



Santa Cruz County Sheriff-Coroner

Number: O.20

Date: 02/28/06

SUBJECT: FIELD INTERVIEW CARD

POLICY

It shall be the policy of this Office to complete Field Interview Card(s) on persons suspected of criminal or suspicious activity.

PURPOSE

To maintain a current and retrievable file of persons suspected of criminal or suspicious activity and provide access of information to Sheriff's personnel.

REFERENCE

Form SHF-0413, Field Interview Card

PROCEDURE

I. Field Interview Card

A. Print all available information.

1. Indicate the type of identification used in the space marked "Driver's License Number." Indicate the type of identification used, i.e., food stamp card, green card, etc. If the subject has no identification in possession, indicate "No I.D."

B. When possible, a photograph shall be attached to the Field Interview Card. If the Field Interview Card is associated to a case number, book the photos through Crime Scene Investigation (CSI) and indicate this on the Field Interview Card.

C. Distribution

1. The Field Interview Card is to be forwarded to the Sheriff's Records Section who will index the name of the person interviewed and the date.
2. The Records Section will stamp the Field Interview Card "Indexed" and forward it to the Investigation Division.
3. The Investigation Division will file the card, by date, in the Field Interview Card index file or by computer scanned storage.
4. Field Interview Cards or computer storage will be maintained for at least seven years.
5. Information contained on Field Interview Cards is confidential and for law enforcement use only.

Steve Robbins

STEVE ROBBINS, Sheriff-Coroner



Santa Cruz County Sheriff-Coroner

Number: O.22

Date: 06/11/08

SUBJECT: USE OF MISDEMEANOR CITATION

POLICY

It shall be the policy of this Office to release persons eighteen years of age and older accused of misdemeanor offenses in the field on a signed promise to appear, when appropriate.

Further, this Office shall release all persons under eighteen years of age, who are residents of Santa Cruz County, accused of any misdemeanor offense in the field on a signed promise to appear, with parental cooperation. The officer issuing said citation shall be guided by the criteria set forth in Section 626 of the Welfare and Institutions Code.

Generally, this Office shall release all persons eighteen years of age and older accused of misdemeanor offenses after booking at County Jail on a signed promise to appear. For exceptions, refer to Section I. B. of this policy and also Corrections Bureau Procedure #4-41.

PURPOSE

The purpose of the in-field citation for misdemeanor defendants (including traffic) is to allow field personnel more time in which to provide protection and services to the public.

The in-custody citation program will insure equitable rights for persons accused of misdemeanor offenses, alleviate crowded jail conditions, and implement a practical application of law.

REFERENCES

Section 853.6 of the Penal Code, "Misdemeanors, Release Procedures"

Section 626 of the Welfare and Institutions Code

Corrections Bureau Procedure #4-41, Sheriff or Release Criteria

PROCEDURE

- I. Use of Misdemeanor Citations
 - A. Field Release

1. The field release by citation applies to cases such as petty theft, minor assaults, disturbances where there is little likelihood of continued violence, and other similar cases when counsel and reprimand is not appropriate.

B. Defendants should be physically arrested and booked in the following cases:

1. Where the accused fails to identify him/her satisfactorily.
2. Where the accused is unable to care for him/her by virtue of intoxication or requires medical care or examination. (Drunk drivers will not be released in the field).
3. Where it is necessary to prevent imminent bodily harm to the accused or to another, including law enforcement personnel.
4. If the accused demands to be taken immediately before a magistrate.
5. Where there is an outstanding warrant or previous failure of the accused to appear. (A warrant check is mandatory.)
6. The accused lacks ties in the state such as residence, job or family, and based upon these facts, there is a substantial likelihood that the accused will fail to respond to a citation. This is a decision that must be made by the arresting officer based on all the facts available at the scene.
7. The accused refuses to sign a citation.
8. Where there are other unusual circumstances that lead the arresting officer to conclude that the accused should be booked and the case reviewed by higher authority.
9. When the accused is booked for 23152(a) or 23152(b) CVC. O/R if accused meets O/R criteria; otherwise, bail is \$1,482.00.
10. When the accused is booked for 14601(a) or 14601.1(a) CVC. O/R if accused meets O/R criteria; otherwise, bail is \$1,140.00.
11. There is reason to believe that the person would not appear at the time and place specified in the notice. (The basis for this determination shall be specifically stated).

12. When the offense is likely to continue if a citation is issued.
 13. In any case in which a person is arrested for a misdemeanor violation of a protective court order involving domestic violence.
- C. After booking, Detention Bureau personnel shall immediately screen all misdemeanor arrests for possible release. The following procedure shall be used for the release of the accused:
1. The accused should be booked and a warrant check made.
 2. If the accused is not released on his/her Promise to Appear because he/she does not meet the criteria, the booking officer may require him/her to post bail. If the accused is unable to make bail, he/she may be detained until the next court arraignment.
 3. If the accused meets the necessary criteria for release, the booking office will fill out a "Promise to Appear" form, which must be signed in ink by the accused. The booking officer must also tell the accused when and where he/she is to appear for arraignment.
 4. An intoxicated person who is booked may be released to himself/herself or to a responsible person when, in the Corrections Officer's judgment, said person is acting in a reasonable manner. A generally accepted standard is to allow five hours from the time of arrest before releasing an intoxicated person; however, the five-hour time limit is not an absolute. In all cases, the intoxicated person should be carefully observed and treated with individual judgment.
- D. The yellow copy of the "Promise to Appear" form will be forwarded to the Courts; the pink copy to the accused and the original attached to the Booking Sheet which will stay with the file for forwarding to Records.
- E. The Citation
1. Non-traffic citations (field release) shall be issued to persons eighteen years of age and older for non-traffic misdemeanor offenses, with the exception set forth in I, B, 1 above
 2. The use of the citation for traffic enforcement by this office shall be for any

case of unsafe driving or an unsafe traffic condition, or any other vehicle code violation observed by the deputy.

F. Procedures

1. All citations shall be printed with black pen with sufficient pressure applied to insure all copies are legible.
2. No changes or alterations shall be made on the citation unless the defendant's copy reflects the same changes or alterations in the exact same manner. (CVC 40505)
3. Citations shall be completed in triplicate, with the defendant being given his/her designated copy. The court copy, file copy and report copy shall be submitted to the Shift Sergeant or Watch Commander for review.
4. Upon review, the citation copies shall be routed to the Records Section for dissemination as follows:

a. White Copy

Adult cited: The white copy is always sent to court. If the citation is accompanied by a Sheriff's Office case, the white copy is to be attached to a copy of the report and sent to the court in whose jurisdiction the offense occurred.

Juvenile cited: On traffic violations, the white copy is sent to Court. If the charge is other than traffic, the white copy should be sent to Probation along with a copy of the report if one was taken.

b. Pink Copy

If a Sheriff's Office case accompanies the citation, the pink copy should be placed in the Citation Folder for indexing. After indexing, it will be filed in the permanent Citation File.

c. Yellow Copy

The yellow copy of the citation is always given to the defendant by the issuing officer at the time of contact.

G. All citations are numbered and must be accounted for. If a citation is voided, the deputy shall write a memo explaining the reason. The four copies of the citation shall be submitted with the memo to the Watch Commander for review. Upon review, the Watch Commander shall write "VOID" across the face of the citation, give a brief explanation as to why the citation was voided, sign the statement and forward the voided citation and deputy's memo to the Bureau Chief. The Bureau Chief shall review and approve the voided citation and memo and forward them to the Records Section for filing.

H. Writing the Citation

1. Box for Traffic or Other: Check traffic box if the violation is handled in traffic court. Check other if violation is handled in criminal court.
2. Date: Shall be written as month-day-year, i.e., 01/01/96.
3. Time: Shall be written using the 24 hour clock
4. Day of Week: Wed, Thurs., etc.
5. Name: First, middle and last in upper case.
6. Address: Complete address where the defendant resides, including name of the city spelled out and zip code.
7. Driver's License Number: Complete number, class, state of issuance, and check appropriate box for commercial license.
8. Birthdate: Written as month-day-year (04/24/59) and age.
9. Check box for Juvenile: If applicable.
10. Physical Description: Standard description method. Write in M or F; fill in boxes for hair, eyes, height and weight.
11. Other Description or Information: Moustache, beard, phone number, etc.
12. Vehicle license number and state; Example 938DBF, California.

13. Passengers: Note the number of passengers, i.e., 3M, 1F.
14. Vehicle description: Fill in boxes for year, make, model, body style and color.
15. Registered owner or lessee and address: If different than the defendant, complete this portion; otherwise check box, "Same as Above."
16. Booking Required: All non-traffic violations require booking before the court appearance or disposition. If the citation is issued for a non-traffic misdemeanor offense, check the box provided and issue "Instructions for Booking Prior to Court Appearance" to the accused. This will indicate to the judge that at the time the accused appears in court, the accused has been pre-booked.
17. Case Number: Reserved for regular Sheriff's Office case number whenever a report is made in addition to the citation. Traffic citations do not need a case number.
18. Violations: Should include the particular code violation numbers, whether they are Vehicle, Penal, or county ordinances or other law. Under Description, write out the violation, i.e., 22450(a) CVC, "Failed to stop for posted stop sign." Place a check in front of any violation that is dismissible upon proof of correction, i.e., mechanical violations, 40610(b) CVC.
19. Approximate Speed: Enter approximate speed at the time of violation.

Prima Facie/Max Speed.

Vehicle Limit: Type of vehicle and speed it may travel upon the roadway.

Safe: Speed that should not have been exceeded for conditions.
20. Location of Violation(s): Description of where the offense occurred. If it is traffic, i.e., NB on Highway #9, 1/2 mile south of Mt. Hermon Road. For non-traffic, merely the address, i.e., K-Mart

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Store, 41st Avenue. Be sure to list city or name of area based on post office service, i.e., Felton, Soquel.

21. Comments: Optional. Officer may note weather, traffic conditions, etc.
22. Offenses(s) Not Committed in my Presence: This box to be checked where the officer does not witness the violation. This should be checked only in the case of a citizen's arrest in a non-traffic situation or when a corrections officer subsequently releases the defendant by means of issuing a citation (in-custody release).

Example: A shoplifter at K-Mart. Check the box for offense(s) not committed in my presence. Sign name, fill in Santa Cruz and badge number. In space for arresting officer, print "Citizen's arrest."
23. Issuing Officer: Name and badge number. Entering days off is optional.
24. Defendant's Signature: Defendant's signature shall appear on this line. The exceptions are a juvenile cited and booked into Juvenile Hall, when the defendant refuses to sign, or on a traffic case when defendant is booked into County Jail "In Custody" shall be written.
25. Court Appearances: This section must be completed in full. Check the box for the appropriate Municipal Court.
26. Times and Dates for Appearance: When issuing a misdemeanor citation (Citation in lieu of arrest), a court date must be given. The court date must be set a minimum of 14 days following the date of violation (excepting holidays).

I. General Information

1. The citation is a triplicate carbon form consisting of a white copy (court), yellow copy (defendant), and a pink copy (file) and green copy (D.A.). On traffic citations only, there is a space provided on the back of the green pink copy for remarks, witnesses, etc. This is for any additional information that may be needed if the matter goes to trial.

J. Pointers Towards Good Public Relations

1. Be courteous but firm.
2. Explain the reason for the citation, but do not argue.
3. Do not become aggravated or excited, no matter how much verbal abuse or argument the driver gives.
4. Keep control of the situation at all times.
5. Never tell the driver what the Judge will do, the amount of the fine, or what the sentence might be.
6. Be professional not personal when handling these matters.

K. Citation of Juveniles

1. Non-Traffic: In any misdemeanor violation committed by a juvenile where physical custody is not demanded, the disposition of the juvenile will be as specified in Section 626 W&I.
 - a. Under Court Appearance, check the "Other" box and write "Probation will notify."
 - b. The officer will notify both the accused and parent/guardian that upon reviewing the citation and report, the Probation Department will notify them where and when to appear. Notification information need not appear on the defendant's copy.

L. Traffic Citation: In all cases where booking is not required, juvenile traffic appearances are scheduled for municipal court. Check the "Other" box and write, "Must appear by" and enter a date 30 days from the date of issuance. Instruct the juvenile that a parent or guardian must appear with him in court. This can also be noted on the bottom of the citation, "Must bring parent."

1. When a juvenile is booked on a traffic violation, a citation must be completed listing the charges and directing the juvenile to appear before the Juvenile Traffic Court.

2. It is not necessary for the accused to sign the citation. The notation, "In Custody" should be made on the signature line. Copies of the citation will be forwarded to the Juvenile Traffic Court, along with the Officer's Report.

M. Demand to be Taken to a Magistrate

When a citizen invokes their right to be taken before a magistrate pursuant to Section 40302 CVC., an arresting/transporting deputy shall use the following procedures for Santa Cruz and Watsonville Courthouses:

1. During the hours of 0830 and 1200 and 1330 and 1700, the deputy shall transport the citizen to the Santa Cruz Courthouse located at 701 Ocean Street. Report to the bailiff in any criminal courtroom. Notify the bailiff of your request. The bailiff will coordinate with the judge to address your request. The transporting deputy shall request a SO case number from NetCom for their report.

For South County, during the aforementioned hours, the citizen should be transported to the Watsonville Courthouse located at 1 Second Street. Report to the bailiff on the third floor in Department B or C. Again, the transporting deputy shall request an SO case number for their report.

The deputy shall bring all paper work, including any citations with him/her to court with the citizen. The deputy shall be prepared to present the paper work or citation to the court clerk if and when the judge requests it. From there the court clerk will take care of all paperwork and citations. The judge will either order the court clerk to issue a court date to the citizen or the judge will remand the citizen and the court minutes will be electronically transmitted to the jail. If a remand order occurs, the bailiff will then take custody of the remand.

2. If the infraction occurs at a time when a magistrate IS NOT AVAILABLE and citizen demands to be taken before a magistrate, the deputy may take the citizen into custody and take him/her to County Jail charging the additional Section 40302 CVC, a misdemeanor. A copy of the original citation shall be delivered to the safe keeping of the jail staff and attached to the suspect's paperwork, which will be taken with the citizen to court the next

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day. The original citation, along with the case, will be processed as usual by Sheriff's Records.

3. If a citizen is held in custody overnight, the jail staff shall notify the Santa Cruz Court Security Sergeant or Court FTO and have the custody placed on the Master Custody List in either Department 1 or 2 (Misdemeanor Court) so the transport deputy can transport the citizen to the Santa Cruz Holding Facility with all paperwork/citation. The bailiff assigned to Department 1 or 2 will coordinate with the judge and court clerk as to where the custody/case will be heard.
4. JUVENILES who refuse to sign a misdemeanor citation will be subject to the same procedure as adults, except that they will be booked at Juvenile Hall in lieu of the County Jail. The juvenile case will be heard at Juvenile Hall Court in Felton

Steve Robbins

STEVE ROBBINS, Sheriff-Coroner



Santa Cruz County Sheriff-Coroner

Number: O.24

Date: 02/01/06

SUBJECT: NOTICE OF AMENDED CITATION (NOTICE TO APPEAR)

POLICY

It shall be the policy of this Office to amend a citation when necessary. The Notice of Amended Citation shall be used.

PURPOSE

To establish a procedure for modifying citations after they have been issued.

REFERENCES

Notice of Amended Citation (Notice to Appear), TR100


PROCEDURE

- I. Amended Citation
 - A. When a citation is returned from the court for correction, it is the responsibility of the Records Division to forward it to the deputy who issued the citation.
 - B. The deputy issuing the original citation is responsible for completing the Notice of Amended Citation.
 - C. When a Corrections Officer issues a citation, the booking number and date should be included.
 - D. The form will be completed in triplicate and shall include the following:
 1. Name of Court
 2. Defendant Name
 3. Amending Officer Name/ID No.
 4. Department/Agency
 5. Citation number

6. Case number

E. The form will be forwarded to the Records Division for distribution as follows:

1. Yellow copy mailed to the cited person
2. White (original) copy to the appropriate court
3. Pink copy to be attached to the pink copy of the citation and filed.


STEVE ROBBINS, Sheriff-Coroner



Santa Cruz County Sheriff-Coroner

Number: O.26

Date: 01/31/06

SUBJECT: FORGERIES AND FRAUDULENT CHECK INVESTIGATION

POLICY

It shall be the policy of this Office to receive, investigate and forward to the District Attorney, for prosecution, all forgeries and fraudulent check cases.

PURPOSE

Fraudulent document investigation is a process that requires specific guidelines, as the line separating criminal and civil conduct is not always apparent.

REFERENCES

California Penal Code 470, 475, 476 and 530.5

PROCEDURE

- I. Fraudulent Check Investigation Reports
 - A. Criteria for Check Investigations
 1. When a check is returned to the payee, "Non Sufficient Funds" (NSF), "Refer to Maker", or "Account Closed" it shall be referred to the District Attorney's Office Check Recovery Office.
 2. Checks reported as stolen, forged or falling under the elements of Penal Code Sections 470, 470a, 470b, 475, 475a, 476 or 476a, regardless of the amount, a Crime Report (SHF-0424) will be completed by the deputy receiving the complaint.
 3. Checks received in local incorporated cities are to be referred to those jurisdictions.

4. Checks are accepted for prosecution only, not for collection. "Restitution Only" is a civil matter.
5. Out of state/out of county checks often present special and unique problems. Each situation shall be evaluated on a case-by-case basis.

B. Procedure and Forms

1. Deputies will complete a Crime Report (SHF-0424) and obtain a case number. The check(s) presented will be collected as evidence, photocopied, and entered into Property after completing an Evidence and Photographic Report (SHF-0316). Attach photocopies to the original report.
 - a. All reports will be completed on a Crime Report (SHF-0424).
 - b. When obtaining information to complete the fraudulent check report, it is necessary that the person who received the check be present to furnish identifying information on the maker. If this person is not present at the time of the report, the deputy will indicate in the report the name and address of this witness.

C. Types of Checks/Investigations

1. All forged checks will be investigated since definite evidence of fraud usually exists. All reports of forgery will be completed on a Crime Report (SHF-0424). Enter the original checks into evidence and complete an Evidence and Photographic Report (SHF-0316); submit duplex photocopies of all checks with the Records' file copy of the report.
2. Altered Checks: When a check has been obviously altered, it will be investigated as a fraud.
3. "Non-Sufficient Funds" (NSF) Checks
 - a. Generally, these types of cases are not investigated unless fraud is evident. This can be determined by the number of checks written and/or the amount of the check(s).
4. "Account Closed" Checks

- a. Like the "NSF" check, "Account Closed" checks could be an oversight or mistake by the maker. If so, it is a civil matter to be handled by the payee.
 - b. These cases will be investigated if fraud is evident. This may be determined by the number of checks written on a given account and/or the amount of the check(s). The date the account was closed and the circumstances of the closing are important factors in showing the intent to defraud the payee.
5. "Irregular Signature Checks"
 - a. The payee should determine from the bank if the signature is that of the person upon whose account the check is drawn or a forgery. Many "Irregular Signature Checks" turn out as good on closer examination.
 - b. If a forgery exists, it will be investigated as noted in Section C.1.
6. Forged checks may also constitute evidence of identity theft (530.5 PC).

Steve Robbins
STEVE ROBBINS, Sheriff-Coroner



Santa Cruz County Sheriff-Coroner

Number: O.28

Date: 03/06/06

SUBJECT: MISDEMEANOR NON-RELEASE FORM

POLICY

It shall be the policy of this office to comply with the Penal Code by establishing a Misdemeanor Non-Release Form.

PURPOSE

In order to establish a reporting system that clearly explains why a person who was arrested for an infraction or misdemeanor was booked at the County Jail instead of being issued a Notice to Appear (citation), the Sheriff's Office will utilize a standard form.

REFERENCES

Penal Code Section 853.6 "Misdemeanors; release procedures..."
Sheriff's Office Form DET-1071, Misdemeanor Non-Release Form.

I. Misdemeanor Non-Release Form


A. Deputies making arrests for infraction or misdemeanor violations need to evaluate whether the person being arrested can reasonably be released with a written promise to appear. If the person being arrested is not suitable for release based on criteria set forth in Penal Code Section 853.6(i), then the deputy will indicate the reason(s) for non-release on a Sheriff's Office Misdemeanor Non Release Form (DET 1071). The deputy will check the appropriate boxes and enter the case number, suspect's name and booking number. The completed form shall be attached to the arrest report and becomes part of the permanent report. The Misdemeanor Non-Release form will be used to explain why the deputy booked a misdemeanant as opposed to the deputy having to write an explanation in the narrative portion of the report.

B. The Misdemeanor Non-Release Form shall be filed with the arresting agency as

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soon as practical and shall be made available to any party having custody of the arrested person subsequent to the arresting officer, and to any person authorized by law to release that person from custody before trial.

- C. Generally, the Misdemeanor Non-Release form will be used in conjunction with Crime Reports and Officer's Reports. However, in the event that the arrest report is a report from a private security company who has taken the person into custody, the Misdemeanor Non-Release Form may be attached to that report.
- D. The deputy who accepts the arrested person from the security company will complete the Misdemeanor Non-Release Form and attach it to the security report after insuring that the report is legible and clearly documents all elements of the crime being charged.


STEVE ROBBINS, Sheriff-Coroner



Santa Cruz County Sheriff-Coroner

Number: O.30

Date: 01/09/06

SUBJECT: TRESPASS LETTERS

It shall be the policy of this Office to maintain a trespass letter file.

PURPOSE

To provide a procedure for the Sheriff's Office in dealing with trespass letters from owners of property not open to the general public.

REFERENCE

Penal Code Section 602(o) "Trespasses"

PROCEDURE

I. Trespass Letters

- A. Pursuant to Section 602(o)PC, trespass letters can be filed only in very specific circumstances:
 - 1. The property must be closed to the general public.
 - 2. The owner of the property must file a trespass letter authorizing the Sheriff's Office to enforce the trespassing laws.
- B. If the property is not posted as being closed to the general public, the trespass letter is valid for no more than thirty days. The request has to identify specific dates for which the letter is effective. It must also list the reason for the letter being on file with our Office. The only reasons allowed under Section 602(o)PC are fire hazard or the owner's absence from the property.
- C. If the property is closed to the public and is posted as such, the property owner can file a trespass letter that shall be valid for six months. Again, the request must state the reason for the letter, either fire hazard or the owner's absence from the property.

- D. Upon receipt of a trespass letter (Sheriff's Office Form SHF-0371 attached), the Patrol Division clerical staff will check the form to make sure the property is closed to the general public and posted as such.
- E. The Patrol Division clerical staff shall obtain a case number from NetCom. The case number will then be noted on the trespass letter.
- F. The trespass letter will be forwarded to Records where it is filed by case number. The trespass letter will serve as the report.
- G. A letter of response will be sent to the property owner advising that the trespass letter is on file with the Office and giving the case number. (Refer to attached copy of response letter.)
- H. It shall be up to the property owner to renew the trespass letter with the Sheriff's Office upon its expiration in six months.

Steve Robbins

STEVE ROBBINS, Sheriff-Coroner

(SAMPLE OF TRESPASS LETTER RESPONSE)

January 3, 2006

Name of Owner(s)
Address of Property Owner(s)

Dear Property Owners:

Your letter authorizing this department to arrest trespassers on your property in Santa Cruz County has been received and is on file.

If you have occasion to call our Office about trespassers on the property in Santa Cruz County, please refer to case number #00-_____. The property is located at (physical description or address of property) in Santa Cruz County, California. Assessors Parcel Number(s) _____.

Penal Code Section 602(o)PC provides that trespass letters on posted property are effective for a period of 6 months. Therefore, please contact this Office in 6 months if you wish to renew your application.

Sincerely,

STEVE ROBBINS
SHERIFF-CORONER

By: _____, Lieutenant
Operations Bureau



Santa Cruz County Sheriff-Coroner

Number: O.32

Date: 01/10/06

SUBJECT: SECURITY ALARM REGISTRATION AND RESPONSE

POLICY

It shall be the policy of this Office to adhere to the Security Alarm Systems Ordinance in the unincorporated areas of the county.

PURPOSE

To encourage alarm owners to assume responsibility for the operation of their alarm systems.

The large number of security alarm systems and the high volume of calls for Sheriff's patrol services which they generate, necessitate the establishment of guidelines for alarm owners and procedures for Sheriff's personnel. This policy outlines procedures for Sheriff's personnel in the administration of the ordinance.

It remains the prerogative of patrol staff to determine specific response methods and tactics when responding to individual security alarms.

REFERENCE

Santa Cruz County Ordinance Chapter 7.84, "Security Alarm System"

PROCEDURE

- I. Security Alarm Systems (Registration)
 - A. Registration of Security Alarm Systems
 1. All alarm systems in the unincorporated county must be registered with the Sheriff's Office.
 2. The designated Security Alarm Program Coordinator will mail alarm registration applications and information concerning the ordinance.

3. The Security Alarm Program Coordinator will process the alarm registration, associated fees and maintain the alarm registration files, both physically as well as in the security alarm registration database system.
4. The Security Alarm Program Coordinator will input the registration information and Sheriff's Office responses to alarms into the security alarm database which tracks violations.
5. If an alarm system is not registered, or in violation of the Security Alarm Systems Ordinance, the database will generate one or more of the following applicable letters which will be sent to the subscriber:
 - a. Unregistered Alarm Owner
 - b. Alarm Renewal Notice
 - c. False Alarm Warning Notice – after 1 violation
 - d. False Alarm Response Service Fee – 2 or more violations
 - e. Referral to Collections Notice – violation fees past due
 - f. Notice to Suspend
 - g. Notice of Intent to Revoke
 - h. Notice of Revocation
6. If a subscriber has more than six (6) false alarms in any calendar year or has failed to meet the registration, operational standards or revocation requirements as set forth in Section 7.84.057 of the Security Alarm Systems Ordinance, the Sheriff's Office may abate the security alarm system as a public nuisance according to the procedures set forth in Chapter 1.14 of the Santa Cruz County Code.
7. If a subscriber has been issued a Notice of Intent to Revoke a security alarm system registration, the subscriber may submit a written request for an informal hearing within ten (10) days of the date of service of the notice. The written notice shall be sent care of the Security Alarm Program Coordinator c/o Alarm Registration Hearing Request.
8. As set forth in the Alarm Security System Ordinance, the Sheriff or Sheriff's designee will hold an informal hearing with the subscriber. Unless otherwise designated, the Sheriff's Service Center Sergeant will conduct the informal hearing. The sergeant will render a decision and complete the After Hearing Notice, which will be forwarded to the Security Alarm Program Coordinator. The Security Alarm Program Coordinator will mail the notice to the subscriber. The notice will indicate one of the following decisions rendered by the sergeant:

- a. The registration has been revoked.
 - b. The registration is sustained with the noted conditions
 - c. The Notice of Intent to Revoke is rescinded
9. Government agencies and private parties are regulated by this ordinance. The government agencies, however, are not required to pay fees.

B. Field Response

1. Patrol supervisors may exercise discretion in the appropriate dispatch of deputies to security alarms. As an example, following a major power outage when multiple alarms are received, patrol staff might be advised of alarms for information only.
2. Once a specific alarm has been dispatched, the primary assigned deputy will indicate a response to the location, unless already on a detail or responding to a priority detail. Unless the subscriber or alarm company immediately contacts NetCom to cancel the dispatched security alarm detail; the deputy, when clearing the detail, should indicate that he/she has responded and provided the appropriate response clearing code. A deputy need not arrive at the location of the alarm before a response is satisfied with regard to a clearing code.
3. When a deputy is dispatched to an alarm; responsible party, gate code, specific information related to hazards and response history may be obtained. NetCom will obtain the information from Sheriff's Records which has access to the security alarm registration database.
4. All dispatched alarms must be given appropriate clearing codes by the responding Sheriff's Office personnel, coinciding with the cause of alarm activation. Specific coding is found in the patrol reference guide.

J30F False - No Cause Detected
J30C Canceled - After Response
J30X Canceled - Prior to Response
J30N Nature/Weather Related Activation
J30G Good - Valid Alarm
J30V - Vehicle Alarm

C. Administration

1. The designated Security Alarm Program Coordinator will deposit all

fees received at the alarm registration desk. The fees will be deposited with the County Treasurer/Tax Collector's Office into the appropriate designated account(s). The deposits will be made no less than once a week.

2. If a security alarm owner and/or subscriber fails to pay the false alarm service fees, the Security Alarm Program Coordinator will forward the computer generated "Referral to Collections Notice" to the Treasurer/Tax Collector's Collections Division for further collection effort. Failure of a security alarm system owner and/or subscriber to pay the fees due, will result in revocation of the alarm system registration and possible abatement of the security alarm system as a public nuisance. Additionally, the alarm owner and/or subscriber may face further violations and/or penalties.


STEVE ROBBINS, Sheriff-Coroner



Santa Cruz County Sheriff-Coroner

Number: O.36

Date: 01/31/06

SUBJECT: ABANDONED VEHICLE ABATEMENT

POLICY

It shall be the policy of this office to establish a procedure for the removal of abandoned vehicles from public property.

PURPOSE

To maintain a process for identifying and removing abandoned vehicles from public property.

REFERENCES

California Vehicle Code Sections 22651 and 22669

Sheriff's Office Abandoned Vehicle Abatement Procedures Manual

PROCEDURE

I. Receiving Complaints of Abandoned Vehicles

- A. An Abandoned Vehicle Abatement hotline will be maintained allowing the general public and local law enforcement agencies access to the description of the program, abatement process and the reporting of abandoned vehicles.
- B. All reported abandoned vehicles will be entered into a database and assigned an "AVA number."

II. Towing Authorization

- A. All abandoned vehicles scheduled for removal will receive a tow authorization form, CHP 180 form and DMV 462 form.
- B. Following the removal of an abandoned vehicle by a contracted tow company, Sheriff's Records shall be immediately notified of the towed vehicle information

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including the assigned AVA number, license number and/or VIN number, tow company information and storage location.

III. Owner Notification and Collection of Fees

- A. Registered owner(s) of abandoned vehicles are given 30 days to pay fees to the Sheriff's Office for the removal of abandoned vehicles.
- B. Contract tow companies are responsible for the collection of storage fees from registered owner(s) of abandoned vehicles. Tow companies may choose to take lawful possession of abandoned vehicles and complete all required documentation with the California Department of Motor Vehicles.

IV. Contract Tow Companies

- A. The Sheriff's Office will maintain contract tow companies for the sole purpose of removing abandoned vehicles in accordance with the Sheriff's Office Abandoned Vehicle Abatement Procedures Manual, which will be renewed annually.

A handwritten signature in cursive script, reading "Steve Robbins", written over a horizontal line.

STEVE ROBBINS, Sheriff-Coroner



Santa Cruz County Sheriff-Coroner

Number: O.38

Date: 02/28/06

SUBJECT: PROPERTY AND EVIDENCE

- I. Procedures for Handling Property
- II. Removal and Return of Property/Evidence
- III. Property Room Security
- IV. Found Property
- V. Property Held for Safekeeping
- VI. Evidence Review
- VII. Property Disposal

POLICY

It shall be the policy of the Santa Cruz Sheriff's Office to safely and properly book, handle and dispose of evidence, found property and property taken for safekeeping to ensure that it is properly documented and preserved for court presentation, restoration to the owner or disposal as required by law.

REFERENCES

- Sheriff's Office Evidence Procedures Manual
- Sheriff's Office Property & Evidence Section Procedure Manual
- Form SHF-0316 Evidence & Photographic Report
- Form SHF-0460 Found Property Affidavit
- Form SHF-1068 Transfer/Release of Evidence
- Form SHF-Detective Review of Evidence
- Form SHF-Safe Keeping Advisement
- Section 2080 et. seq. Civil Code
- Sections 1536, 12021.3 and 12028.5 Penal Code

PROCEDURES

I. Procedures for Handling Property

A. Definitions:

1. Evidence – items taken that have a direct evidentiary value, i.e., they may serve to implicate or clear a person of a criminal charge.

2. Found Property – items of greater than \$100 value, turned in by citizens or located by deputies to be returned to their owner if the owner can be located.
3. Property Held for Safekeeping – items collected from a known person to be temporarily stored before returning to the owner. Items include weapons seized at a domestic violence incident pursuant to 12028.5 PC that are not evidence, items from arrested people that cannot be stored at the Jail due to their size or other factors, etc.
4. Trash – all items valued at less than \$100 are to be considered trash and should not be collected by deputies except for contraband, weapons or money.
5. Contraband – items that are illegal to possess by their very nature. These items will not be released or returned.

B. Depositing Property:

1. All items will be packaged and booked in a safe manner in accordance to the Sheriff's Office Evidence Procedures Manual.
2. All items will be booked at Sheriff's Property, the property lockers in the basement or secured in the CSI Lab prior to the end of the deputy's shift.
3. No items of property, whether evidence or not, will be stored in the deputy's office, personal locker, assigned vehicle or any other location past the end of the deputy's shift.
4. If an item is too large to be secured in the storage bins in the basement intake or the property section, the deputy will contact a property officer or the on-call CSI detective to arrange secure storage.
5. All items of property or evidence will be individually marked.
 - a. All items of evidence shall be individually marked or have an evidence tag affixed to them to be easily identified by case number, scene number, item number, offense and date. Evidence tags should be used to mark items of value that will be returned to a victim, e.g., laptops, stereos, etc.

- b. Items too small, i.e., knives, watches, paraphernalia, drugs, to be individually marked in the above manner will be minimally marked with the case number or item number for court identification purposes.
6. In general, all items will be individually packaged.
- a. To facilitate release of items belonging to various suspects or victims, items should be packaged separately.
 - b. Multiple small items, clearly belonging to the same person, may be packaged together, i.e., a wallet with contents all belonging to the same person.
 - c. Guns, drugs and money will always be itemized and packaged separately in the appropriate containers.
 - d. The packaging will include, at a minimum, the case number, scene number and item number, along with a brief description of the item, offense and date.
 - e. Most items can be packaged in the various size evidence envelopes for storage. Larger items can be placed in the brown paper bags. Only very large or unusually shaped items that will not fit into the provided packaging should be booked with only an evidence tag.

C. Evidence and Photographic Forms

- 1. All Sheriff's Office employees will submit a completed Evidence and Photographic Report Form SHF-0316 (E&PR).
 - a. When a Sheriff's Office employee or volunteer submits property or evidence for processing, it shall be accompanied by the hard copy of the E&PR. A brief synopsis will be included in the E&PR as to the circumstances of how the property came into the possession of the Office.
 - b. All items are to be individually listed.
 - c. The white soft copy of the E&PR will be attached to the officer's report and submitted to Records.

- d. The yellow soft copy will be given as a receipt to the person from whom the property was collected. The deputy will provide instructions on how the property or evidence can be recovered by checking the appropriate box on the back of the yellow form.

2. Arrestee's Property

- a. When the Jail will not take an arrestee's property because of its size, office personnel will complete an E&PR, listing, in detail, those items being submitted to property for safekeeping and a Safekeeping Advisement form completed. The yellow copy of the E&PR and Advisement will be given to the inmate.

D. Safekeeping Advisement Forms

1. Whenever property is taken for safekeeping, the deputy will complete the Safekeeping Advisement SHF Form.
 - a. The deputy will have the subject sign the form prior to leaving the scene or the Jail.
 - b. The original white copy will accompany the deputy's report to Records.
 - c. The yellow copy will be given to the subject as their receipt and advisement, along with the yellow copy of the E&PR.
 - d. The pink copy will accompany the hard copy of the E&PR and booked with the property.

E. Items Requiring Special Handling

1. Alcoholic Beverages: In most cases, deputies can note in their officer's report the brand, quantity and the amount of beverage remaining in the container prior to the disposal. A digital photograph is recommended.
 - a. Open containers, with alcohol, will not be booked.
 - b. Beer kegs and taps can be returned to any off-sales retail liquor store that sells keg beer which is willing to sign for the items for return to the distributor.

- c. Whenever possible, beer kegs will be drained prior to being submitted to property.
- 2. Bicycles: Found bicycles will be brought to the Property Section. All bicycles must be tagged and left in the deputy workroom outside the Property Room. The E&PR can be placed in the Property Room drop slot.
- 3. **Biological Evidence: All evidentiary items of a biological nature will have a red Bio-Hazard sticker placed on the packaging container.**
 - a. Blood and urine samples collected for 11550 H & S cases will be packaged in the DOJ Laboratory postage-paid boxes and mailed directly to the laboratory. The E&PR will note that the sample has been mailed by the deputy.
 - b. Blood and urine samples collected for all other cases will be packaged and booked in the evidence refrigerator in the basement property storage.
 - c. Sexual assault evidence kits do not need to be refrigerated. Only the blood and urine samples collected with these kits should be placed in the evidence refrigerator.
 - d. Items that are wet with biological fluids will be collected by CSI personnel.
 - e. Items that are stained with dry biological evidence are to be packaged in paper and placed in the intake lockers. The outer packaging should have a Bio-Hazard sticker placed on it.
 - f. Precautions such as gloves, filter masks and eye protection should be worn when handling biological evidence.
- 4. Explosives:
 - a. Do not place any explosives in Property other than Safe & Sane fireworks. Contact the Bomb Team for collection and processing.
 - b. Safe & Sane fireworks will be clearly marked on their packaging and placed in the property lockers, separate from other items.

5. Firearms:

- a. Firearms should be unloaded and rendered safe by the use of plastic ties prior to being booked. Firearms will also be secured in the appropriate size box to preserve any possible DNA evidence.
- b. Firearms that cannot be unloaded or rendered safe will be clearly marked and secured in a firearms box. The deputy will indicate on the E&PR that the gun has not been cleared. The property officer will make arrangements for the firearm to be rendered safe.
- c. In all suicide, suspicious death or homicide cases, CSI personnel will collect the firearms. If possible, the firearm will be left where it was discovered. Otherwise, it should be secured in the deputy's vehicle without trying to unload or render the weapon safe until it can be turned over to the CSI detective.
- d. Prior to submitting a firearm to Property, a records check will be conducted to determine the ownership status of the firearm. One copy of the CLETS response will be attached to the E&PR and submitted with the firearm. Another copy should be attached to the deputy's report.
- e. Ammunition and holsters will be packaged and listed as separate items of evidence. Ammunition is considered a hazardous waste and will be disposed of. Ammunition, if collected, will not be returned. Avoid the collection of gun cases whenever possible. If collected, they are to be listed as separate items as well.
- f. Regardless of how a firearm comes into the Sheriff's Office possession, any person seeking the return of a firearm must obtain clearance from DOJ prior to the gun being released. People can be referred to the DOJ website for information and the required forms. Found firearms will not be returned to the finder. Questions regarding this process will be addressed to Property or to CSI, if necessary.

6. Flammables: Contact CSI personnel for collection of samples.

7. Hazardous Chemicals:

- a. Santa Cruz County Narcotics Enforcement Team (SCCNET) will collect all materials associated with drug manufacturing or drug laboratories.
- b. Santa Cruz County Hazardous Materials Team will respond to all other incidents involving hazardous chemicals for mitigation and collection of any necessary evidence.

8. Hypodermic Needles: Hypodermic needles will be digitally photographed then disposed of in "Sharps" containers located throughout the Sheriff's Office, at Property and in each Service Center.

9. Latents: Items submitted for latent processing will be packaged and handled with care to avoid destroying latent evidence. The items should be marked on the packaging and E&PR that they are to be processed for latents.

10. Money: All money collected will be packaged and listed as a separate item. The money will be counted by the reporting deputy and verified by another office member. Both the reporting deputy and witness will sign and seal the currency envelope before submitting it to property.

11. Perishable Items: Perishable items will not be booked into property. These items will be photographed and returned to the owner, if one can be identified. Otherwise, they will be disposed of by the deputy.

12. Photographs & Latent Print Cards: Latent Print Cards, collected by deputies, should be placed in the CSI mail slot in the Roll Call Room. Digital photographs taken by deputies will be downloaded to the CSI file server at one of the photo evidence kiosks. Photos and videos collected from suspects or victims should be listed as items of evidence and deposited with Property.

F. Items That Have Been Incorrectly Packaged or Booked

1. Items that have been incorrectly booked or packaged will be placed in the security lockers in the basement property intake for corrections.

2. A copy of the E&PR will be routed to the deputy, through their supervisor, along with a request for changes outlining the required corrections.
3. Upon receipt, the deputy will make the required corrections and return the items to the intake lockers.
4. Depending on the nature of the case or items, deputies may be called back to work to correctly book the items.

II. Removal and Return of Property/Evidence

A. Check Out

1. The property officer must be given 24-hours notice prior to checking out property or evidence for follow-up investigations, court, other proceedings or release.
2. Property may be checked out and signed for by:
 - a. The collecting officer, investigating officer or the investigator's supervisor.
 - b. The assigned District Attorney Investigator.
 - c. The Assistant District Attorney handling the case.
3. The Evidence and Photographic Report form chain of custody must be signed by the receiving party prior to check out.
4. Personnel taking possession of evidence/property for transfer or release to another agency will be provided with a Transfer/Release of Evidence Form SHF-1068 listing all property releases.
 - a. Property will retain the pink copy. The original and yellow copies will be given to the person taking possession of the evidence.
 - b. Anyone taking possession of the evidence will sign the original copy. The yellow copy will accompany the property.
 - c. Evidence submitted, as a court exhibit, will be signed for by the Court Clerk.

- d. The original form, with signatures, will be returned to Property by the end of the day. Any evidence not retained by the outside agency will also be returned with the form.
 5. Evidence needing specialized processing, not available through CSI, will be delivered weekly by Property personnel to the DOJ or other outside laboratory upon request of the District Attorney or CSI personnel.
 6. The property officer will release evidence to the Public Defender, private defense attorneys or their representative only upon written authorization by the District Attorney or by order of a competent court. The inspection of evidence items must be similarly approved by written authorization or court order.
- B. Check In
1. Property may be returned directly to the property officer or placed in a locked receiving bin with the Transfer/Release form or hard copy of the E&PR.
 2. Property returned, must be checked and itemized by the property officer to account for those items returned.

III. Property Room Security

- A. Access to the property bins and off-site property rooms is limited to property personnel. Property personnel are available by page or telephone in the event emergency access to the Sheriff's Property and Evidence Facility is needed. Keys to the property rooms will remain under the control of the property officers, CSI Sergeant and Investigations Lieutenant.
1. Departmental personnel shall not enter property storage areas unless the property officer(s) are present.
 2. Property or evidence shall only be removed from its storage location by the property officer(s).
 3. Duplication or possession of property room keys is prohibited without permission of the Sheriff.
 4. Normal business hours for the Property Room shall be 0800 to 1600, Monday through Friday.

5. Firearms, valuables and controlled substances are to be stored in secure areas, separate from other evidence, and consolidated by category.
6. Property room doors are to be secured and alarms activated when the property officer(s) are not present.
7. The public shall not enter the property rooms or warehouse.

B. Alarms

1. The property rooms are protected by an alarm system. Only authorized personnel will be issued alarm codes.

IV. Found Property

A. Found property is items discovered by an employee, or turned in to an employee, of the Sheriff's Office valued at more than \$100.

1. Items valued less than \$100 will not be accepted with the exception of money, weapons and contraband.
2. The finder, if not an employee of the County, will complete a Found Property Affidavit, form SHF-0460, indicating whether they wish to file a claim or relinquish all ownership rights in the item.
3. The yellow copy of the affidavit will be given to the finder. The original copy will be attached to the deputy's report and the pink copy will accompany the E&PR to Property.

B. The deputy will complete an E&PR documenting the discovery of the items and any efforts made to return them to their rightful owner.

1. If the deputy is unable to return the items prior to the end of their shift, they will book the items at Property.
2. If the deputy returns the items, the owner should sign the hard copy of the E&PR and the entire E&PR will be turned into Records.

C. Found property will be kept for a period of 90 days and then disposed of according to Civil Code 2080 et. seq.

V. Property Held for Safekeeping

- A. Any item temporarily held in the care of the Sheriff's Office, without evidentiary value, is considered held for safekeeping.
 - 1. At the time an item is collected for safekeeping, the deputy will complete a Safekeeping Advisement and have the owner of the property sign the form.
 - 2. The owner will be given the yellow copy of the Safekeeping Advisement as their receipt. The pink copy will accompany the E&PR and be booked with the items at Property. The original white copy will be attached to the deputy's report.
- B. Property held for safekeeping will be kept for a period of 60 days and then disposed of according to Civil Code 2080.10.
 - 1. An inmate may make a written request to have their property retained for up to an additional 10 months before it can be disposed.
- C. Firearms taken pursuant to Penal Code 12028.5, Family Code 6389 or Welfare & Institutions Code 8102.
 - 1. Whenever a firearm, or other deadly weapon, is taken from the scene of a domestic violence incident, surrendered pursuant to a court protective order or taken from a person subject to a mental health evaluation, the case will be assigned to the Persons Crimes Detective Sergeant for review.
 - 2. Within five days of the weapon coming into the custody of the Sheriff's Office, the assigned detective will review the case and determine if there exists a public safety need to forfeit the weapon. The detective will notify the property officer whether or not they intend to request forfeiture of the weapon.
 - 3. A request for forfeiture must be filed with the court within 60 days, unless the detective files for an extension. Regardless of any extension that may be granted, the petition must be filed within 90 days of the weapon being seized.
 - 4. This does not apply to any weapons which are seized as evidence or illegal to possess.

VI. Evidence Review

- A. Quarterly, the Property Office will submit a list of cases for which evidence is being held to the appropriate Investigation's Section Sergeant for review.
 - 1. Evidence being held for misdemeanor cases will be reviewed every six months.
 - 2. Evidence being held for felony cases will be reviewed annually.
- B. Within 15 days, the detective sergeant, or assigned detective, will review the cases to determine if there is a need to retain the evidence.
 - 1. Detectives will complete a Detective Review of Evidence SHF Form directing that the evidence is to be retained or disposed.
 - 2. If evidence is to be retained, the supervisor must sign the form authorizing the retention.
 - 3. Completed forms will be returned to the property officer for inclusion in the case file.
- C. Absent extenuating circumstances, evidence will not be retained past the expiration of the statute of limitations appropriate for the case.

VII. Property Disposal

- A. Property and evidence will be disposed in the following ways:
 - 1. Returned to the owner.
 - a. A reasonable effort will be made to identify and return items to their rightful owner.
 - 2. Donated to charitable organizations.
 - 3. Sold at public auction.
 - 4. Buried at the county landfill disposal site.
 - 5. Incineration or melting.

6. Transferred to the Sheriff's Office or other governmental agency for official use.

B. Transferring property to the Sheriff's Office inventory

1. Requests for acquisition of property shall be made in writing to the Sheriff. They should include description, justification and paperwork indicating that the property is not returnable as well as clearance from the DA's Office for items of evidence.
2. If a weapon is acquired, a message indicating the make, model and serial number will be entered into CLETS to notify the Department of Justice of the transfer. Firearms will be referred to by serial number for inventory purposes.
3. Other appropriated property valued over \$1,500 will be assigned a county asset number.
4. A list of all acquired property will be maintained by the property officer with a copy to the Sheriff.

C. Evidence taken pursuant to a search warrant

1. Evidence taken pursuant to a search warrant cannot be released without an order from a competent court of jurisdiction.

Steve Robbins

STEVE ROBBINS, Sheriff-Coroner