides to initiate these proceedings, the previously listed required documents, 2 thru 7, will be prepared by the assigned investigator.
3. These documents will be filed at the Superior Court within 30 calendar days of the defendant's release from Mental Health. A copy of the filed documents will be sent to the last known address of the defendant by the investigator.
4. Declaration of Service by Mail will be completed by the assigned investigator and placed in the case file in the Records Section, along with copies of Documents #1 through 4.
5. The defendant has 30 calendar days from the service of the petition to file a claim with the Superior Court Clerk for the weapon(s). If a claim is made, a hearing date will be set and the Sheriff's Office will be notified. If no claim is made within 30 calendar days, an order can be filed with a Superior Court Judge requesting that the weapon(s) be forfeited by default.
6. If the Superior Court Judge determines the weapon should be forfeited, Sheriff's Office policy regarding property disposal will be followed.
7. If the court determines the weapon should be returned to the owner or if proceedings are not initiated, the weapon may be returned to the individual.
  - a. In the case of a firearm, PC 12021.3 dictates that the individual who claims title to a firearm in custody or control of a court or law enforcement agency and who wishes to have the firearm returned, to submit a Law Enforcement Gun Release (LEGR) Application to the California Department of Justice (DOJ) for a determination by the DOJ as to whether

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he or she is eligible to possess a firearm. Upon review, should DOJ determine that the claimant is eligible to possess a firearm, the DOJ will furnish the claimant written notification of this finding. The claimant may then present this to Sheriff's property and retrieve their firearm.

*Steve Robbins*

STEVE ROBBINS, Sheriff-Coroner



## *Santa Cruz County Sheriff-Coroner*

Number: O.98

Date: 06/25/07

### **SUBJECT: VEHICLE PURSUIT GUIDELINES**

#### **POLICY**

It shall be the policy of this Office to govern vehicular pursuits of suspected law violators by peace officers in the County of Santa Cruz in the safest manner possible.

#### **PURPOSE**

To conform with the county-wide protocol for pursuing suspects which minimizes danger to officers and the public while enhancing the probability of apprehension.

#### **REFERENCES**

Penal Code Section 13519.8 P.C.

Vehicle Code Sections 17150, 17004.7, 14602.1 and 21055, 21056, 2402.7

Santa Cruz County Protocol for Vehicle Pursuits

Allied Agency Vehicle Pursuit Report CHP 187A

Sheriff's Office Policy O.74, Officer Involved Fatal Incidents

Sheriff's Office Policy O.100, Emergency Operation of Sheriff's Vehicles

Sheriff's Office Policy O.102, High Risk Car Stops

Sheriff's Office Policy O.86, Use of Force

#### **DEFINITIONS**

"Vehicle Pursuit" - An event involving one or more law enforcement officers attempting to apprehend a suspect operating a motor vehicle while the suspect is attempting to avoid arrest by using high speed driving, evasive tactics or failing to yield to lawful authority, such as driving off a highway, turning suddenly or driving in a legal manner but willfully failing to yield to the officer's signal to stop.

"Initiating Pursuit Unit" - The officer operating an enforcement vehicle who first attempts to stop the pursued vehicle.

"Primary Pursuit Unit" - The officer operating an enforcement vehicle in close proximity to, and immediately following, the suspect vehicle (may be other than the initiating unit).

"Secondary Pursuit Unit" - An officer operating an enforcement vehicle trailing or otherwise actively participating in the pursuit.

"Supervisor" - For the purpose of these sections, a supervisor is a peace officer at the rank of Sergeant or above, or a designated deputy in charge (OIC).

"Legal Intervention/Forcible Stop" - A general term meaning the termination of a pursuit through the use of physical force or presence. Techniques include ramming, roadblocks, channelization, the hollow spike strip, boxing-in or the use of firearms.

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

"Roadblocks" - Establishing a physical impediment to traffic as a means for stopping a vehicle using signs, devices, actual physical obstructions or barricades.

"Hollow Spike Strip" - A device designed to be physically placed across the roadway directly in the path of a fleeing vehicle. As the vehicle passes over the strip, the hollow spikes pierce the tires, pull out of the strip, and causes the tires to deflate through the hollow spikes.

"Channelization" - A technique similar to a roadblock where objects are placed in the anticipated path of a pursued vehicle which tends to alter its direction. Examples of usable objects include barricades, pylons and vehicles.

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

## **PROCEDURES**

### **I. Pursuit Guidelines**

#### **A. Driver Responsibility**

1. Section 21055 of the California Vehicle Code (VC) specifies that, in emergency situations, the driver of an authorized emergency vehicle is exempt from the "rules of the road" provided that the red light and siren of the vehicle are activated. Section 21056 VC, however, specifies that this exemption does not relieve the driver from the duty to drive with due regard for the safety of all persons using the highway, nor does it protect him/her from the consequences of an arbitrary exercise of the privileges granted in that section (21055).



**B. Initiation of a Vehicle Pursuit**

1. To initiate a pursuit, the officer must have a reasonable suspicion that the suspect is attempting to avoid arrest, willfully failing to yield to the officer's signal to stop or that a known wanted person is in the vehicle. In order to diminish the likelihood of a pursuit, officers intending to stop a vehicle shall, where practicable, be within close proximity to the vehicle before attempting to make a stop. A pursuit may be initiated only when a law violator clearly exhibits an intention to avoid apprehension by using a motor vehicle to flee or refuses to stop. The officer shall weigh the seriousness of the violator's suspected crime against the potential death or injury to members of the public (includes passengers), the officer(s) (includes ride-along) and/or the suspect(s), if the pursuit is initiated.

**C. The following initial factors should be considered when assessing whether to initiate a pursuit:**

1. Whether there is an unreasonable risk of injury to the public or to the pursuing officer(s) and the offense that the arrest is being made for represents a danger to the public safety;
2. Whether vehicular and/or pedestrian traffic safety is unreasonably compromised;
3. Whether the suspect(s) can be apprehended at a later time; unless a greater hazard would result, a pursuit should not be undertaken if the subject(s) can be identified to the point where later apprehension can be accomplished.
4. Whether weather conditions such as rain, fog, snow, etc. create an unreasonable risk of injury to the public or the pursuing officers;
5. When the only known reason for the pursuit is a minor traffic violation and the suspect has not stopped after a reasonably short distance;
6. The seriousness of the crime and whether the suspect presents a danger to the public.
7. The traffic conditions, i.e.:
  - a. Volume of vehicular traffic
  - b. Volume of pedestrian traffic

c. Road conditions/weather

d. Nature of the area of the pursuit: residential, commercial or rural.

8. Whether the lack or quality of communication between the primary unit and the dispatchers or supervisor causes an unreasonable risk to the public;
9. The familiarity of the primary pursuing officer with the area;
10. Whether vehicular and/or pedestrian traffic is unreasonably compromised because of the performance capability of the primary police vehicle.

D. Control of the Pursuit

1. Number of Police Units Participating

The initial pursuing unit (primary unit), a back-up police unit (secondary unit) and a supervisor shall initially be the only units to pursue the suspect. Emergency lights and siren shall be utilized in conformance with 21055 V.C. Officers in all other units shall stay clear of the pursuit but remain alert to its progress and location.

2. Exception

The supervisor, or senior officer of the primary unit, may request additional units to join the pursuit if it appears that the officers in the vehicles involved would not be sufficient to safely affect the arrest of the suspect(s).

When considering the number of involved units in the pursuit, the deputy should consider:

- The number of occupants in the suspect vehicle
- The number of units that can safely pursue the vehicle given the current geographical and weather conditions.
- Not all responding units need to be in the pursuit but may be responding for outer perimeter and high risk car stop duties.
- The criminal history of the occupants, i.e.: violent

offenders, gang members and associates and persons who are prone to violence with a known motivation not to be taken into custody.

- That a great percentage of high-risk car stops end up in foot pursuits necessitating an outer perimeter if available.

If the unit initiating the pursuit cannot continue as the primary unit, the secondary unit shall become the primary unit.

3. Primary Unit's Responsibilities

The responsibility of the officer(s) in the primary unit is to decide whether a pursuit is appropriate and should be initiated, whether more than two units should join the pursuit, whether the pursuit should be abandoned, whether the apprehension of the suspect(s) can be accomplished without unreasonably endangering themselves or others. Unless relieved by a supervisor, the senior officer shall be responsible for controlling the pursuit tactics.

4. Secondary Unit Responsibilities

The secondary unit, upon joining the pursuit, shall immediately notify dispatch that there are two units engaged in the pursuit and take over radio communication. No additional units shall become involved in the pursuit unless specifically requested by the primary unit or supervisor in control of the pursuit. The secondary unit shall be responsible for assisting the primary unit and broadcasting pertinent information throughout the pursuit. If the suspect(s) attempts to flee on foot, the senior officer in the secondary unit, or a responding supervisor, shall assist and coordinate the efforts of the apprehension.

5. Supervisory Responsibilities

Appropriate supervisory control shall be exercised over any pursuit. The supervisor shall be en route to the scene of the pursuit, monitor the pursuit and continuously assess the situation and ensure that the pursuit is conducted within established department guidelines. If necessary, the supervisor shall assert control by directing specific units out of the pursuit, reassigning the primary or secondary units, coordinating air support or terminating the pursuit. A supervisor shall respond to the termination point of the pursuit and provide the necessary direction which includes such things as suspect

capture, crime scene processing, inter agency coordination and sound investigation leading to a prosecutable case. The supervisor will also oversee the aftermath of the incident to include treatment of injured suspects, bystanders and personnel, completion of reports, pursuit critiques and evidence processing.

6. Additional Units

Extraordinary circumstances may dictate the assignment of additional units to the pursuit. The involvement of additional units shall be by request and/or approval of the supervisor.

a. Canine Unit

1. Upon the initiation of pursuit, the primary unit and/or their supervisor will evaluate the request and response of an on-duty, or available, canine unit to assist.
2. Upon arrival, the canine unit will act as an additional cover unit within the limits of their tactical ability.
3. Should they (the Canine Unit), be deployed to pursue a suspect, they would become the primary unit in that foot pursuit.
4. It is well recognized by the law enforcement community the mere presence of a canine unit elicits a greater cooperative response from the suspect(s) and all agencies are encouraged to use them whenever possible.

b. Air Unit

1. Upon the initiation of a pursuit, the Supervisor/OIC may request the response of air units given the large number of foot pursuits that are initiated from these incidents.
2. The request will be made through the supervisor to NET-COM and should be initiated as soon as possible given the unknown response time of the aircraft.

3. Radio broadcast responsibility may be given to an aircraft unit, provided aircraft personnel are familiar with the pursuit location.
4. If department aircraft are not available, other law enforcement aircraft may be requested. Only one aircraft should be utilized at any one time.
5. No other aircraft shall join the pursuit unless directly requested by the pilot of the primary aircraft. The secondary aircraft will take over primary and confirm acceptance of the mission. This acceptance continues until the aircraft, for good reason, discontinues involvement. The primary ground unit and any other aircraft shall be notified and acknowledge this.
6. If departmental or allied aircraft are involved in a pursuit, personnel should consider terminating their involvement in the pursuit when conditions permit, allowing air crews to monitor the pursued vehicle to a location where units can be directed to affect an arrest.

Primary and secondary ground units may continue Code 3, if necessary, and should follow the pursuit at a distance which would allow them to apprehend the suspects when the pursuit has terminated.

7. Duties of flight crew:
  - a. Keep vehicle/suspects under surveillance until termination of pursuit.
  - b. Advise pursuit units of traffic, road conditions, hazards and any public safety concerns.
  - c. Assist supervisor in control of the pursuit.
  - d. Assist with communications coordination or take over communications coordination.

Note: The Santa Cruz Sheriff's Office Air Support Unit and the California Highway Patrol Air Units are many times airborne within our area outside

of our knowledge. Given their fast response times by air, they could be utilized for greater deputy and public safety.

7. Unmarked Units

- a. In some very rare instances, an unmarked vehicle may become involved in emergency activities involving serious crimes or life-endangering situations. In those situations, officers lose the immunity afforded them in VC 17004. When officers in an unmarked unit become aware that a marked police unit has arrived and will attempt to stop a suspect vehicle, the unmarked unit must disengage.

8. Motorcycle Units

- a. In the event a pursuit is initiated by an officer on a two-wheeled motorcycle, the pursuing motorcycle officer shall relinquish the role as the primary unit when a marked police unit equipped for Code 3 operation has joined the pursuit. Under no condition shall officers on a two-wheeled motorcycle remain a secondary unit after they become aware of the arrival of a secondary marked unit equipped for a Code 3 operation.

E. Pursuit Vehicle Operations and Tactics

1. An officer who intends to stop a motor vehicle using his vehicle's emergency red light apparatus, shall, when practicable, be in close proximity to the vehicle prior to activating the red lights.
2. There shall be no attempt by field units to pass the suspect or primary and secondary pursuing units.
3. Officers engaged in a pursuit, with a vehicle, shall drive their unit allowing sufficient distances and spaces between vehicles to allow proper braking or turning time.
4. Generally, the use of police vehicles for roadblocks is discouraged and shall be used as a last resort. Only in cases where the violator constitutes an immediate and continuing major threat to the safety of others (and other efforts have failed), should the road be blocked.

- a. Roadblocks shall not be used in locations where geographic configurations increase the risk of injury to the suspect, e.g., on roadways bounded by steep descending embankments, curves or at any location where the safety of proceeding or opposing traffic cannot be assured.
5. On freeways, roadblocks or slowdowns should be avoided unless absolutely necessary and only if specifically requested by the primary pursuing unit's shift commander. The blocking of freeway ramps is acceptable to preclude citizens from inadvertently driving into the path of the pursuit or to keep the pursued vehicle from returning to congested surface streets.

As a general policy, officers shall not pursue a vehicle the wrong way on a freeway. In the event that the vehicle being pursued enters the freeway the wrong way, the following operations should be considered:

- a. Maintaining visual contact with the suspect vehicle by paralleling it on the correct side of the freeway;
- b. Requesting other units to observe the adjacent exits available to the suspect's vehicle;
- c. Notifying the California Highway Patrol and concerned police agencies.

While engaged in a pursuit on a freeway, the primary and secondary units should utilize the red light and siren of the vehicles to comply with VC 21055.

6. Forcible stops may be attempted only when an officer can clearly articulate that the use of a forcible stop is a sound tactical maneuver and the officer has reason to believe that continued movement of the pursued vehicle would clearly place others in imminent danger of great bodily harm or death.
  - a. After a pursuit has been initiated, no police unit should attempt to stop the suspect's vehicle by "boxing in" or ramming the pursued vehicle while it is in motion unless it appears reasonably certain that the failure to do so will result in death or serious injury. However, a police unit may be used to block a suspect's vehicle which has been stopped as long as the danger of injury or potential damage would be minimal.

- b. Forcible stops are discouraged when the pursued vehicle is driving at speeds in excess of 35 miles per hour.
- c. An uninvolved motorist occupied vehicle shall not be used to forcibly stop another vehicle.
- d. Whenever possible, the primary unit shall obtain the shift commander's permission before a forcible stop is attempted.
- e. Properly trained California Highway Patrol Officers may use the Pursuit Intervention Technique (PIT) as a forcible stop option.

F. Hollow Spike Strip

- 1. Officers may elect to deploy the hollow spike strip to terminate a pursuit. Whenever possible, a supervisor's permission should be obtained prior to deploying the spike strip. If the hollow spike strip is deployed, the following guidelines shall be followed:
- 2. The spike strip shall not be used to stop the following vehicles:
  - a. Motorcycles, mopeds or similar vehicles.
- 3. The spike strip should not be deployed to stop the following vehicles unless the continued movement of the pursued vehicle would result in an unusual hazard to others:
  - a. Any vehicle transporting a hazardous material as defined in Vehicle Code Section 2402.7, i.e., radioactive material, poison, flammable gas, nonflammable gas, flammable liquid, oxidizer, flammable solid corrosive material, combustible materials, explosives, blasting agents, organic peroxides, hazardous waste.
  - b. Any passenger bus transporting passengers.
  - c. Any school bus transporting pupils.
  - d. Any vehicle that would pose an unusual hazard to innocent parties.

G. Unit Broadcast Responsibility

- 1. The primary unit shall broadcast through dispatch the following information



until the secondary unit arrives and takes over this responsibility:

- a. Unit identification; announce that a pursuit is underway.
- b. Location and direction of travel;
- c. Speed of the fleeing vehicle;
- d. Vehicle description, including license number, if known;
- e. The specific reason for the pursuit, including known laws, violated;
- f. Number of occupants (and description/identity, if known) in vehicle;
- g. Any information concerning use of firearms, other weapons, threat of force or other unusual hazards;
- h. Traffic/Weather conditions - the primary unit shall update this information as frequently as practicable during the pursuit.
- j. It is suggested that the secondary unit take over radio communications once involved.

#### H. Inter-jurisdictional Pursuits

1. Notification by another jurisdiction of a pursuit in progress shall not be construed as a request to join the pursuit. Officers shall not assist the outside jurisdiction unless they are specifically requested to do so and authorized by a supervisor or unless it is clearly demonstrated that the outside agency is unable to request assistance or the emergency nature of the situation dictates the need for assistance by this department.
2. When engaged in a pursuit initiated by an outside jurisdiction, deputies of the Sheriff's Office providing assistance shall adhere to office policy regarding emergency vehicle operations. Once the pursuit has left our Office's jurisdiction, assisting officers will terminate their involvement in the pursuit when it appears that the pursuing officer has sufficient assistance.
3. When a pursuit enters another jurisdiction, the primary unit may, due to such factors as the pursuing officer being unfamiliar with the streets in the neighboring jurisdiction and other considerations of public safety, request that the neighboring jurisdiction take over the pursuit. The initiating officer

will respond without unnecessary delay to the termination point of the pursuit to provide probable cause for the arresting officers. The neighboring jurisdiction may, at their discretion, terminate the pursuit if warranted.

4. **Roles and responsibility of units and coordination, management and control at the termination of inter-jurisdictional pursuits.** The agency having jurisdiction at the scene of termination of an inter-jurisdictional pursuit should summon the supervisor and initial pursuing officer of the agency of pursuit origin. Probable cause for arrest shall be determined as well as requisite investigative responsibilities. If necessary, management level personnel will be summoned to establish venue agencies, evidence investigation/collection and traffic collision investigation. The fatal incidents protocol, Sheriff's Office Policy, O.74, may be used as a guide for bringing these types of incidents to proper conclusion.

#### I. Termination

1. Officers involved in a pursuit must continually assess whether the seriousness of the crime justifies continuing the pursuit. The apprehension of the violator is never more important than the safety of innocent bystanders or the officers themselves. The following factors should be considered when assessing whether to continue or terminate a pursuit:
  - a. The seriousness of the crime or whether the suspect presents a danger to the public.
  - b. Whether there is an unreasonable risk of injury to the public or to the pursuing officers (includes vehicle passengers/ride-along).
  - c. Whether speeds dangerously exceed the normal flow of traffic; evaluation shall take into account public safety, peace officer safety and safety of the occupants in the fleeing vehicle.
  - d. Whether vehicular and/or pedestrian traffic safety is unreasonably compromised;
  - e. Whether the suspect(s) can be apprehended at a later time;
  - f. If weather conditions such as rain, fog, snow, etc. create an unreasonable risk of injury to the public or the pursuing officers.
  - g. When the only reason for the pursuit is a minor traffic violation and

the suspect has not stopped after a reasonably short distance.

- h. The traffic/weather conditions, i.e.
  - 1. Volume of vehicular traffic
  - 2. Volume of pedestrian traffic
  - 3. Road conditions
  - 4. Nature of the area of the pursuit: residential, commercial, or rural.
- i. Whether the lack or quality of communication between the primary unit and the dispatchers or supervisor causes an unreasonable risk to the public;
- j. The familiarity of the primary pursuing officer with the area;
- k. Whether vehicular and/or pedestrian traffic is unreasonably compromised because of the performance capability of the primary police vehicle.

J. Post-Pursuit Discipline/Capture of Suspects

- 1. Safety is critical at the termination of the pursuit. The responsibility for maintaining control and directing activities at the termination point rests with the primary unit unless relieved by a supervisor. The secondary unit shall be responsible for providing back-up and broadcasting pertinent information. Unless specifically requested, all other officers shall remain clear of the termination point of the pursuit.
- 2. If the offender(s) continue to flee on foot or via another vehicle obtained by criminal means or not, command and control will resume with the agency of jurisdiction. All considerations for continuing the pursuit apply as enumerated in this policy. Pursuits which end in a foot chase will become subject to the command and control of the venue agency if, and when, they are able to take control, if they have not done so already. Generally, a perimeter should be set and a canine requested. A command post should be established and an incident commander should assume command.

For pursuits which end with injury in another county, the county of pursuit

termination shall be given the opportunity to investigate the case. An incident management team should be formed to address all possible outcomes. It is not uncommon for several agencies to pick up various parts of investigative responsibility for the incident. If the incident is such that the fatal incidents protocol applies, it shall be applied.

K. Communications Coordinator

1. As soon as practical, with NETCOM's approval, units are to immediately switch to the Sheriff's secondary channel, (Sheriff's RED Net frequency). Then all communications, if possible, should be coordinated with NETCOM. Agencies without direct radio communications should maintain telephone communications with them.
2. If the pursuit continues out of the county, NETCOM should contact the county that the pursuit is going into and advise them of the pursuit, its nature and location. The neighboring county should be advised of the pursuing units' radio identifiers and asked to monitor CLEMARS. The pursuing units should anticipate losing radio contact with NETCOM shortly after leaving the county. Pursuing units should switch to CLEMARS and contact the neighboring county's communications center as soon as the pursuit is clearly going to continue into that county.
3. Pursuits initiated by a CHP unit will be controlled by CHP radio in coordination with NETCOM. CHP radio will maintain direct telephone communication with NETCOM during the entire pursuit.
  - a. Such communication between NETCOM and CHP radio will also be maintained during pursuits not controlled by a CHP unit whenever CHP units are in close proximity or actively involved in the pursuit.
4. A clearance of the radio channel should be established. All radio communications should be in plain English to avoid confusion.
5. Obtain vehicle license and registration information and disperse the information to field units.

L. Traffic Collision

1. If the pursuing units become involved in a traffic collision, the traffic collision should be investigated by the law enforcement agency having jurisdiction of the area in which the traffic collision occurred. The

investigation should be conducted in concert with the involved agency.

M. Reporting Procedures

1. The pursuing officer shall submit to the Chief Deputy of Operations (via chain of command) a completed Allied Agency Vehicle Pursuit Report, CHP form 187A, as required by Section 14602.1 of the Vehicle Code. The completed report shall also be sent to the California Highway Patrol, as required by Section 14602.1 of the Vehicle Code, within 30 days. This shall be accompanied by CHP Form 187A. The required reporting includes specifying what charges were filed by the District Attorney's Office. The Sheriff's patrol secretary shall be responsible for office compliance with the reporting requirements of Vehicle Code Section 14602.1.
2. The pursuit report shall be fully discussed at briefing sessions, etc. for training purposes.
3. Copies of the pursuit report shall be forwarded to the allied police agency department heads in Santa Cruz County for their use and discussion during management conferences.
4. The patrol division secretary will mail the completed pursuit report to the address listed on the back of the form and retain a copy for reference purposes.

N. Training Requirements

1. Effective, July 1, 2007, all employees of the Santa Cruz Sheriff's Office who operate code three equipped vehicles, shall be required to review and certify, in writing, that they have received, read and understand the office pursuit policy. This will be done on an annual basis.
2. This Office shall comply with Penal Code Section 13519.8. Regular and periodic training under this section means annual training that shall include, at a minimum, coverage of each of the subjects and elements set forth in subdivision (c) of Vehicle Code Section 17004.7.

  
STEVE ROBBINS, Sheriff-Coroner

Number: 0.98  
Date: 06/25/07

STATE OF CALIFORNIA  
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

## ALLIED AGENCY VEHICLE PURSUIT REPORT

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

SEND OR FAX COMPLETED FORMS TO  
CALIFORNIA HIGHWAY PATROL  
Support Services Section, Data Analysis Unit  
P.O. Box 942898  
Sacramento, CA 94298-0001  
FAX: (916) 375-2852

### ALL CALIFORNIA LAW ENFORCEMENT AGENCIES

Carefully read the following information regarding completion of this form.

#### Vehicle Pursuit Data

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

#### Vehicle Pursuit - Definition

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

### INSTRUCTIONS - READ CAREFULLY

#### SECTION I - Mandatory for all California Law Enforcement Agencies

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

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

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

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

Destroy Previous Editions

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