

## **VOLUME 3 - CHAPTER 9**

### **MISCELLANEOUS ADMINISTRATIVE PROCEDURES**

#### **3-09/000.00 MISCELLANEOUS ADMINISTRATIVE PROCEDURES**

This chapter contains administrative procedures which are not sufficiently detailed to warrant a separate chapter.

#### **3-09/010.00 RANGE OPERATIONS**

The weapons training Lieutenant has the functional supervision over all training sessions at all Department ranges to enforce all safety regulations and to ensure that the training conforms to the quality standards of the Advanced Training Bureau.

The weapons training Lieutenant is authorized to establish, change or abolish shooting courses, qualifications or regulations with the approval of the Advanced Training Bureau.

At any Department range, the range master is authorized to:

- post and enforce safety regulations and orders;
- inspect any Deputy's firearm;
- make recommendations to ensure that the condition of firearms of Sheriff's personnel conform to regulations;
- prohibit the use of unsafe firearms or ammunition; and
- issue, repair and maintain inventory control of all Department weapons and munitions, including tear gas.

Unauthorized firearms, including rifles, shotguns and automatic weapons, are not permitted on any Department range without the rangemaster's/range supervisor's approval. Rifles, shotguns and automatic weapons are not permitted in mobile ranges at any time.

#### **3-09/020.00 INCENTIVE SHOOTING PAY**

All personnel through the rank of Division Chief who wish to qualify for shooting pay may do so as many times as they feel necessary during the normal shooting period.

For incentive shooting pay purposes, any authorized service weapon may be used. Handguns modified for competition are specifically not permitted.

Incentive pay for the various ratings is outlined in the most current Salary Ordinance for unrepresented employees and in the most current MOU for represented employees.

## Rating Score

Distinguished Expert	See Below
Expert	275-300
Sharpshooter	260-274
Marksman	240-259

During any consecutive four-month period, a shooter may achieve a distinguished expert rating by completing four qualification relays with a minimum average score of 290 points (four highest scores within a consecutive four-month period must total at least 1160 points).

### **3-09/030.00 AMMUNITION ALLOTMENT**

This section provides that:

- all Deputy personnel (including reserve Deputy personnel) required to qualify with the specified on-duty regulation firearm, shall be allotted, at Department expense, 30 rounds per month of target ammunition;
- annually, all Deputy personnel (including reserve Deputy personnel) shall be issued, at Department expense, an appropriate allotment of new factory service ammunition during the period January-April only;
- ammunition needed for all remedial training purposes shall be provided by the Department; and
- sworn members electing to carry the optional .45 ACP pistol shall purchase, at their own expense, all ammunition for qualification, training, remediation, on-duty and off-duty use.

### **3-09/030.05 AMMUNITION RECORD CARDS (SH-AD-496)**

The Range Master shall be responsible for the issuance of Ammunition Record Cards (SH-AD-496) to all qualifying shooters upon their request. Deputy personnel who wish to obtain an Ammunition Record Card may do so at any one of the Department's range offices. The shooter shall place his name, badge number and employee number on the card and will be responsible for its maintenance.

New ammunition record cards will be issued on request beginning January 1 of each year and will be color-coded. Cards for a prior year will not be accepted. Requests for replacement cards shall be made in person at one of the Department's range offices.

Specific procedures covering the allotment of target ammunition and the issuance/exchange of service ammunition are outlined in the following subsections.

### **3-09/030.10 TARGET AMMUNITION-PROCEDURE**

During each of the three four month qualification periods (January 1 - April 30; May 1- August 31; September 1 - December 31) and each and every month that a Deputy otherwise elects to shoot at any one of the Department's shooting ranges, the shooter may present his card to the range office and receive the monthly allowance of 30 rounds of target ammunition. Each monthly transaction shall be recorded by the range master on the card with a punch in the appropriate box.

### **3-09/030.15 SERVICE AMMUNITION-PROCEDURE**

Any time during January-April only, a Deputy may present his card at any range office and receive an appropriate allotment of new factory service ammunition.

Upon issuing the appropriate allotment of new factory service ammunition to each Deputy, the concerned range office shall receive, in exchange, an appropriate number of live rounds of previously issued service ammunition. This exchange requirement does not apply to Deputy personnel receiving their initial issue of service ammunition. Each transaction shall be recorded by range personnel on the card with a punch in the appropriate box.

### **3-09/030.20 QUALIFICATION/SHOOTING PAY INCENTIVE RECORD**

It shall be the shooter's responsibility to ensure that the Qualification/Shooting Pay Incentive Record is properly completed, according to the instructions posted at the ranges. Failure to complete this form properly will cause the information to be rejected when it reaches data processing. This will result in the qualification/incentive pay score not being recorded properly.

### **3-09/040.00 MILEAGE REPORTS - COUNTY VEHICLES**

Mileage shall be reported via the Semi-annual Vehicle Inventory Report (see section 3-06/145.00).

### **3-09/050.00 MILEAGE CERTIFICATION-PRIVATE VEHICLES**

An employee who meets certain established criteria when driving a privately owned vehicle on County business may submit a Certification for Mileage Reimbursement (SH-AD-111), in triplicate, to his Division Chief or Division Director, through channels.

Unit Commander approval of the certification for mileage reimbursement shall be made only if the following established criteria applies:

- the employee is required to travel away from the office in order to perform his job assignment;
- a County vehicle is not available for the employee's use; and
- public transportation is not available or would be an unreasonable burden on the employee.

Exceptions to these requirements will be handled on an individual basis when sufficient justification exists.

A certification for mileage Reimbursement must be prepared for the following classifications of mileage permittees:

- new-not previously a permittee;
- inter-Department transfer-if a permittee at previous Department;
- intra-Department transfer-if a permittee at previous Unit;
- name change; and
- temporary-for a specified time due to unusual job assignment or duty.

The Unit Commander shall ensure the accuracy and completeness of the certification and, upon his approval, submit all such requests, in triplicate, to his Division Chief or Division Director for review and final Department approval.

Upon Chief or Division Director approval, the original and two copies of the certification shall be forwarded to Personnel Administration, Attn: Payroll Section, for processing.

Division-approved certifications must reach Personnel Administration, Payroll Section, prior to the date that the first monthly mileage claim is submitted by the employee. An employee shall not receive any payment for use of a privately owned vehicle unless he is a permittee and in no event for a time more than 60 days prior to the certification required as per Los Angeles County Code section 5.40.260.

Personnel Administration, Payroll Section, will retain the original certification and return two receipted copies to the initiating Unit.

Mileage claims for permittees shall adhere to procedure in section 3-05/020.00.

### **3-09/050.05 BUREAU/UNIT RESPONSIBILITY**

Each Bureau/Unit shall establish a certification for mileage reimbursement file, which will include a copy of approved certifications returned from Personnel Administration.

The second copy of the approved certification shall be filed in the employee's Unit personnel folder.

A current certification for mileage reimbursement list shall be maintained of all certified mileage permittees within the Bureau/Unit. This list shall be used to verify the

employee's certification status before submitting a mileage claim. A copy of this list shall also accompany the approved mileage claims when submitting to Personnel Administration, Payroll Section.

Unit Commanders shall annually review mileage driven by subordinates to determine the need for continuing each certification under their command. Should the Unit Commander determine that a given certification is no longer required based on the established criteria, he shall request a cancellation by submitting a certification, through channels, to Personnel Administration, Payroll Section, for processing.

Injury compensation benefits apply to County mileage permittee drivers on their way to and from work. Since it is assumed that there will be exceptions to the ruling (e.g., where the employee does not go directly from work to home but rather detours for personal reasons unrelated to his work), as much information as possible regarding any unusual circumstances surrounding an incident involving an injury should be included in the required reports.

### **3-09/060.00 DAILY FUEL INVENTORY**

At Department facilities having underground storage tanks (UST) for fueling operations, a daily reading of the fuel supply levels and dispenser totals shall be made. The reading shall be recorded on the Tank Inventory Data form (SH-R-450).

Personnel at each Department facility with USTs shall be responsible for collecting and recording a minimum of 20 days of data per month. When the last entry is made on the last day of the month, the completed form shall be signed by the person compiling the information and forwarded, no later than the fifth day of the following month, to Facilities Administration, South Region, Bldg. N, Rm. 2, 11515 S. Colima Rd., Whittier, 90604.

Personnel shall refer to the copy of the Regulations and Protocols for Facilities with Underground Storage Tanks and Fueling Operations Manual located in their site's operations office for comprehensive fueling operations instructions.

### **3-09/070.00 VEHICLE COLLISION/INCIDENT REPORTING AND INVESTIGATION-DEPARTMENT AND PERMITTEE VEHICLES**

These procedures shall apply to all Department employees involved in a collision/incident while operating a Department vehicle or a permittee vehicle on Department business.

It is the intent of this policy that employee drivers/operators, who are the cause of preventable traffic collisions because of inattention, be subject to corrective action and/or training rather than traditional disciplinary sanctions. Refer to sections 3-09/070.45, Corrective Action and 3-01/090.10, Operation of Vehicles.

An incident is an occurrence which involves property damage and/or personal injuries to other persons but causes no damage to a Department/permittee vehicle. Incidents include those occurrences in which the parties to an incident allege that the collision was caused by some act of Department/permittee vehicle which did not become engaged in the collision. All collisions/incidents involving Department/permittee vehicles on duty that result in any property damage or injury shall be reported on the County of Los Angeles Report of Vehicle Accident or Incident form SH-AD-665.

Station and Bureau Commanders shall be responsible for the investigation of on-duty traffic collisions involving their personnel when no injuries are sustained by the involved parties and the collision is not Code-3 or pursuit related. This shall include Department vehicles and all permittee vehicles being operated on official business.

NOTE: When any injuries (including complaint of pain) are reported, substantial property damage occurs or when the collision is the result of a pursuit or Code-3 Operation refer to Volume 5, chapter 5.

NOTE: When minor damage is sustained only to the Department vehicle in an off-the-road incident and the incident does not involve property damage, other vehicles or people, a CHP-555 and/or an outside agency's report is not required. However, an investigation shall be conducted by the supervisor of the concerned Unit and form SH-AD-665 and an SH-R-257 shall be completed.

The purpose of this supervisor's investigation is to enhance and aid the Department's vehicle driver management program. The investigation and reports required herein are in addition to any other reports currently required for traffic collisions that occur in contract cities, CHP reports in unincorporated areas and other agency's reports, for collisions occurring in municipalities.

The following procedures shall only be for administrative review by the Department or the County.

Captains/Directors shall review all reported collisions and assess the incidents for responsibilities. After evaluation they may take appropriate corrective action for preventable traffic collisions caused by inattention and carelessness rather than reckless behavior (refer to section 3-01/090.10, Operation of Vehicles). Disciplinary action within the scope of authority of a Captain/Director may be imposed for policy violations not directly related to the operation of vehicles/traffic collisions due to inattention. A Captain/Director may also recommend disciplinary action to Division Chiefs or Division Director or recommend further review for policy violations not directly related to the operation of vehicles/traffic collisions due to inattention. Division Chiefs or Division Director may request Internal Affairs Bureau and/or the Traffic Services Detail to complete an investigation in appropriate cases.

NOTE: When the Traffic Collision Response Team is handling the collision

investigation, refer to Volume 5, Chapter 5.

### **3-09/070.05 DRIVER'S RESPONSIBILITIES**

Drivers of Department vehicles and drivers of permittee vehicles, while on Department business and involved in any collision/incident which results in any property damage or bodily injury, shall:

- remain at the scene until a police report is made by the proper jurisdictional agency;
- promptly notify a supervisor of the incident;
- promptly prepare the required Department forms for reporting such collision or damages; and
- follow procedures outlined in the Miscellaneous Administrative Procedures chapter.

Citizens should not be delayed any more than is necessary to exchange the required information.

The driver shall be responsible for completing one or more of the following forms:

- Report of Vehicle Accident (SH-AD-665) - complete both sides, including diagram, and sign. The address and telephone number of the employee's Unit of Assignment shall be used in completion of all forms pertaining to the collision/incident; and

NOTE: Employees shall not indicate their home address or home telephone number.

- Incident Report (SH-R-49) is also necessary under the following circumstances:
  - when there is another crime connected with the traffic collision, but not a part of the collision itself; and
  - when a traffic collision results in an arrest for a crime other than "Driving Under the Influence," the arrest information shall be contained in a separate report under the same URN. DUI arrests shall be reported on an SH-R-221, Complaint Report Driving Under the Influence.

If a Department/Permittee vehicle is involved in a collision within the Sheriff's jurisdiction, the investigating Unit shall complete the Traffic Collision Report (CHP-555). If the collision occurs in another jurisdiction or is being investigated by the California Highway Patrol, a copy of the collision report shall be requested and a notation that the report will be forthcoming shall be included in the narrative of form SH-AD-665.

A Deputy involved in an on-duty traffic collision, while driving a Department vehicle, must

notify his private automobile insurance carrier in writing within 30 days of the incident. This notification, made under penalty of perjury, shall state whether or not he was operating the vehicle in the performance of his duty during the hours of his employment.

NOTE: Mileage permittees are covered by the County for third party liability when driving their personal vehicles on duty to conduct County business. Mileage permittees shall be provided a one-page instruction sheet entitled "Information and Instructions for Permittee Drivers" and a notice of insurance coverage card, to be kept in their vehicle. The notice of insurance coverage shall be shown to third parties as proof of insurance when a permittee is involved in a traffic collision while driving his personal vehicle on duty to conduct County business.

### **3-09/070.10 SUPERVISOR'S REPORT AND RESPONSIBILITIES**

In all cases, collisions in which members are involved shall be investigated by a Supervisor. The Supervisor shall respond to the scene of a fatal/serious collision involving a Department/permittee vehicle.

The Supervisor shall complete side one of the Supervisor's Report of Damage to County Vehicle or Permittee's Vehicle (SH-R-257), and they shall respond to the scene when the supervisor judges it necessary and feasible, depending upon the severity of conditions presented. Because of the strong possibility of civil litigation associated with traffic collision incidents, any question of whether or not a Supervisor should respond to the scene of a traffic collision should be resolved by the Supervisor responding to the scene. A comprehensive memo shall be prepared by the Supervisor and submitted to the Watch Commander or Operations Lieutenant with the Supervisor's Report, stating an opinion as to the cause of the collision. The use or non-use of factory-installed safety belts shall be addressed in both the SH-R-257 and the comprehensive memo.

NOTE: A Supervisor's Report (SH-R-257) shall not be included in the vehicle collision file when an incident occurs relating to a pursuit or traffic stop and the following conditions apply:

- there is no damage to Department or permittee vehicle;
- there is no injury to Department personnel; and
- any property damage or injury to other persons, including suspects, is solely the result of actions by the driver of the suspect vehicle.

The Supervisor shall obtain the operator's previous driving record from the involved employee's PPI Profile Report and shall enter the driving record on the SH-R-257 in the area titled "Operator's Previous Record of Preventable Incidents Last 36 Months." The Supervisor shall determine the level and number of points accrued for all previous preventable traffic collisions occurring within the previous 36 months and note that information in the spaces provided. If no previous driving record exists, "None" should



be indicated.

When Station vehicles are involved and the collision occurs in the Station's area, a Supervisor from that Station shall be responsible for the investigation and submit the Supervisor's Report and comprehensive memo to the Watch Commander or Operations Lieutenant.

When the collision occurs in another Station's area, a Supervisor assigned to that area will be responsible for the investigation and forwarding the Supervisor's Report and comprehensive memo to the concerned Unit Commander for final disposition.

When a Department member not assigned to patrol is involved in an on-duty collision, a Unit Supervisor from the nearest Station area shall cause an investigation of the collision to be made and forward the Supervisor's Report and comprehensive memo to the member's Unit Commander for final disposition.

Compliance with this section for on-duty collisions involving members assigned to the Civic Center, which occur in the Civic Center area, shall be the responsibility of a Supervisor from the member's Unit of Assignment.

In the event that the collision/incident involves death, serious injury to any of the involved parties, substantial property damage, any unusual collision which could result in high-loss litigation or at the discretion of the Unit Commander, the Supervisor shall immediately notify the Traffic Services Detail, Risk Management Bureau. If notification is to be made during other than normal business hours, Sheriff's Headquarters Bureau shall be notified (for further information refer to Volume 5, Chapter 5).

When a Supervisor does not respond to a minor collision involving a Department/permittee vehicle, then the Unit's Watch Sergeant/Operation Sergeant shall prepare the Supervisor's Report and comprehensive memo based on the circumstances related in the vehicle collision reports.

### **3-09/070.15 DUTIES OF STATION/FACILITY SERGEANTS/TRAFFIC SERGEANTS**

Station Patrol Sergeants and/or Traffic Sergeants shall be responsible for reviewing the following forms for completeness, including signatures and diagrams:

- SH-R-49
- SH-R-257
- CHP-555
- SH-AD-665

NOTE: The Sergeant shall date and sign form SH-AD-665 and, if a CHP-555, Traffic Collision Report, is not submitted, ensure that form SH-AD-665 contains all necessary information.

Additionally, the person reviewing the incident shall obtain a copy of traffic collision reports from other agencies when they are reporting the collision.

Copies of forms, SH-R-49, CHP-555, and SH-AD-665 shall be forwarded to the Watch Commander or Operations Lieutenant and the Traffic Services Detail with the SH-R-257 and the supervisor's comprehensive memo.

### **3-09/070.20 DUTIES OF THE WATCH COMMANDER/OPERATIONS LIEUTENANT**

When there is an injury or complaint of injury, a death or any property damage, the Watch Commander/Operations Lieutenant shall be responsible for making an immediate notification to the Traffic Services Detail, Risk Management Bureau.

All collisions/incidents above shall be documented on the appropriate collision report forms and the Supervisor's Report (SH-R-257) within five working days of the occurrence. It shall be the responsibility of the Watch Commander/Operations Lieutenant to review all reports, contents note the comprehensive memorandum prepared by the Supervisor, indicating whether or not the Watch Commander/Operations Lieutenant agrees with the Supervisor's opinion as to the cause of the collision, and then make his/her own recommendation as to whether the collision was preventable or non-preventable. If the Watch Commander/Operations Lieutenant recommends that the collision be classed as preventable then he/she shall recommend the point level to be assigned to the collision. The Watch Commander/Operations Lieutenant shall ensure that all reports are forwarded to the Unit Commander on a timely basis.

Collisions determined to be preventable shall be entered into the PDE tracking system by the involved employee's unit of assignment within five working days of the incident.

If it appears that violations of the MPP have occurred that either reach the level of intentional or reckless behavior or involve violations other than those relating to the cause of the collision, the Watch Commander/Operations Lieutenant shall immediately notify the Unit Commander of the circumstances to determine if an administrative investigation should be initiated. An administrative investigation may be conducted in addition to the traffic collision investigation.

If it appears that the collision occurred because of a mechanical defect in a Department vehicle, the Watch Commander/Operations Lieutenant shall impound the vehicle. Fleet Management Unit of CFMB will be requested to evaluate the vehicle and the apparent defective parts and form an opinion as to whether or not the mechanical defect could have been the cause of the collision.

NOTE: If the traffic collision/incident involves a mileage permittee, the Watch Commander/Operations Lieutenant shall verify that the employee is, in fact, a permittee and was driving his personal vehicle on duty to conduct

County business.

### **3-09/070.25 CLASSIFICATIONS OF DAMAGE TO DEPARTMENT/PERMITTEE VEHICLES**

For purposes of this section, a "collision" is defined as the striking or contact of any other object, e.g., another vehicle, stationary object, roadway dip, etc., with a Department/Permittee vehicle which results in damage, injury or death.

Defensive driving is defined as those techniques and concepts which emphasize awareness, control and the use of proper evasive action to avoid or prevent a collision/incident. Defensive driving practices shall always be employed and an operator shall avail himself of every reasonable means to avoid a collision/incident.

NOTE: When the collision/incident is handled by the Traffic Collision Response Team, no assessment shall be done until the collision/incident is reviewed by the Commander's Executive Risk Review Committee.

An assessment shall be made by the Watch Commander/Operations Lieutenant after reviewing all reports and a preliminary finding shall be determined for one of the following:

- Preventable - a collision/incident or work damage that occurred while the Department/permittee vehicle was being used while engaged in County business and such collision or work damage could have been prevented by the employee. The decision as to preventability of a collision or work damage shall be based on whether or not the employee was driving defensively or using the vehicle in a reasonable manner and could have avoided the collision or work damage regardless of any legal rights (such as right-of-way at intersections) to which he may have been entitled pursuant to the Vehicle Code. The fact that the other driver may have committed a Vehicle Code violation is not of itself cause to justify a classification of non-preventable;

If a collision/incident or work damage resulted from a violation of the California Vehicle Code or Department policy on the part of the employee, the collision or work damage shall be classified as preventable;

NOTE: Refer to sections 3-09/070.45, Corrective Action and 3-01/090.10, Operation of Vehicles for policy and procedures related to initiating corrective action for preventable collisions.

- Non-preventable - a collision/incident or work damage that occurred while the Department/permittee vehicle was being driven defensively or used in a reasonable, prudent manner and the employee had no opportunity to avoid the collision or work damage;

The classification of non-preventable shall not be used when the employee commits any violation of defensive driving practices, Vehicle Code sections or Departmental policies;

- Work Damage - when damage occurred to the vehicle through causes other than a collision/ incident, vandalism or unknown or when damage occurred because of the requirements of the employee's work assignment;

The classification of work damage shall not be used for any incident involving a collision or incident with another vehicle, object, roadway dip, etc.

If the work damage resulted from a violation of the California Vehicle Code or Department Policy or was caused by negligence on the part of the employee, the work damage shall be classified as preventable;

NOTE: When the finding is work damage, it shall be classified as preventable or non-preventable and so indicated on the Supervisor's Report, SH-R-257.

- Vandalism - when damage occurred to the vehicle through an intentional act of any person, whether the vehicle is attended or unattended, e.g., prisoners kicking out windows, missiles hurled at vehicle, etc.

The classification of vandalism shall not be used for any incident involving a collision/incident; and

- Unknown - when damage occurred to the vehicle wherein responsibility and/or cause cannot be determined and the event cannot be classified in one of the above categories. Every effort shall be made to determine the cause of a collision before using this classification.

### **3-09/070.30 DUTIES AND RESPONSIBILITIES OF THE CAPTAIN/DIRECTOR**

In collisions/incidents involving a Department/permittee vehicle, the distribution of Form SH-AD-665 shall be made within 48 hours (two working days). The proper distribution of the form is as follows:

- original and one copy:
  - Carl Warren & Company  
P.O. Box 116  
Glendale, CA 91209
- one copy:

- originating Unit
- one copy: (If County vehicle damaged)
  - Traffic Services Detail  
4900 South Eastern Avenue, Suite102  
Commerce, CA 90040
- one copy:
  - Communications and Fleet  
Management Bureau  
Fleet Operations Section  
1277 North Eastern Avenue  
Los Angeles, CA 90063

A vehicle collision file shall be compiled to include the following:

- SH-AD-665;
- Incident Report, (SH-R-49);
- Supervisor's Report (SH-R-257);
- Supervisor's comprehensive memo; and
- police agency's Traffic Collision Report or the CHP-555.

NOTE: Certain incidents that are the result of a pursuit or traffic stop may be exempt from the Supervisor's Report, SH-R-257 (see section 3-09/070.10).

It is the intent of this policy that employee drivers/operators, who are the cause of preventable traffic collisions because of inattention and carelessness rather than reckless or intentional behavior, be subject to corrective action and/or training rather than traditional disciplinary sanctions. Refer to 3-09/070.45, Corrective Action and 3-01/090.10, Operation of Vehicles.

Captains and Directors shall review the complete vehicle collision file and determine the applicable classification and the appropriate action to be taken as described in sections 3-09/070.45, Corrective Action and 3-01/090.10, Operation of Vehicles. Should the Captain or Director determine that violations of the MPP occurred that reach the level of intentional or reckless behavior or involve violations other than those relating to the cause of the collision, the driver shall be eligible for disciplinary action and the Captain or Director should process the incident as with any other administrative investigation.

Should it be determined that any proposed discipline exceeds the Captain's or Director's authority, a recommendation for the appropriate disciplinary action shall be reported on an SH-AD-32A and directed to the concerned Division Chief or Division Director, setting forth the facts developed in the investigation, as well as any other facts relevant to the

recommended discipline.

Recommendations for disciplinary action shall not appear on the SH-R-257. If the Captain or Director is recommending disciplinary action independent of the traffic collision, that recommendation shall be sent, along with the complete vehicle file, to the Area Commander for review.

The Captain or Director shall be responsible for the following upon termination of the process:

- Upon determination of the final disposition (preventable, non-preventable, work damage, vandalism or unknown), a copy of the completed SH-R-257 shall be forwarded to the Fleet Operations Section of the Communications and Fleet Management Bureau, the Traffic Services Detail, Risk Management Bureau so that the appropriate point assignment can be made and the corrective action to be taken can be noted.
- Captains and Directors are responsible for conducting appropriate follow-up to ensure that when an employee has reached an action level calling for corrective action,(training, job reassignment, or transfer), that the employee is assigned the corrective action, and that the employee actually completed the required assignment.
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- Notification to the member involved in the collision of the findings and the action to be taken.

Certain collisions/incidents shall be reviewed by the Commander's Executive Risk Review Committee (see Volume 5, chapter 5).

### **3-09/070.35 DIVISIONAL DUTIES AND RESPONSIBILITIES**

A concerned Division Executive (Chief, Division Director, or designated Commander) shall review all traffic collision/incident reports and sign the SH-AD 257 in the appropriate location indicating concurrence, if the Executive agrees with the Unit Commander's assessment with the recommended corrective action and point assignment.

If the incident should warrant disciplinary action, the Division Chief or Division Director is responsible for reviewing the Unit Commander's recommendation and concurring with, modifying, or returning the file to the Unit Commander or Director for further investigation. If the disciplinary action recommended exceeds the Captain's or Director's authority, the Division Chief or Division Director shall be responsible for assessing the discipline to be imposed.

On final determination by the Division Chief or Division Director, discipline, if any, shall be administered as outlined in the Personnel chapter.

Division Headquarters shall be responsible for returning a finalized copy of the SH-R-257 to the originating Captain/Director.

### **3-09/070.40 MECHANICAL DAMAGE/DEFECT (NON-COLLISION) TO DEPARTMENT VEHICLES**

Mechanical damage or defect is defined as any damage/defect to any part of the vehicle that renders it unusable, exclusive of defective routine maintenance items. The term "unusable" would apply to any defect which could affect the safe operation of the vehicle or cause further damage to it due to continued operation, e.g., overheated engine, defective transmission, etc.

When an employee determines that a Department vehicle has mechanical damage/defects, whether it occurs during operation or is discovered prior to operation, he shall, in addition to completing a Driver's Vehicle Condition Report (DS20-MD91), submit an SH-AD-32A detailing how the damage/defect occurred or was discovered.

Defective routine maintenance items require submission of Form DS20-MD91 only. Examples of routine maintenance items are fan belts, hoses, batteries, etc., which have deteriorated due to normal wear.

A supervisor shall review the memorandum and, if appropriate, inspect the vehicle. If the vehicle is assigned to patrol, he should consult with the mechanic assigned to the Unit/Station to fully assess the damage or defect. Vehicles assigned to other Units can be taken to either a Station mechanic or to the Internal Services Department's automotive shops.

The supervisor shall then complete a Supervisor's Report of Damage to County Vehicle or Permittee's Vehicle (SH-R-257). The terminology "mechanical damage" shall be used to describe the damage/defect and the report shall indicate a conclusion as to whether it was the result of "negligent" or "non-negligent" handling, operation or procedure. The completed report shall be submitted to the Watch Commander/Operations Lieutenant.

The Watch Commander/Operations Lieutenant, following review of the supervisor's report, shall indicate in the conclusion portion of the report that the damage was either "negligent mechanical damage" or "non-negligent mechanical damage." This finding must be hand-written or typed under the conclusion category of the Watch Commander's/Operations Lieutenant's review, as there is no corresponding check-off category listed.

When the finding is "negligent mechanical damage," the Watch Commander/Operations Lieutenant shall cause an immediate investigation to be conducted to determine the extent to which abuse or negligence was a factor and the identity of the person responsible.

### **3-09/070.45 CORRECTIVE ACTION**

A Department member is responsible for the care and condition of any vehicle assigned to him (see Policy and Ethics chapter). Willful negligence or abuse of County property shall be grounds for disciplinary action and, where responsibility can be determined, Captains/Directors shall proceed as with any other disciplinary matter.

If the traffic collision was non-preventable and no corrective action or disciplinary action will be taken, such information shall appear in the final disposition section of the SH-R-257.

The following provisions pertain to those actions which constitute violations described in section 3-01/090.10 Operation of Vehicles. Conduct relating to a collision, but not described in section 3-01/090.10, should be addressed by other relevant policy or applicable laws.

#### Purpose

The intent of this section is to provide a means to differentiate between inattentive preventable collisions and collisions resulting from recklessness. Additionally, this plan will tailor the Department's response to the specific conduct of the employee.

If the collision was "preventable," it will be classified into the appropriate category as described below:

#### Level One

- maneuvering speed of 10 miles per hour or less prior to any braking;
- no disregard for safety; and
- no visible injuries.

#### Level Two

- operating speed above 10 miles per hour prior to any braking and in essential compliance with the Vehicle Code;
- no disregard for safety;
- no life threatening injury; and
- County vehicle is repairable.

#### Level Three

- all preventable collisions not classifiable as Level One or Level Two.

#### Use of Collision Levels as a Basis for Driving Record



## Point System

A preventable traffic collision shall be categorized by a Level, and a prescribed number of “points” shall be assigned to the driver’s history. The points accumulated for each individual preventable traffic collision shall be maintained for a revolving thirty-six month period and accrued as of the date the traffic collision(s) occurred. When thirty-six months have elapsed from the date of the specific traffic collision, the points for that specific collision will be deleted from the individual’s driver’s history.

**Level One Collision** ‘ 1 point

**Level Two Collision** ‘ 2 points

**Level Three Collision** ‘ 3 points or  
4 points (notable disregard for safety and life  
threatening injury)

When three (3) points are accumulated within a twenty-four month period, the driver shall attend the **mandatory** Alternative to Discipline Driving Class.

NOTE: **This training will not expunge existing points.**

When an employee is involved in three (3) preventable collisions or accumulates five (5) points in any thirty-six (36) month period, he or she will be assigned to non-driving duties for six (6) months.

NOTE: If a change in the driver’s unit of assignment is needed to comply with the provisions of this section, the unit of assignment will be determined by the needs within the concerned Division. If the employee has a Patrol Retention Bonus, it shall not be affected.

The accumulation of seven (7) or more points, or four (4) preventable collisions within a thirty-six (36) month period, shall result in a transfer to a different Unit and a non-driving position for one year. The location of this assignment shall be based on the needs of the Department. The employee shall be allowed to return to the former assignment after this period.

NOTE: An employee with five consecutive years at the same assignment with no previous preventable collisions, who later rises to this level of points or number of collisions at that unit of assignment, shall not be subject to transfer, but shall be placed in a non-driving position for one year.

## Elimination of One Point - Traffic Collision Point Reduction Class

Completion of the designated voluntary, off-duty, one-day approved “Traffic Collision

Point Reduction Class” may be used to exempt 1 point, or a 1 point collision. This class shall not be used for this purpose more than once in any three-year period. Employee time and costs for this class are the employee’s responsibility.

NOTE: “Traffic Collision Point Reduction Class” credit(s) may not be retroactively applied to prevent the imposition of an administrative action once that action level has been reached. Points are accrued as of the date the collision occurred and shall remain on the employee's record for a period of thirty-six (36) consecutive months unless removed by successful completion of the “Traffic Collision Point Reduction Class.”

### Department Safe Driver Awards

It shall be the responsibility of every Captain/Director to develop a strategy to acknowledge those employees who maintain a driving record free from preventable traffic collisions or who consistently demonstrate the principles of defensive driving.

### Report Processing

Each Unit shall send a copy of the complete traffic investigation file, including records of the employee’s current point/time period status, via their Division Headquarters to Risk Management Bureau - Discovery Unit.

### Unit Commander Responsibilities

Captains and Directors are responsible for conducting appropriate follow-up to ensure that when an employee has reached an action level calling for corrective action, (training, job reassignment, or transfer), the designated corrective action is taken.

Refer to section 3-09/070.30 for additional information.

### **3-09/070.50 OTHERS INVOLVED**

Remedial measures may be recommended for employees other than the driver of the vehicle when it is found that an accident is the result of some act or the omission of some act on the part of such County employee. Where responsibility is found to be that of an employee, not the driver, recommendations for retraining or recommendation and/or imposition of discipline may be as determined by the Unit Commander or as a result of the review process described in these sections.

### **3-09/070.55 EMERGENCY VEHICLE COLLISION NOTATION ON DRIVER'S RECORDS**

Occasionally, the Department of Motor Vehicles will enter on a Deputy's driving record the

fact that the Deputy was involved in a traffic collision while operating an emergency vehicle on duty. The Division of Driver's Licenses, DMV, Sacramento, will correctly code this entry if the Unit Commander will provide them with the Deputy's name, driver's license number, date of the collision and the collision report number.

This code will indicate to the employee's insurance carrier that the collision occurred while the Deputy was driving an emergency vehicle on duty.

When an employee becomes aware that this code has been erroneously noted on his driving record, the employee shall advise his Unit Commander. The Unit Commander shall then provide DMV with the correct information.

Units should address correspondence to the following address and state that the Deputy was on duty in an authorized emergency vehicle:

Department of Motor Vehicles  
Financial Responsibility  
P.O. Box 942884  
M/S J237  
Sacramento, California 94284-0884  
(916) 657-6677

### **3-09/080.00 ANNOUNCEMENTS**

Messages dealing with subject matter contained in any existing manual or order should not be released without notifying the Risk Management Bureau, Manuals and Orders Unit, which has responsibility for coordinating and publishing policy and procedure instructions for the Department.

Messages originated and approved by the following shall be sent via JDIC:

- Sheriff
- Undersheriff
- Assistant Sheriffs
- Division Chiefs
- Area Commanders
- Unit Commanders
- Directors

All announcements shall have the name of the originating Unit directly below the word "Announcement" in order that readers may know the identity of the issuing Unit. The Sheriff's name and the initials of the person sending the announcement shall appear at the end of all Sheriff's Department announcements.

All announcements will be kept electronically for a period of two years.

### **3-09/080.05 UNIT COMMANDER'S RESPONSIBILITY**

Unit Commanders shall ensure that concerned personnel, including timekeepers, manual coordinators and training officers review a copy of pertinent announcements.

### **3-09/090.00 RELEASE OF OFFICIAL INFORMATION**

Except under specific circumstances, Incident Reports, arrest reports and investigator files, defined as public records under Section 6250 of the Government Code, are exempt from disclosure. Those specific exceptions are defined in the 1982 amendment to Section 6254(f) of the Government Code.

The purpose of the amendment is to clarify the rights of the public to access non-sensitive law enforcement records. The revised section addresses this issue by classifying those persons requesting record information as victims and/or the general public (including the media).

Although legislation governing the release of crime and arrest information does not differentiate between adult and juvenile subjects, refer to the Juvenile chapter of this manual for Department policy on the release of information concerning juveniles.

Public records are defined under Section 6250 of the Government Code as any recordation containing information relating to the conduct of the public's business prepared, owned, used or retained by any local agency, regardless of physical form or characteristics. For the purpose of this manual section, the term "information" shall include any material that is maintained in the normal course of business in written, photographic or electronically recorded form.

This section does not apply to the dissemination of criminal record information. For dissemination of such information, refer to section 3-09/110.00 of this chapter.

### **3-09/090.05 RELEASE OF INFORMATION TO VICTIMS OF CRIMES**

The following information shall be released, upon request, to a victim or the authorized agent of a victim, including insurance carriers, when a loss or injury is the result of an incident caused by arson, burglary, fire, explosion, larceny, robbery, vandalism, vehicle theft or a crime of violence:

- name and address of persons involved in the incident, except confidential informants;
- descriptions of any property involved;
- date, time and location of the incident;
- diagrams;

- statements of parties involved in the incident; and
- statements of all witnesses, except confidential informants.

Requested information may be provided verbally or the requestor may purchase a copy of the report.

See section 3-09/090.30 for exceptions.

### **3-09/090.10 RELEASE OF INFORMATION TO THE GENERAL PUBLIC AND THE MEDIA**

Upon request, the following information shall be released to the general public, including the media:

- arrestee information - name, current charge, occupation and physical description;
- circumstances of arrest - time and date of arrest, time and date of booking, location of arrest and factual circumstances surrounding the arrest;
- booking information - amount of bail, time and manner of release, location where individual is held and all charges (including, but not limited to, warrants, parole and probation holds);
- calls for service or requests for assistance - time, substance, location and nature of response (provided that such information regarding crimes, alleged or committed or any other incident is documented);
- victim's identification - name, age and current address. However, the identification of victims of 220, 261, 261.5, 262, 264, 273a, 273d, 286, 288, 288a, 289, 422.6, 422.7, 422.75, or 646.9 PC, shall not be disclosed;
- victim and/or witness identification - name, age, telephone number and street address shall not be disclosed to any arrested person or to any person who may be defendant in the alleged offense; and
- factual circumstances surrounding a crime or incident such as any injuries, weapons or property involved.

Photographs of persons arrested, commonly known as "mug shots," may be released to a member of the general public, including the media, at the discretion of the Sheriff or his designee. Once a copy is furnished to one member of the general public, a copy must be made available to all who make a request. Requests for photographs of persons arrested should be referred to Sheriff's Headquarters Bureau, Media Liaison.

The reasonableness of any request for information shall be evaluated by the person receiving the request. Reasonable requests for information routinely developed, maintained and available during the normal course of Department operations shall be honored. Requests for information that require an inordinate amount of time or expense devoted to research, compilation or computer programming should be referred to Records and Identification Bureau. Any questions regarding the reasonableness of a request for information shall be directed to the Records and Identification Bureau

Records Manager.

NOTE: Pursuant to section 5328 WIC, information shall not be disclosed to the general public, including the news media, on any 5150 action when a person is taken into custody for a 72-hour detention and when no crime was involved.

In circumstances where both a crime and 5150 are alleged, information about 5150 activity shall be confidential. Information pertaining to criminal activity may be subject to disclosure after information regarding 5150 activity is deleted. See section 3-09/090.30 for exceptions to the release of information.

### **3-09/090.15 RELEASE OF INFORMATION TO OTHER LAW ENFORCEMENT OR GOVERNMENT AGENCIES**

Authorized government agents and Department personnel requesting information from official records shall submit a written request to the Records and Identification Bureau (RIB) or Station desk officer. Department personnel shall submit their request using a form provided by RIB and authorized government agents will submit a signed request on their agency's letterhead.

Only properly identified representatives of the following agencies may be given access to requested information:

- enforcement officers of federal, state, County and municipal policing agencies;
- authorized personnel of the Probation Department, District Attorney's Office, parole officers of the California Department of Corrections and Rehabilitation and the California Youth Authority, and regularly employed parole officers of duly constituted governmental agencies; and
- investigative agencies of the Armed Forces of the United States.

When the information requested by an officer or other authorized person concerns a case that is still active, the person requesting the information shall be referred to the detective or Unit responsible for the investigation of the case.

### **3-09/090.20 RELEASE OF INFORMATION UNDER SPECIAL CIRCUMSTANCES**

Diplomatic or consular officers' requests for information which would not otherwise be released shall be referred to the International Liaison Section, Sheriff's Headquarters Bureau, who shall be responsible for the degree of discretion exercised in each instance.

Authorized representatives of the State Board of Education and the County Superintendent of Schools, as well as the individual board members or superintendent, may inspect the record of any school teacher, instructor or school employee involved in

any sex offense enumerated in sections 290 and 291 of the Penal Code and any narcotic offenses enumerated in section 11591 of the Health and Safety Code.

Psychiatrists may inspect the record of a suspect provided they present a letter to the Department indicating that they have been appointed by a competent court to make an examination of the suspect.

An individual, upon request, and properly identified by fingerprints, may see his own arrest history at Records and Identification Bureau.

See section 3-09/090.30 for exceptions.

### **3-09/090.25 RELEASE OF TRAFFIC COLLISION REPORTS**

An authorized purchaser shall be given a complete copy of the traffic collision report and all accompanying supplemental reports covering the traffic collision, as outlined in the Traffic chapter of this manual.

See section 3-09/090.30 for exceptions.

### **3-09/090.30 EXCEPTIONS TO THE RELEASE OF INFORMATION**

Pursuant to Government Code section 6254, information shall not be released in the following circumstances:

- when disclosure of such information would endanger the successful completion of an investigation or a related investigation;
- when disclosure of such information would endanger the safety of a person involved in an investigation; and
- when disclosure of that portion of an investigation reflects the analysis of conclusions of the investigating officer.

Section 1798.24 of the California Civil Code mandates that information contained in Department of Motor Vehicle files shall not be released except to properly identified members of the following:

- enforcement officers of federal, state, County and municipal policing agencies;
- authorized personnel of the Probation Department, District Attorney's Office, parole officers of the California Department of Corrections and Rehabilitation and the California Youth Authority and regularly employed parole officers of duly constituted governmental agencies;
- investigative agencies of the Armed Forces of the United States; and
- representatives of any County agency in the performance of duties enjoined upon them by the Vehicle Code or by County ordinance.

### **3-09/090.35 AUTHORITY TO RELEASE INFORMATION**

The Unit Commander or Watch Commander of the investigative Unit shall be responsible for the degree of discretion exercised when the information requested concerns a case that is still active or is related to another active investigation. The person requesting the information shall be referred to the detective or Unit responsible for the investigation. When an initial request is made for information and the employee is uncertain as to whether the information may be disclosed, the request shall be directed to the Watch Sergeant or, if appropriate, to the Unit responsible for the investigation.

In the event that a question still exists regarding the disclosure of any specific information, or when a case is closed and records are no longer available, a referral shall be made to the Records Manager of Records and Identification Bureau, who shall have final authority to approve or disapprove a request for information.

### **3-09/090.40 PROCEDURE FOR RELEASE OF INFORMATION**

Requests made in person by the general public or the media (see Note) for specific information shall be in writing by completing the Release of Information Request (SH-R-394). Records and Identification Bureau uses form (RIB/Info. Sys. 5/94).

Units receiving correspondence (mail or JDIC message) requesting information concerning a criminal case shall be guided by the preceding subsections and, when applicable, by the following procedures:

- requests for information concerning active cases shall be forwarded to the Unit or detective responsible for the case; and
- requests for information concerning closed or active cases shall be forwarded to Records and Identification Bureau when such cases are not available from the concerned Station or Unit.

When more than one crime is involved and authorization is received from the investigating detective or Unit conducting the investigation for the sale of a requested report, all references to any other crime classification shall be deleted from the sale copy.

The release of information may be in verbal form. In the event excessive time would be necessary to verbalize the information, then the report itself may be made available for purchase.

**NOTE:** This section does not apply to press releases. For press release procedures, refer to the Policy and Ethics chapter, Miscellaneous Line Procedures and the Case Assignment and Reporting Volume of this manual. Department press board information shall continue to be



available.

### **3-09/090.45 COLLECTION OF FEES FOR SALE OF REPORTS OR DOCUMENTS**

Fees shall be collected for each report copy sold, according to current charges determined and available through Fiscal Administration and a Department of Sheriff receipt (76M474C) issued. This fee is compensation for the time involved in searching for reports and in redacting restricted information. This fee shall apply even if the purchaser brings in his own paper and copying machine.

The miscellaneous fees money collected shall be handled in accordance with the safeguard policy of the Department, as outlined in the Fiscal chapter.

Law enforcement officers, as listed under section 3-09/090.15, may obtain full and complete copies of this Department's official reports at no charge when such reports are required for official business, or as deemed appropriate by the RIB Records Manager.

### **3-09/100.00 CRIMINAL HISTORY INFORMATION ON ALL PERSONNEL WITH ACCESS TO CRIMINAL HISTORY SYSTEMS**

California Code of Regulations section 707(b) requires criminal history information be obtained on all individuals who have access to automated criminal history systems. This includes, but is not limited to, maintenance and vendor personnel of all automated systems, e.g., Internal Services Department employees.

The Director of Personnel Administration shall be responsible for approving all personnel for hire as it relates to criminal history information. He shall also ensure the maintenance of a file reflecting the results of this process.

### **3-09/110.00 DISSEMINATION OF CRIMINAL RECORD INFORMATION**

Pursuant to Title 11, Chapter 1, of the California Code of Regulations, the procedure for disseminating criminal record information is outlined in the subsections which follow.

#### **3-09/110.05 CRIMINAL RECORD INFORMATION**

Criminal record information is defined as "records and data compiled by criminal justice agencies for purposes of identifying criminal offenders and of maintaining as to each such offender a summary of arrests, pretrial proceedings, the nature and disposition of criminal charges, sentencing, incarceration, rehabilitation and release. Such information shall be restricted to that which is recorded as the result of an arrest, detention or other initiation of criminal proceedings or of any consequent proceedings related thereto."

There are three criminal record histories which shall be regulated by the following subsections. These records include:

- the yellow RAP sheet produced by the Department of Justice (DOJ) from manual records;
- the Automated Criminal History Transcript printed on IBM paper by the DOJ in Sacramento and mailed to criminal justice agencies; and
- the Automated Criminal History Summary which is obtained via JDIC from the DOJ.

Local criminal history contained in the CCHRS (Consolidated Criminal History Reporting System) shall be treated with the same security as the above.

Units with specific parolee questions should telephone the CDCR Help Desk at (916) 324-7789.

All inquiries regarding the control and dissemination of criminal records information shall be referred to the Records and Identification Bureau Commander.

### **3-09/110.10 RESPONSIBILITY**

The Unit Commander shall act as the criminal records security officer at the Unit to which he is assigned. He shall be responsible for seeing that these procedures are adhered to and shall notify all personnel under his command of the following:

- only active law enforcement officers and authorized civilian criminal justice personnel, acting within the scope of their duties, are allowed to disseminate or receive criminal records information;
- accessing a computer system for information in order to obtain money, property or services with false or fraudulent intent, representations or promises, is a felony; and
- knowingly releasing criminal records information to unauthorized personnel, such as friends, acquaintances or retired law enforcement officers, is a misdemeanor.

### **3-09/110.15 RELEASE OF CRIMINAL RECORDS INFORMATION (RAP SHEETS)**

#### **Persons Authorized to Release Information**

The Unit Commander shall designate which employees at his Unit (sworn or civilian) are authorized to release criminal record information. He shall:

- compile and maintain an up-to-date list of authorized employees; and
- supervise the dissemination of information by maintaining complete audit records.

## Persons Authorized to Receive Information

Criminal record information may be released, on a need-to-know basis, only to persons or agencies authorized by court order, statute or decisional law to receive such information. The California Department of Justice (DOJ) listing of authorized agencies shall be referred to for releasing criminal record information. Persons may obtain special authorization from the courts to receive criminal record information. In such instances, the burden of establishing eligibility lies with the person requesting the information.

Information shall only be given to authorized persons or agencies over the telephone under the following circumstances:

- the identity of the caller can be verified; and
- the information is not readily obtainable via other means or an emergent situation exists.

Pursuant to Labor Code section 432.7, personnel of this Department shall not notify a governmental agency (other than a law enforcement agency or a school) of the arrest or detention of its employee which has not resulted in a conviction (see Chapter 1 of the Case Assignment and Reporting Volume).

With respect to the arrest of a law enforcement or school employee, the procedures and guidelines established in the Case Assignment and Reporting Volume regarding arrest of such employee shall be followed.

## **3-09/110.20 AUDIT TRAILS**

Each Unit shall keep a record of each release of California Department of Justice RAP sheets or information derived therefrom. The record shall be retained and available for inspection for a period of not less than three years from the date of release.

This record shall contain the date of release, name of requesting agency (and name of requesting person, if possible), name of receiving agency (and name of receiving person, if possible), information given and how the information was transmitted.

The requirement for recording each release need not apply to routine in-house procedures if the location of any specific DOJ RAP sheet is easily determinable through other records such as case assignment records, arrest registers or other formal standard procedures. If a DOJ RAP sheet is included as part of a document package (such as a Incident, probation pre-sentence report, etc.) and a record of the disposition or location of those documents is maintained, that record will suffice as a record of the release of the DOJ RAP sheet.

When an employee of this Department or outside agency utilizes a Department JDIC

terminal or direct access terminal to request criminal record information from DOJ, National Crime Information Center (NCIC) or another state via the National Law Enforcement Telecommunications System (NLETS), the request shall contain the employee's last name and Unit of assignment. The Automated Justice Information System (AJIS) arresting agency code shall be used to indicate the employee's Unit of assignment. To support the audit function, the request shall include one of the following:

- a truncated Uniform Report Number (URN) with the request results from an investigation associated with a specific Incident Report. The truncated URN shall consist of the reporting year, sequential number and the first two digits of the Unit designation number or location element (Station identifier);
- the purpose of the investigation (i.e., burglary, 211 PC, etc.) when the request is not associated with a specific Incident Report. The purpose shall be included when a manual RAP sheet is requested from DOJ;
- the word "booked" or "bkg" when the request results from an occasion wherein a subject is booked and an URN is not issued;
- the word "Pawn" when a request is associated with information obtained from a pawn slip; and
- the letters "SH-R-368" (Criminal Record Release Transmittal) and indicate the arresting agency code and the last name of the person receiving or requesting the information.

When an employee of this Department releases RAP sheet information, a Criminal Record Release Transmittal (SH-R-368) shall be completed. If the information is given by phone, then the releasee must complete the card. The form will have a printed notification advising that it is unlawful to disseminate RAP sheet information except to authorized agencies or persons.

When a meeting between representatives of the Department and representatives from other agencies is held and RAP sheet information is disseminated, a list shall be compiled naming the person and agency receiving information. This list shall be attached to the SH-R-368 and filed with it.

### **3-09/110.25 JUVENILE RECORDS**

These procedures do not alter existing statutory or decisional law or court policy regarding the release of juvenile offender records (see the Juveniles chapter).

### **3-09/110.30 CRIMINAL OFFENDERS REVIEW OF OWN RECORD**

A person may review his criminal record for the purpose of challenge or correction in conformity with Penal Code sections 11120 through 11127.

### **3-09/110.35 PROTECTION OF REPORTS**

Unit Commanders shall take reasonable steps to protect criminal records, including RAP sheets, printed electronic data and computer access terminals, from unauthorized access. Units not operating around the clock shall maintain printed records in located cabinets and sufficient physical security to prevent unauthorized access to computer generated data.

### **3-09/110.40 REPRODUCTION/DESTRUCTION OF CRIMINAL RECORD INFORMATION**

Criminal record information shall be reproduced only within the physical facilities of the Unit, with the authorization from and under the supervision of the Unit's designated criminal records security officer.

When RAP sheets/criminal record data are destroyed, the destruction shall be carried out to the extent that the identity of the subject can no longer be ascertained. When RAP sheet information/criminal record data is destroyed outside of the authorized agency, a person designated by the agency shall witness the destruction.

Prior to release or reassignment of any electronic storage media containing criminal record information to any non-criminal justice purpose, the criminal record information shall be completely erased from the media.

Printouts of criminal record information obtained through system development, test or maintenance shall be destroyed at the completion of the function or purpose for which the printout was obtained.

### **3-09/110.45 TRAINING**

Personnel authorized to release criminal history information from RAP sheets or computer sources shall participate in one of the following:

- attend California DOJ approved training sessions in the proper use and control of RAP sheets and electronically produced criminal records, held at a central location or at the Unit; or
- familiarize themselves with DOJ training materials in the proper use and control of RAP sheets and electronically produced criminal records.

### **3-09/120.00 SEALING AND DESTROYING OF ARREST RECORDS - FACTUALLY INNOCENT SUBJECTS ONLY**

Penal Code section 851.8 allows an adult who has been detained or arrested by this

Department, and who is factually innocent, to petition to have all records of that arrest sealed and destroyed. The provisions of 851.8 PC shall not apply to any offense classified as an infraction.

These procedures shall apply to subjects wrongly arrested for warrants regardless of the charge on the warrant.

Petitions must be filed within two years from the date of the arrest or two years from the date of filing of the accusatory pleading, whichever is the later date. Any time restrictions on filing may be waived without prejudice upon showing good cause by the petitioner.

In circumstances where a person has been detained or arrested and it is reasonable to assume that the person is factually innocent, the handling or investigating Deputy shall inform the person of the petition process and assist with its preparation. The Station detective/Unit Lieutenant shall ensure that the investigating Deputy issues said person a Certificate of Release (SH-AD-516 Rev. 4/71).

If an arrestee bonds out or is released O.R. prior to the investigating officer's determination that he is factually innocent, the Deputy is required to follow due diligence (Due diligence is defined as two attempts) in attempting to locate the arrestee to offer assistance in completing a Petition to Seal and Destroy Arrest Records (form BCID 8270).

Unit Commanders are responsible for establishing a detective Unit log which lists all persons filing a petition (form BCID 8270).

Petitioners shall be advised to apply at the Unit that initiated their detention/arrest and this original handling Unit shall provide a Petition to Seal and Destroy Arrest Records (BCID 8270). If the case records are no longer available at the Unit, the Records and Identification Bureau will provide them to the Unit upon request so that the investigating officer can make his decision.

The petitioner, with assistance as required, shall complete the top part of the Petition to Seal and Destroy Arrest Records (BCID 8270), which must include a print of his right thumb. The petitioner shall then be advised of the process time involved (60 days) and the method of notification of the action taken on the petition.

Copies of the petition (BCID 8270) shall be distributed as follows:

- 1 - Petitioner,
- 1 - Deputy district attorney having jurisdiction over the offense,
- 1 - Station detective/Unit Lieutenant,
- 1 - Investigating Deputy,
- 1 - Detective Unit log.

It is the responsibility of the investigating officer or the supervisor of the investigating Unit, in concurrence with the Deputy District Attorney, to determine if the petitioner is factually

innocent. Any case for which there was a finding of factual innocence shall not be admissible as evidence in any future action.

The investigating Deputy shall evaluate the petitioner's request and, in concurrence with the Deputy District Attorney, within 60 days from the date of the petition, shall determine if the petitioner is "Found Factually Innocent" or "Denied Petition." If not acted upon within 60 days, the petition is deemed denied by the Department.

NOTE: Upon the Department denying the request, the petitioner has the right to petition the municipal court which would have had jurisdiction, per section 851.8(b) P.C.

The investigating officer shall complete the bottom half of the BCID 8270, indicating a finding of factual innocence or denial of the petition. Copies shall be distributed as follows:

- 1 - Petitioner,
- 1 - Department of Justice,
- 1 - Deputy District Attorney,
- 1 - Station detective/Unit Lieutenant,
- 1 - Detective Unit log,
- 1 - Records and Identification Bureau.

When the petitioner is found factually innocent, the investigating officer shall prepare a Declaration of Factual Innocence (BCID 8271), indicating that the subject is exonerated. Copies of BCID 8271 shall be distributed as follows:

- 1 - Petitioner,
- 1 - Station detective/Unit Lieutenant,
- 1 - Investigating Deputy,
- 1 - Detective Unit log,
- 1 - Records and Identification Bureau.

In addition, the investigating Deputy, along with the Department of Justice, shall request the destruction of any and all records of the arrest which were given to any local, state, federal agency or to any other person or entity.

The Station detective/Unit Lieutenant is responsible for ensuring the following records are noted for a three-year retention from the date of the incident/arrest of the petitioner, with destruction thereafter:

- Form BCID 8270
- Form BCID 8271
- Investigator's related records

Records and Identification Bureau shall be responsible for noting "Exonerated" and

sealing all Department records of that incident of the factually innocent petitioner's detention/arrest for three years from the date of the incident/arrest, and thereafter destroy their records and the BCID 8270. No records shall be destroyed if the arrestee or a codefendant has filed a civil action against the Deputy or this Department until the civil action has been resolved.

In those cases where the petitioner is not the sole suspect or subject, all references to the petitioner as a suspect/subject shall be redacted and the concerned report shall be maintained as indicated by existing policies.

### **3-09/130.00 RELEASE OF DPSS INFORMATION**

Requests for Department of Public Social Services (DPSS) applicant or recipient file information shall be restricted to only those cases involving a deceased recipient or a suspect with a valid felony arrest warrant.

For felony arrest warrants, information is limited to the applicant/recipient's name, address, birth date, social security number and physical description. If the applicant or recipient is deceased, DPSS may release all of the information enumerated above, as well as the individual's telephone number.

Upon approval of their Watch Commander, Deputies requesting DPSS file information shall contact the Major Crimes Bureau, Detective Division, via telephone and provide the desk personnel with whatever pertinent information is known about the deceased or suspect and what information the requestor wishes.

Major Crimes Bureau personnel shall initiate a written request from their Bureau Commander to DPSS detailing the requested file information. Upon receipt of the requested information, Major Crimes Bureau shall forward the information to the requestor via telephone.

### **3-09/140.00 INTERPOL REQUESTS FOR INVESTIGATION**

All INTERPOL requests for investigation received by this Department, shall be forwarded to the Operations Lieutenant at Emergency Operations Bureau, Office of Homeland Security Division. Should the request require expertise not available at Emergency Operations Bureau, the Operations Lieutenant will contact the appropriate Unit for assistance.

#### **Requesting Assistance From INTERPOL**

Any Unit that needs investigative assistance from an INTERPOL member country shall contact the Operations Lieutenant at Emergency Operations Bureau, who is the designated coordinator for such assistance.



### **3-09/150.00 URN EVENT MICROFICHE**

Management Information Services, Administrative and Training Division, is responsible for having microfiche produced on URN records that are purged from the Los Angeles County Regional Information System. Thirty sets of microfiche are produced yearly with 28 sets distributed to Department locations and two sets to LAPD.

After the microfiche are prepared, subsequent court orders require certain references on microfiche be deleted. To facilitate this process, Management Information Services will be responsible for having replacement microfiche produced and distributed.

The Sheriff's Department and Los Angeles Police Department locations that maintain event microfiche files will be advised as to what cards are obsolete and will be replaced by the Management Information Services. Locations so notified shall package the designated cards for exchange, as all obsolete microfiche must be returned to Management Information Services for destruction.

### **3-09/160.00 DIGITALLY IMAGED RECORDS**

Records and Identification Bureau is responsible for coordinating electronic archival of all Department crime reports and of inmate release jackets.

Digital images are stored in the Sheriff's Electronic Criminal Documents Archive (SECDA). Department Personnel may retrieve copies of crime reports and inmate release jackets through the Los Angeles Regional Crime Information System (LARCIS).

### **3-09/170.00 PUBLIC APPEARANCES**

A public appearance is any situation where a member of this Department makes an official appearance on behalf of the Sheriff. This is not intended to include the routine performance of law enforcement services or liaison with other government entities such as an appearance before City Council meetings, planning commissions, traffic commissions, etc. Common situations which are considered public appearances include, but are not limited to, the following:

- addresses to civic organizations, schools, businesses, etc.;
- tours of Department facilities;
- exhibits and demonstrations of Department functions;
- parades; and
- participation in television and radio programs.

Procedures and guidelines for those persons participating in public appearances are

outlined in the following subsections.

### **3-09/170.05 QUALIFICATIONS OF PARTICIPATING PERSONNEL**

Division Chiefs or Division Director and Unit Commanders shall exercise close scrutiny over the selection of personnel to represent this Department. Criteria for selection will rest with the Division Chiefs or Division Director and Unit Commanders. The following considerations should be utilized in making this selection:

- experience;
- public speaking ability;
- education;
- rank;
- technical expertise; and
- personal appearance.

### **3-09/170.10 RESPONSIBILITY OF PARTICIPATING PERSONNEL**

Responsibility for assignment of public appearances and their subsequent supervision rests with the concerned Division Chief or Division Director. The Division Chief or Division Director will implement adequate controls and supervisory procedures to ensure that those persons representing this Department do so with the highest degree of professionalism.

### **3-09/170.20 OUTSIDE REQUESTS**

Whenever any person or organization makes an inquiry relative to obtaining a member of this Department to appear as a speaker or to make any personal appearance before any group, club, organization, society or radio or television audience as an official representative of this Department, the requesting person or organization shall be advised to submit a written request to the Sheriff. The written request shall be made at least 30 days prior to the date of the appearance and shall contain the following information:

- name of the organization;
- nature of the appearance, including the subject;
- date, time and requested length of the appearance;
- location;
- name, address and telephone number of the person making the request;
- number of persons expected in the audience and general age group; and
- amount of time allotted for presentation.

The requested Unit or Department member, upon receiving such a request, shall prepare an original and two copies of the Public Appearance on Behalf of the Sheriff form

(SH-AD-177) and forward the forms and requesting letter to their respective Chief or Division Director through the concerned Assistant Sheriff or the Undersheriff based upon the assignment of the requested appearance.

Upon approval the Division Chief or Division Director shall, if necessary, make an assignment to a specific Unit within the Division, retain one copy of the SH-AD-177 for his files and forward the original and two copies and the requesting letter to the Unit of assignment.

The Unit Commander shall assign a qualified individual to make the requested appearance or handle the assignment himself, retain one copy of the SH-AD-177 for the file and give one copy with the requesting letter to the individual assigned to make the appearance. In the event the request is cancelled by the requesting party, both the SH-AD-177 and the requesting letter shall be filed at the Unit with the notation, "cancelled per requesting party."

Upon assignment, the individual who is to represent the Department shall contact the requesting party for confirmation of the appearance and other information that may be desired.

When there is not time for the submission of a written request, the Station or Unit Commander concerned - pending verbal approval by the Division Chief or Division Director shall be authorized to approve such request by an outside person or agency, provided that the request can be filled by Station or Unit personnel. The requesting Unit will then complete the SH-AD-177 from information received by telephone, so note on the form and forward same to the speaker for completion.

Station or Unit Commanders, at their discretion, shall be authorized to approve requests by any contract city relative to obtaining an official representative of this Department to appear at any meeting of the city council or commission. Requests by any community relative to obtaining an official representative of this Department to appear at any citizens' group or community meeting for the purpose of discussing incorporation or annexation, or Station tours, may also be authorized by the Station or Unit Commander.

### **3-09/170.25 INTERNAL REQUESTS**

Department personnel desiring to participate in any group, club, organization, society, radio or television program as an official representative of this Department shall submit, through channels, a Sheriff's Department Office Correspondence (SH-AD-32A) giving all necessary details. The memo shall be addressed to the Sheriff and marked "Attention: Sheriff's Headquarters Bureau ."

The concerned Division Chief or Division Director, or his designated subordinate, shall confer with the Sheriff's Headquarters Bureau concerning the request. This Bureau shall submit the request and any recommendations to the Sheriff for approval or denial.

Personnel will be guided in such requests by the above and will not independently accept any speaking engagements for themselves or for other members of the Department under their command except as indicated below:

- ranking members of the Department, Lieutenant and above, are encouraged to seek speaking engagements and avail themselves of any opportunity where they may speak on behalf of the Department and its role in public service. Such personnel shall not avoid extemporaneous speeches on behalf of the Department at any public or social meeting; and/or
- ranking personnel speaking in spontaneous situations shall complete a Public Appearance on Behalf of the Sheriff form (SH-AD-177) to be retained at the Unit for record purposes.

### **3-09/170.30 PROCESSING OF COMPLETED SUMMARY OF APPEARANCES**

It shall be the responsibility of any member of this Department who acts as a representative of the Sheriff during public appearances to complete the "Summary of Appearance" portion of the SH-AD-177.

### **3-09/180.00 TOURS OF DEPARTMENT FACILITIES**

Whenever any person or organization makes an inquiry relative to touring any Department facility, they shall be directed to the Unit Commander of that facility. The requests should include the following:

- name of the organization;
- the facility to be toured;
- number of persons making the tour and their age range;
- date and time of the tour; and
- name, address and telephone number of the person making the request.

The Unit Commander and the concerned Division Chief or Division Director shall process a tour request in the same manner as set forth for public appearances.

Upon approval from the Division Chief or Division Director, the Unit Commander shall advise the requesting party of the decision.

Upon completion of a tour, the individual who conducted the tour shall prepare a written description of the tour to the Unit Commander to include the following information:

- date and time tour conducted;
- time spent conducting the tour;
- audience composition;

- number in attendance; and
- subject of the tour.

Information regarding tours that have been conducted shall be retained and available for review for a period of two years.

### **3-09/190.00 WRITING FOR PUBLICATIONS**

Department personnel desiring to write for any publication, radio, television, motion picture or other similar release, on any matter wherein the writer is identified as a member of this Department or where the material is to be taken from the Department files, shall adhere to the following procedures:

- submit an outline of the proposed writing to the Sheriff, through channels; and
- submit a memorandum to the Sheriff setting forth the purpose for which the manuscript was prepared, whether or not the writer had been solicited for said writing and any other facts pertinent to the writing or manuscript.

The Sheriff's Headquarters Bureau, upon subsequent referral, shall check the manuscript for its adherence to Department policy, prepare a report concerning the writing and its proposed use and submit same to the Sheriff for his review.

### **3-09/200.00 NEWSPAPER CLIPPING SERVICE**

Station Commanders shall be responsible for the clipping of all articles from local newspapers that pertain in any way to the Department or its personnel. Such articles shall be submitted to the Office of the Sheriff on a daily basis.

Articles shall be neatly trimmed and securely pasted on 8-1/2"x11" white bond paper. The name and date of the newspaper shall be indicated at the bottom of the page.

Each article shall be mounted on a separate piece of paper, leaving a 2" margin on the top. If a single article requires several pages, they shall be numbered in the lower right-hand corner of the bond paper indicating the total number of pages required for the article (e.g., 1 of 3).

No portion of the clipping shall be folded back if it does not fit on the page. In such a case, the loose end shall be cut off and placed on the same page as the rest of the article or, if no space is available, on a separate page.

These articles are filed at the Sheriff's Headquarters Bureau for future reference.

### **3-09/210.00 LEGAL RESEARCH AND COUNTY COUNSEL OPINIONS**

Formal opinions from the County Counsel may only be requested by the Sheriff. The Office of the Sheriff shall transmit all requests for formal opinions to the County Counsel. Employees shall not make direct inquiries of the County Counsel's office except as specifically authorized by the Sheriff.

Informal County Counsel advice, legal research information and assistance concerning Department matters are available from the Legal Unit of the Executive Planning Council Staff. Except for those with specific authorization, requests for such service shall be made, whenever possible, in writing, from a Unit Commander or above and directed to the Legal Unit, which shall research the matter in question and prepare an appropriate response.

If the subject necessitates a formal County Counsel opinion, they shall secure the concurrence of the County Counsel representative.

If the subject requires a formal County Counsel Opinion, the Legal Unit shall:

- seek approval of the concerned Division Chief or Division Director, when the request is from a lower management level;
- prepare correspondence requesting a formal opinion for signature of the Sheriff, Undersheriff, or concerned Assistant Sheriff directed to the County Counsel; and
- submit the request for formal opinion through the Office of the concerned Assistant Sheriff or Undersheriff.

### **3-09/220.00 FUNERALS AND HONOR GUARD REQUESTS**

#### General

The emotional nature of a funeral service, particularly when associated with the law enforcement profession, demands the utmost compassion and sensitivity on behalf of Department personnel. The welfare of the bereaved family is of primary concern. While the Department is interested in assisting the family during this difficult period and can provide many helpful services, it must also recognize the private and very personal nature of a funeral service. It is, therefore, important that in a desire to help, the Department does not unwittingly impose its services on the family.

A packet, "Guidelines for Sheriff's Department Employee Funerals: Operations Commander's Checklist," is available through the Return to Work Unit. This packet provides the Operations Commander with guidelines that are flexible, but is also designed to ensure that all phases of planning and organization have been considered. The packet also lists, in detail, the various levels of honor guard services available for funerals.

#### Departmental

It is within the scope and responsibility of the Return to Work Unit to assist the family of a deceased member of this Department with funeral arrangements; however, the Unit Commander shall have overall responsibility for providing and coordinating the logistical and operational aspects of the funeral services desired. When it is determined that a uniformed funeral is desired or appropriate, the Unit Commander shall notify the Unit Commanders of the Training Bureau and Sheriff's Headquarters Bureau. Notifications shall also be made to the Return to Work Unit and the concerned Division Chief or Division Director for coordination with Department executives.

The Division to which the deceased employee was assigned will be responsible for the overall operation of the funeral services. The Division Chief, Division Director, or Area Commander shall brief the Sheriff and major executives the day before the funeral services.

The Unit Commander of the Unit to which the employee was assigned is responsible for planning and coordinating every phase of the operation. He shall:

- assign a Lieutenant to act as the Operations Commander;
- ensure that all phases of planning and organizing the funeral have been considered; and
- ensure that his Area Commander and Division Chief or Division Director are continually briefed on the plans.

The Unit's Division Chief or Division Director will assist in the necessary coordination with other Divisions or Units as required by the size and complexity of the Department's involvement.

The Training Bureau, upon request, will provide the honor guard. The Sheriff's Headquarters Bureau will assist the Unit Commander with the coordination and notification of Department executives and the various logistical concerns regarding their attendance and/or participation in the services. They will also coordinate with any other departments/agencies that may be involved. The Return to Work Unit will provide the critical liaison between the family and the Department and provide the Unit Commander with the necessary guidance in meeting the family's needs. The Return to Work Unit shall, therefore, maintain a close working relationship with the Unit Commander.

### Professional Staff Members

The responsibility for planning and coordinating funeral services for professional staff members will essentially follow the same guidelines as those of sworn members. Military funerals are not provided by the Department for professional staff members. However, if the employee was a member of the United States military, that branch of the service will be responsible for providing a military contingent. This Department will provide honorary pallbearers at military funerals only if requested to do so.

### Retired Members

The planning and coordination of funeral services for retired members of the department who, at the time of their death were members of the Sheriff's Relief Association, shall be the responsibility of Sheriff's Relief Association personnel. Representatives of the Return to Work Unit will assist, as needed.

### **3-09/220.05 LOGISTICAL PLANNING - UNIFORMED CEREMONIES FOR FUNERALS**

In planning a funeral for a deceased member of this Department wherein a uniformed ceremony is desired or appropriate, it can be anticipated that large numbers of personnel, including ranking members of this Department and other law enforcement agencies, will attend, particularly if the death was duty related. Certain logistical and operational concerns, therefore, must be addressed. The following guidelines should not be considered all-inclusive, but are designed to provide Unit Commanders with some insight and assistance in their planning efforts.

- after determining funeral location(s), parking and traffic control must be established. If the Sheriff or other ranking executives are attending or participating in the services, their ingress/egress should be prearranged;
- the Sheriff/ranking officer of this Department should be briefed by the Sheriff's Headquarters Bureau or Return to Work Unit regarding family concerns and wishes. Information concerning other officials or dignitaries attending should also be discussed;
- seating for Department executives attending/participating in the service should be prearranged and reserved. This would, most appropriately, be near the front section of the church or funeral home and in proximity to, or behind, the honor guards;
- following the services, an appropriate location should be designated for the Sheriff/ranking officer and party to await the procession of the casket to the funeral hearse;
- the procession (cortege) should normally consist of the motorcycle reserve escort or one radio car, the hearse, family limousine, Sheriff/ranking officer's vehicle and police vehicles, followed by the rest of the procession;
- if the cemetery is some distance from the funeral home or church, consideration of the size and speed of the procession is important. Delays and inconvenience to private citizens should be minimized wherever possible. This is a legitimate operational concern and can be accomplished through explicit instructions to the escort vehicles or by placing an Deputy in the funeral hearse;
- an appropriate location for the Sheriff/ranking officer to stand during the grave side ceremony should be designated and made known to the executives;
- an appropriate area for media representatives shall be designated and manned by Sheriff's Headquarters Bureau personnel;
- in the event of a rifle honor guard, the family members should be reminded of the volley of shots so not to frighten them unnecessarily;



- prior to the services, the Return to Work Unit shall ascertain who is to receive the American flag on behalf of the family at the conclusion of the grave side ceremony;
- Department personnel attending the funeral in uniform shall wear the Class A Uniform, long-sleeved shirt, tie and no cover. Additional uniform accessories, e.g., jackets, rain gear, etc., may be specified as appropriate;
- when particularly large funeral services/processions are expected, the Special Enforcement Bureau, Emergency Operations Bureau, etc., may provide assistance in the overall planning effort; and
- the subsection on "Patriotic Courtesy" in the Policy and Ethics chapter should be consulted for proper courtesy and demeanor during the funeral service.

Although other Department personnel may be utilized to handle funeral arrangements, the Unit Commander is ultimately responsible for the planning and coordinating effort, remembering that the family's desires and requests are the Department's first concern and priority.

### **3-09/220.10 HONOR GUARDS, FUNERAL SERVICES**

The Training Bureau will be responsible for providing personnel for the majority of honor guard functions; however, the Operations Commander may use personnel from the Unit of assignment when such utilization would be more expedient, the Unit would like to participate in this function, or the family requests Unit participation. Additional services for consideration include honorary pallbearers, color guard, flag detail, rifle detail, bugler or "honorary" representatives of the Department. The Unit Commander with the assistance of the Return to Work Unit, will make the final determination on the level of services requested and provided.

### **3-09/220.15 HONOR GUARDS, OTHER MISCELLANEOUS FUNCTIONS**

#### Written Requests

The Training Bureau shall have the responsibility to coordinate all requests for honor guards.

Whenever a person or an organization makes an inquiry or request relative to obtaining a Department honor guard for such functions as parades, flag raising ceremonies, etc. the requesting person or organization shall be advised to submit a written letter of request to the Sheriff. The written request shall be made 30 days prior to the date of the function and shall contain the following information:

- name of the organization;
- nature of the function;
- date, time and approximate length of the function;
- location; and

- name, address and telephone number of the person making the request.

The Training Bureau, upon receiving such a request, shall prepare an original and two copies of the Public Appearance on Behalf of the Sheriff form (SH-AD-177) and forward the forms and requesting letter to the appropriate Assistant Sheriff(s) for approval.

Upon approval, the request will be forwarded to the Division Director, Administrative and Training Division, who shall retain one copy of the SH-AD-177 for file and return the original and remaining copy of the form together with the requesting letter to the Training Bureau.

The Training Bureau shall contact the requesting party for confirmation, obtain any other information that may be desired and assign the necessary personnel for the honor guard as requested.

Upon completion of the honor guard assignment, the Training Bureau shall complete the SH-AD-177 (Summary of Appearance Section), and retain the original with the requesting letter for file.

In the event the request is cancelled by the requesting party, both the original and remaining copy of the SH-AD-177 and the requesting letter shall then be filed at the Training Bureau with the notation, "Cancelled per requesting party."

#### Telephonic Requests

When there is insufficient time for the submission of a written request, the Station, Bureau or Unit receiving the request shall obtain the necessary information required for a written request and shall immediately notify the Training Bureau of the request. The Training Bureau shall then prepare an original and two copies of the Public Appearance on Behalf of the Sheriff (SH-AD-177) from information received by telephone, so note on the form, and after obtaining verbal approval from the Undersheriff or the appropriate Assistant Sheriff, forward the request to the Division Director, Administrative and Training Division.

The Division Director, Administrative and Training Division shall retain one copy of the SH-AD-177 for file and forward the approved original and remaining copy to the Training Bureau.

Training Bureau shall contact the requesting party for confirmation, obtain any other information that may be desired and assign the necessary personnel for the honor guard as requested.

Upon completion of the honor guard assignment, Training Bureau shall complete the SH-AD-177 (Summary of Appearance Section), and retain the original with the requesting letter for filing.

#### Contract City Requests

Station Commanders, at their discretion, shall be authorized to approve requests by any contract city to obtain a Department honor guard for any contract city function. Upon receiving such a request, the Station Commander shall be responsible for obtaining the necessary information and requesting the honor guard from the Training Bureau.

The Station Commander shall then prepare and complete an original and two copies of the Public Appearance on Behalf of the Sheriff (SH-AD-177) and forward it to Training Bureau, which will complete the "Summary of Appearance" portion upon completion of the honor guard assignment.

The Training Bureau shall then forward the original of the form to the Division Director of the Administrative and Training Division, retain a copy for record purposes and forward a copy of the completed form to the requesting Unit Commander.

### **3-09/220.20 OUTSIDE POLICE AGENCY REQUESTS FOR HONOR GUARD SERVICES**

Upon request, and subject to approval, this Department may provide honor guards to outside police agencies for funerals involving the on-duty death of any of their officers.

Whenever any Southern California law enforcement agency makes an inquiry or a request to obtain a Department honor guard, the person receiving the inquiry or request shall immediately make notification of this fact to the Training Bureau, who shall obtain the necessary information and document and forward the request to the Undersheriff or the concerned Assistant Sheriff for approval. Upon approval Training Bureau shall confirm and coordinate the request with the requesting police agency.

### **3-09/240.00 ADOPT-A-DEPUTY PROGRAM**

The "Adopt-A-Deputy" program fulfills an existing need for a favorable person-to-person contact between members of this Department and the public. It is designed to generate a feeling of friendship and understanding and to create meaningful rapport between school children and members of the Department based on an informal, friendly relationship with an individual "adopted" Deputy Sheriff.

The program shall be implemented on request of those public schools at the elementary and junior high school level located within the unincorporated areas of Los Angeles County.

In the event a contract city requests the establishment of a program within their school system, the requesting city shall be advised that Department contract city personnel will be used.

Independent (non-contract) cities requesting the program through the Sheriff's Department shall be courteously advised to contact their local municipal police department for information concerning the possible availability of similar programs through their own police department.

### **3-09/240.05 PERSONNEL QUALIFICATIONS**

Since the success of the program is largely dependent upon the quality of personnel assigned to administer the program at the schools, selection should be based on possession of as many of the following characteristics as possible:

- immaculate appearance;
- friendly and professional in demeanor;
- competent in public speaking;
- good general knowledge of law enforcement;
- good general knowledge of the Department as a whole; and
- a minimum of one year experience as a patrol Deputy in the Station area of assignment.

### **3-09/240.10 PROGRAM OPERATION**

The "Adopt-A-Deputy" program can be established either at the request of a concerned school or may be initially presented to the school by a representative of the Department.

Upon acceptance or approval by the school principal, a Deputy will then be assigned to the school. The assigned Deputy will meet with the principal or his representative, who will usually arrange a staff meeting so that the "adopted" Deputy will be able to confer with the teachers to explain and develop a program for the school. At the first opportunity, the Deputy will be taken into each classroom and introduced to the students. When student enrollment does not permit introduction to individual classes, an assembly may be utilized for this purpose.

The "adopted" Deputy should visit his school as often as time permits, but no less than twice a month. The visits may vary in length; but, be of sufficient time to gain maximum benefits. The Deputy should visit as many classrooms as possible during each visit. As time allows, the Deputy should stop by the school during his regular tour of duty to converse with the students.

One person shall be assigned to coordinate the "Adopt-A-Deputy" programs, select personnel and act as liaison between the Station and the participating schools. When necessary, a Deputy may be assigned to more than one school.

### **3-09/240.15 SAMPLE FORMAT**

The programs for each school may vary depending upon the policy of the respective school administrators. However, the basic format is as follows:

- orientation (First Visit):

this consists of introduction of the Deputy to the students and an explanation of his "adoption" by the school;

- class discussions:

these are designed to encompass general safety practices which should be followed by the students. These discussions will cover, but are not necessarily confined to:

- traffic laws and bicycle safety;
  - the hazards inherent in associating with strangers or suspicious persons, Pedestrian safety and rules; and
  - the necessity for obeying school rules, rules of the home and the rules established by society;
- displays of Department facilities and equipment, which includes the following:
    - tour of the Sheriff's Station facilities by the students;
    - display of radio car and equipment;
    - display of Department helicopter and explanation of the Sheriff's helicopter patrol; and
    - discussions of future trends in law enforcement.
  - discussions and programs on other subjects as recommended by the school staff.

### **3-09/250.00 CLEARANCE LETTERS, FINGERPRINTING, LICENSE APPLICATIONS, ETC.**

The following procedures provide for issuing clearance letters and taking fingerprints at the request or consent of a person requesting fingerprinting.

Fees shall be collected at time of service, in person, or via U.S. mail. Current charges for each of the following is determined and available through Fiscal Administration:

- Citizen's Clearance Letters (SH-AD-516)  
see section 3-09/250.15 for procedures. It is not necessary, absent extenuating circumstances, for a citizen to apply in person. The entire transaction may be conducted by mail, with a response mailed within two business days;

- Fingerprints  
take the print impression of the appendages of both hands on one fingerprint card;
- License Applications  
applicant applying for a license which is required by the County or by a city with whom the County has contracted to enforce license requirements shall be fingerprinted; and
- Examination of DOJ Records  
applicant desiring to examine his records must submit a completed fingerprint card to the California Department of Justice, Bureau of Identification.

### **3-09/250.05 FEE EXEMPTION**

A fee shall not be charged when fingerprints are taken under any of the following conditions:

- in criminal matters;
- applicants taking an examination given by the Civil Service Commission of the County;
- persons associated with a charitable organization where the organization requires such person be fingerprinted as a condition of serving with the organization;
- any person required to obtain a license or permit pursuant to section 1508 of the Health and Safety Code for a Foster Home or Child Care Center utilized by the Department of Children's Services;
- retaking fingerprint cards which have been returned because of illegibility;
- applicants for civil service positions with contract cities; and
- applicants for Department "Press Passes."

NOTE: All applicants for a Department Press Pass shall be advised that they may be fingerprinted at any Station or Records and Identification Bureau.

### **3-09/250.10 FEE PROCESSING**

Cash, cashier's checks, money orders or personal checks (personal checks with approval of Station Watch Commander) and credit cards shall be accepted for payment of fees. Checks and money orders shall be made payable to either Leroy D. Baca, Sheriff or the Los Angeles County Sheriff's Department. Driver's license number shall be written on personal checks.

Upon acceptance of payment, a Department Receipt (76M474C) generated from the cash register shall be given.

Deposit of these funds shall be in accordance with standard banking procedures.

The miscellaneous fees money collected shall be handled in accordance with the Department's safeguard policy as outlined in the Fiscal chapter.

**3-09/250.15 STATION REQUESTS FOR CITIZEN'S CLEARANCE LETTERS/TRAVEL CLEARANCE (SH-AD-516)**

The Department issues Citizen's Clearance Letters/Travel Clearance only for persons who are United States citizens, or who have permanent resident status, residing within the jurisdiction of the Department.

Requests for Citizen's Clearance Letters/Travel Clearance may be made, either in person or by mail, through Records and Identification Bureau or at any Sheriff's Station.

Stations accepting applications for a Citizen's Clearance Letter/Travel Clearance shall proceed as follows:

- obtain the citizen's full name, address, date of birth and a complete physical description;
- obtain the citizen's driver's license number, if available;
- verify the information through driver's license, passport or other appropriate identification or photocopy thereof; and
- perform a CWS inquiry for wants only via the JDIC terminal.

If the want check indicates no wants, one original of the SH-AD-516 and, upon request, a second original, shall be prepared and issued as follows:

- place a line through the portion of the heading which reads "Certificate of Release;"
- the name of the Station and telephone shall be typed in the upper left-hand corner of the form;
- the citizen's full name, physical description, driver's license number and miscellaneous descriptors (e.g., tattoos, scars, deformities, etc.) shall be typed in the spaces provided;
- an "x" indicating no warrants, shall be typed in the appropriate area;
- any warrant "hits" that are similar to the applicant's name, description, etc., but are deemed not to belong to the subject, shall be indicated by typing the warrant number under the "Wrong Warrant Advisement" section;
- the signature, employee number and rank of the authorized person signing the form shall be placed at the bottom of the form;
- the authorized person shall time-stamp the front of the form;
- collect required fee, as determined by Fiscal Administration and complete and distribute a Department of Sheriff receipt (76M474C), refer to section 3-09/250.10, for distribution; and
- place forms in envelope and give to applicant.

A want check indicating outstanding warrants or wants shall be handled in accordance with Department procedures, as outlined in the Judicial Process chapter.

A Citizen's Clearance Letter/Travel Clearance shall not be issued to any citizen having outstanding warrants or who is wanted for a criminal offense. An explanation of rejection should be made to the applicant in writing.

Unless circumstances dictate otherwise, all Citizen's Clearance Letters shall be prepared and issued and/or mailed within two business days from the time the request is received.

Any member of this Department who comes in contact with a citizen who presents a Certificate of Release/Clearance Letter (SH-AD-516) or similar document issued by another law enforcement agency of Los Angeles County shall follow the procedures in section 5-03/095.05.

### **3-09/270.00 CIVILIAN VOLUNTEER PROGRAM**

The Department's Civilian Volunteer Program is a utilization of carefully selected individuals from the community who desire to offer their services without compensation. All personnel should encourage individuals, who express an interest in volunteering, to complete an application and review the available job descriptions at their nearest Station or contact the Community Law Enforcement Partnership Program.

Units desiring Civilian Volunteers should:

- review the Civilian Volunteer Program Guidebook available through the Community Law Enforcement Partnership Program;
- identify tasks and projects;
- prepare brief job descriptions if not in the job description manual;
  - forward copies of the job descriptions to the Community Law Enforcement Partnership Program;
- advertise for volunteers utilizing:
  - press releases;
  - community service cable channels; and
  - fliers;
- establish a thorough and comprehensive screening process, including an interview.

A personnel folder shall be completed on all successful candidates. This file shall be maintained at the originating Unit and shall include:

- completed Civilian Volunteer application, signed by applicant with signature of coordinator as authorized witness;
- copy of Authorization Form;



- record check - DMV, warrants; and
- fingerprint record check;
  - submit one DOJ card to Records and Identification Bureau.

NOTE: Final approval of a civilian volunteer rests with the concerned Unit Commander.

Units accepting civilian volunteers shall:

- complete a civilian volunteer Authorization form and forward to the Community Law Enforcement Partnership Program prior to volunteer starting service;
- conduct a Station/Unit orientation program for volunteers;
- issue a temporary identification card for 90 days. Upon expiration of 90 days, a permanent card will be issued; and
- submit a quarterly report to the Community Law Enforcement Partnership Program;
  - obtain a signed Use of Criminal Justice Information form.

Volunteers do not have civil service protection. The Department sincerely appreciates the contribution these individuals make to the Department and their community. However, volunteering is a privilege not a right. If necessary, Unit Commanders may terminate the service of a volunteer at any time.

In terminating the services of a civilian volunteer, the concerned Unit Commander or representative shall:

- take custody of the civilian volunteer identification card; and
- return the civilian volunteer identification card to the Community Law Enforcement Partnership Program.

The volunteer program is governed by the Manual of Policy and Procedures, the Civilian Volunteer Program Coordinator's Manual and the Volunteer on Patrol Manual.

### **3-09/280.00 SERVICE TO CONTRACT CITIES - LEVEL CHANGE**

These procedures are established on the premise that Contract Law Enforcement Bureau (CLEB) is the focal point and coordinator of contract law enforcement activities for the Department.

The procedures pertaining to contract city service levels found in the following subsections shall be adhered to:

- at the beginning of each fiscal year; and
- when contract city officials request any changes in existing services.

When special problems arise that are not covered in this manual, CLEB should be contacted.

Preparation of the SH-AD-575 is the responsibility of the Station Commander responsible for providing service to the contract city. Questions on preparation of this form should be directed to CLEB.

### **3-09/280.05 DUTIES OF STATION COMMANDERS**

Station Commanders shall receive and document requests from cities concerning increases and decreases in service or the continuance of existing services. To this end, Station Commanders shall:

- notify CLEB by telephone as soon as an intended change is identified;
- obtain written requests from the cities served, clearly indicating the desired levels of service, Written requests shall be obtained in all cases when a service level is changed and prior to the beginning of each fiscal year, even if there is no change in the level of service;
- prepare a Contract Law Enforcement Services (SH AD 575), reflecting the total level of service desired by each city for the coming fiscal year or the remainder thereof; and
- submit all written requests for service from the cities, the newly prepared SH-AD-575 forms and any other information to the CLEB for review.

Station Commanders shall review each billing invoice prepared by Fiscal Administration for services rendered to cities.

Station Commanders shall ensure that the level of service charged is correct and that invoices are received for each city receiving law enforcement services from that Station. Any discrepancies noted shall be reported immediately by telephone to the CLEB.

An SH-AD-32A shall also be prepared and forwarded to the CLEB within three days of the telephonic notification. Invoices should be retained by the Station for two years.

#### **Special Circumstances - Conditions**

##### **Regional Service Arrangements**

When a Station provides contract services to multiple cities on a regional or consolidated basis, an additional SH-AD-575 must be prepared to reflect the total service level provided on a regional or consolidated basis.

Non-regional and dedicated services for individual cities in the regional or consolidated area should be shown on the individual city SH-AD-575, not on the overall regional or consolidated SH-AD-575. Changes in dedicated service levels of individual cities participating in the regional consolidated plan require a revised SH-AD-575 for that city

only.

### **3-09/280.10 DUTIES OF CONTRACT LAW ENFORCEMENT BUREAU**

Upon receipt of the service level requests and the Contract Law Enforcement Services (SH-AD-575), the CLEB shall:

- review the SH-AD-575 for accuracy and completeness;
- forward the original SH-AD-575 to the concerned Division for review and approval;
- prepare and forward to Fiscal Administration, Attention: Special Accounts Section, a notice of service level change reflecting the new level of service;
- distribute copies of the completed/approved SH-AD-575 forms to the appropriate Stations;
- retain the originals of all correspondence and SH-AD-575 forms;
- maintain a current roster of the number of personnel required to staff contract city services Units;
- initiate a Personnel & Item Control/Additional Funding Request (SH-AD-650), when appropriate, and forward this request and all necessary support documentation to Personnel Administration;
- notify the appropriate Divisional budget representative of increases or decreases in personnel and/or vehicle and special equipment requirements;
- notify Stations of rate changes developed by the County Auditor-Controller; and
- notify the appropriate Employee Bargaining Unit of proposed changes that fall within the scope of representation prior to implementation.

### **3-09/280.15 DUTIES OF CONCERNED DIVISION HEADQUARTERS**

The concerned Division headquarters, upon review and approval of the Contract Law Enforcement Services (Form SH-AD-575), shall:

- return the original SH-AD-575 forms to the CLEB for final distribution; and
- when the concerned Division is advised by Personnel Administration that an increase in personnel has been approved, the Division Chief shall ensure that the concerned Unit/Station is notified.

### **3-09/280.20 DUTIES OF PERSONNEL ADMINISTRATION**

Upon receipt of a Personnel & Item Control/Additional Funding Request (SH-AD-650) from CLEB of either an increase or decrease in personnel required to staff contract city Units, Personnel Administration shall:

- enter the change in personnel indicated on the Personnel & Item Control/Additional Funding Request (SH AD 650) in the Personnel Information and

- Management System (PIMS);
- indicate on the Personnel & Item Control/Additional Funding Request (SH-AD-650) the date of entry into PIMS and the initials of the employee making the entry; and
  - prepare photocopies of the entered Personnel & Item Control/Additional Funding Request (SH-AD-650) and forward a copy to CLEB, Fiscal Administration and the concerned Division.

Personnel Administration will maintain the original copy of the Personnel & Item Control/Additional Funding Request (SH-AD-650).

### **3-09/280.25 DUTIES OF FISCAL ADMINISTRATION**

Fiscal Administration shall receive notice of service level change from CLEB after approval of the SH-AD-575 by the concerned Division. The Special Accounts Section of Fiscal Administration shall compute the service charges based on the current billing rates and make necessary adjustments as the rates or the service levels change.

Billing shall be monthly and distributed as follows:

- original to concerned contract city;
- one copy to the Station providing service;
- one copy to CLEB; and
- one copy retained by Special Accounts.

Billing adjustments shall be effective from the date the change is actually provided, as reported to the Special Accounts Section by CLEB.

Billing adjustments shall be distributed to CLEB for review prior to distribution to the Stations and contract cities.

All matters relating to the Department's budget pertaining to contract law enforcement will be handled by Fiscal Administration in conjunction with CLEB personnel.

### **3-09/280.30 FUNCTIONS OF OTHER COUNTY DEPARTMENTS PERTAINING TO CONTRACT CITY SERVICES**

The following information is provided for clarification only:

- the Chief Administrative Officer's (CAO) County-City Coordinator - should coordinate all services necessary between the CAO's Budget Analyst, Board of Supervisors and the Department. All contact with this Department should be made through CLEB; and
- CAO, Budget Division - The CAO's Sheriff's Department's Budget Analyst reviews

Department requests for personnel and equipment and makes final recommendations for their approval and funding.

### **3-09/290.00 RETENTION OF DEPARTMENT RECORDS**

This section defines various Department records, either original document or unalterable electronic document and establishes a retention period for which they must be maintained. At the expiration of the retention period, the records shall be destroyed.

Unless indicated otherwise, Records and Identification Bureau shall be responsible for retaining these records.

- Announcements:
  - all types of Department broadcasts;
  - electronically retained by Data Systems Bureau; and
  - two year retention;
- bail deviation record:
  - Stations retain; and
  - two year retention;
- CWS warrants:
  - warrant transmittals and warrant recalls via JDIC;
  - two year retention. When the warrant cannot be located, retain warrant transmittals and recalls indefinitely;
- buy forms:
  - information regarding pawnshop customer and transaction such as a loan, buy or consignment which is supplied by the dealers who originally received said form from the License Detail;
- Pawn and Receivers Detail retain:
  - two year retention;
- court lists:
  - Stations retain; and
  - six month retention;
- Deputy Daily Worksheet (SH-CR-73):
  - summary of personnel assigned to each Station for each shift and their individual assignments;
  - Data Systems Bureau retains; and
  - two year retention.

When the Deputy's Daily Work Sheet is subject to audit for a time period stipulated within a contractual agreement, such logs shall be retained for the period of time stipulated but in no case less than five years.

- JDIC Messages:
  - JDIC messages to CLETS, in County, out-of-County and out-of-State. Also JDIC messages and recalls;

- electronically retained by Data Systems Bureau; and
  - three year retention;
- Sex and Arson registration:
  - Sex and Arson Registration indefinitely (0);
- Property Control (PC) cards:
  - used for recording evidence by this Department; and
  - five year retention. The Property Custodian will retain the PC Cards;
- Receipt books:
  - Department miscellaneous receipt books are receipts for services rendered to the public which the Department affixes a charge;
  - Units/Stations retain; and
  - three year retention.
- Booking Jackets:
  - all original related booking documents are to be sent to IRC for archiving. Including the original signed Probable Cause Declaration; and
  - retention will match the Incident Report (URN) retention in LARCIS;
- Ride-Along Waiver (SH-AD-173);
  - originating Unit retains Department form for waiver of civil liability when riding in a Department vehicle during a Ride-Along Program assignment;
  - Stations retain; and
  - two year retention;
- sealed records:
  - contain juvenile court order sealing arrest information and abstract of juvenile's record; and
  - destroy at the expiration of their retention period, for the type of classification of the sealed record;
- Station activity logs:
  - CRT dispatch activity printouts;
  - Stations retain; and
  - two year retention;
- Station communication tapes:
  - Stations retain; and
  - 120-day retention.

### **3-09/300.00 DEPARTMENT ATHLETIC EVENTS**

Any full-time employee may be a participant on an officially sanctioned Department team or a Unit team.

Only full-time personnel will be covered by Workers' Compensation in case an injury is sustained during a Departmentally approved athletic event. Workers' Compensation coverage is not valid during practice at any level.

It shall be the responsibility of Unit Commanders to ensure that all Department team members understand the above conditions prior to signing the Acknowledgment of

## Restrictions on Participation in Departmental Athletic Events (SH-AD-636).

Additionally, Unit Commanders shall not consent to employees relieved of duty or on suspension at the time of such events or to limited duty status employees being part of or engaging in any Department organized team activity, sporting event or Police Olympics which is in violation of their restrictions. Verification of limited duty status and restrictions may be obtained from Personnel Administration Bureau, Return to Work Unit.

Participants in athletic events shall be permitted as scheduling permits, and then, only at the discretion of the entrant's Unit Commander, with the concurrence of the Division Chief or Division Director and Department Athletic Director. Only those events considered of sufficient benefit to the Department will be approved, sponsored and covered by Workers' Compensation. Employees participating in Department approved events or practicing shall do so on their own time. Use of County time for such purposes is not permitted. Personnel that plan to compete must submit an Absence Request (SH-R-96) to their Unit Commander in advance of the day(s) off requested and indicate how they desire the time to be carried, e.g., Compensatory Time off (E), Vacation (V), Sick Personal (SP) or Holiday Worked Credit (F). Unit Commanders shall make every reasonable effort to accommodate such requests for time off. Overtime shall not be allowed for any employee participating in an athletic event or practice for such event.

Persons desiring further information not found in the following paragraphs may contact the Administrative and Training Division Area I Commander, who is designated as the Department's Athletic Director.

### **3-09/300.05 DEPARTMENT ATHLETIC TEAMS AND EVENTS**

Official sanctioned Department teams and events shall be organized and maintained in accordance with the following requirements:

- to obtain official team status, the concerned Unit Commander or Department Athletic Director, when there is no Unit identity, shall direct a memorandum setting forth the need and scope of the athletic program to the concerned Division Chief(s) or Division Director for approval. Approved requests shall be forwarded to the Department Athletic Director for final approval and record keeping;
- all team members shall be full-time employees assigned to the Units entered in competition;
- Units desiring to enter their Department approved team in an event shall submit, prior to the date of the event, a memorandum to the Department Athletic Director, containing the following:
  - date of the event;
  - time and location of the event;
  - a team roster, including names of team members and substitute participants; and
  - a copy of completed SH-AD-636 admonition for each Department member.

The original of the SH-AD-636 shall be placed in the employee's Unit personnel file;

- a list of all limited duty status employees enrolled in an event or a team member and their restrictions.

The Department Athletic Director will issue a notice of approval or disapproval for the requested team event to the concerned Unit Commander.

### **3-09/300.10 INTERMURAL ATHLETIC TEAMS AND EVENTS**

Official intermural Department teams are periodically organized and activities generally approved, in the furtherance of improving police-citizen relations. To achieve these goals, athletic contests may be arranged with local high schools, youth groups, community groups and other governmental agencies.

The same standards and regulations apply to intermural sports as those listed in section 3-09/300.00 and section 3-09/300.05, insofar as rosters, notification, eligibility, County time, coverage by Workers' Compensation or admonitions.

All requests from other agencies, groups, etc. to engage Department teams in competition shall be directed to the Sheriff's Headquarters Bureau.

### **3-09/300.15 OTHER TEAMS**

Athletic teams which are organized by employees of the Department for the purpose of recreational and social activity, e.g., municipal or industrial leagues, etc., shall not receive sanction as Official Department Teams, and therefore, shall not be covered by Worker's Compensation.

### **3-09/310.00 DEPARTMENT INSPECTIONS**

Department inspections are to ensure compliance with Department policies and procedures as well as County policies.

Each Division will be involved in the inspection process. The Division Chief/Division Director shall:

- ensure that each Unit within the Division is inspected annually, including its own headquarters Unit;
- identify any areas within the Division beyond the minimum inspection areas that necessitate review, and maintain a list of all areas;
- ensure that all inspection results are recorded and stored at Division headquarters. The results shall be packaged by year and facility. They shall be kept for a



minimum of three years;

- ensure coordination with assisting Units who conduct inspections in their area of expertise (i.e. Armory inspection is conducted by the Range Staff; Timekeeping inspection is conducted by the Payroll Audit Training Unit);
- require that Units within the Division delineate on memorandum, corrective measures if deficiencies are found;
- promptly report any major deficiency, as determined by the concerned Division Chief or Division Director, to their Assistant Sheriff and send documentation of the major deficiency with corrective measures; and
- ensure that the documentation of the deficiency and corrective measures are kept with the facility package at Division headquarters.

### **3-09/320.00 DEPARTMENT OF MOTOR VEHICLES CONFIDENTIALITY REQUESTS**

Los Angeles County Sheriff's Department employees requesting confidentiality of their home address through the Department of Motor Vehicles (DMV) must meet the following eligibility criteria as set forth in Section 1808.2, 1808.4 or 1808.6 of the California Vehicle Code.

- active or retired peace officers as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code;
- Public Response Dispatchers;
- a Professional Staff member who submits verification that in the normal course of their employment controls or supervises inmates or is required to have a prisoner in their care or custody, such as a Custody Assistant or Matron;
- professional Staff designated by the Sheriff as being in a "sensitive position."
- Some examples that may be considered "sensitive" and considered for DMV confidentiality are an employee who holds a position in which their duties have been deemed to warrant confidentiality by the Department, or an employee who can verify that they have been the subject of stalking, as specified in Section 1708.7 of the Civil Code or Section 646.9 of the Penal Code, or where there exists a threat of death or great bodily injury to their person, as defined in Section 12022.7 of the Penal Code, or justified due to their workplace duties or requirement to testify against other law enforcement employees;
- spouse or child of an eligible employee, regardless of their age or place of residence. For requests made on or after January 1, 2011, the person requesting confidentiality for their spouse or child listed in the subparagraph (A) or (B) shall declare, at the time of the request for confidentiality, whether the spouse or child has been convicted of a crime and is on active parole or probation. In the event an employee's family member, who was granted DMV confidentiality, is later placed on parole or probation, the employee shall immediately notify their employer. It is the employee's responsibility to notify the Department of any changes that would negate the privilege of maintaining DMV confidentiality; or
- surviving spouse or child of a peace officer who dies in the line of duty.

### **3-09/320.05 REQUESTING DEPARTMENT OF MOTOR VEHICLES CONFIDENTIALITY**

Employees who desire confidentiality and meet the eligibility criteria should submit a completed Request for Confidentiality of Home Address (INV 32) to the Operations Staff at their Unit of assignment for verification. Professional staff position requests must have written justification based on the requirements of Vehicle Code Sections 1808.2, 1808.4, and 1808.6, and must accompany the INV 32.

### **3-09/320.10 APPLYING FOR INITIAL DEPARTMENT OF MOTOR VEHICLES CONFIDENTIALITY**

The Request for Confidentiality of Home Address (INV 32) forms are available from each Unit's Operations Staff, Personnel Administration, or each Unit may order from:

S.T.A.R.S.  
Central Supply and Logistics Unit  
14205 East Telegraph Road  
Whittier, California 90604

The request for DMV Confidentiality must be submitted on the most current INV 32 form. It is the employee's responsibility to ensure the required information fields are completed before submitting the Request for Confidentiality of Home Address (INV 32) to their Operations Staff. The following fields must be completed:

- Field - Name and Address:  
list the name and home address (post office box is acceptable) of the qualifying employee. List the name of the qualifying employee's spouse and/or child.

The address listed for the qualifying employee shall match the home address or post office box listed in the County-Wide Timekeeping and Payroll Personnel System (CWTAPPS) and the Employee Information System (EIS). A work address is an acceptable alternative to the home address or post office box;

NOTE: Employees shall update addresses with their Unit timekeeper to ensure their correct address is on file. Addresses which do not match will not be processed.

- Field - Confidentiality Request for:  
check the appropriate box(es) to indicate confidentiality request for individual, spouse, children, and/or vehicles;
- Field - Driver License, Identification Card, Vehicle:

list the California Driver License or California Identification Card number for the qualifying employee, spouse, and/or child. List the vehicle license plate number. Vehicles must be registered in the qualifying employee's or eligible family member's name;

NOTE: A qualifying employee and their spouse and/or child are the only family members eligible for confidentiality. In the case of an employee adding a spouse or child who has a different last name, the employee will be required to submit proper documentation: i.e., photocopy of marriage certificate, birth certificate, or adoption papers.

- Field - Qualifying Employee Information:  
in area "C" enter "Los Angeles County." Check box "S" for "Sheriff;"
- Field - Certification:  
the qualifying employee shall complete the following boxes:
  - date;
  - signature of qualifying employee;
  - job title (do not abbreviate);
  - check "Yes" or "No" for Peace Officer status; and
  - daytime telephone number

DMV's policy states only the original Request for Confidentiality of Home Address (INV 32) form can be submitted (photocopies will not be accepted). The original form (white copy) and yellow copy shall be submitted to the Unit of assignment's Operations Office. Employees submitting an INV 32 should make a copy of the original form for their own records.

### **3-09/320.15 MAKING CHANGES TO EXISTING DEPARTMENT OF MOTOR VEHICLES CONFIDENTIALITY**

Subsequent changes to DMV Confidentiality require an additional Request for Confidentiality of Home Address (INV 32). Reasons for a change in confidentiality include, but are not limited to:

- deleting confidentiality completely;
- adding or deleting a spouse and/or child;
- adding a vehicle;
- change in job or position (sensitive to non-sensitive position) eligibility;
- change of qualifying agency (termination or resignation from LASD);
- change in the legal owner's status on a registration or title: i.e., adding or removing a spouse's name on a registration or title; and
- transferring a personalized license plate from one vehicle to another.

It is the employee's responsibility to ensure the required information fields are completed

before submitting a Request for Confidentiality of Home Address (INV 32) to the Operations Office at their Unit of assignment. The following fields must be completed:

- Field - Name and Address:  
complete the qualifying employee's name and address.

The address listed for the qualifying employee shall match the home address or post office box listed in the County-Wide Timekeeping and Payroll Personnel System (CWTAPPS) and the Employee Information System (EIS). A work address is an acceptable alternative to the home address or post office box;

NOTE: Employees shall update addresses with their Unit timekeeper to ensure their correct address is on file. Addresses which do not match will not be processed.

- Field - Confidentiality Request for:  
check the appropriate box(es) to indicate confidentiality request for individual, spouse, child and/or vehicle;
- Field - Service Requested:  
complete the appropriate section:
  - Add Confidentiality; or
  - Delete Confidentiality;
- Field - Driver License, Identification Card, Vehicle and Vessel:  
list the California Driver License or California Identification Card number for the qualifying employee to be added.

Vehicles must be registered in the qualifying employee's or eligible family member's name;

NOTE: The qualifying employee and their spouse and/or child are the only family members eligible for confidentiality.

- Field - Qualifying Employee Information:  
in area "C" enter "Los Angeles County." Check box "S" for "Sheriff;"
- Field - Certification:  
the qualifying employee shall complete the following boxes:
  - date;
  - signature of qualifying employee;
  - job title (do not abbreviate);
  - check "Yes" or "No" for Peace Officer status; and
  - Unit of assignment daytime telephone number.

DMV's policy states only an original Request for Confidentiality of Home Address (INV 32)

form may be submitted (photocopies will not be accepted). The original form (white copy) and yellow copy shall be submitted to the Unit of assignment's Operations Office.

### **3-09/320.20 OPERATIONS OFFICE RESPONSIBILITY**

Each Unit's Operations Office shall verify the information for each Request for Confidentiality of Home Address (INV 32) form submitted by a qualifying employee. Verification of a Request for Confidentiality of Home Address (INV 32) form shall be completed through the following steps:

- ensure appropriate Fields are completed; and
- query the DMV database via Justice Database Interface Controller (JDIC) to print and ensure:
  - the qualifying employee, spouse and/or child's name match DMV's records for the California Driver License, Identification Card, and the registration of the vehicle(s).

It is the Operations staff's responsibility to ensure the eligibility criteria has been met by an employee, an employee's spouse, and/or children. In the case of an employee adding a spouse or child who has a different last name, Personnel Administration will require proper documentation: i.e., photocopy of marriage license, birth certificate, or adoption papers, etc., to ensure the validity of the appropriate relationship to the qualifying employee. Copies of the supporting documentation shall be forwarded to Personnel Administration with the Request for Confidentiality of Home Address (INV 32). If documentation is not available, Personnel Administration will not process the form, and the form will be returned to the employee. Vehicles registered to a spouse or child with a different last name than the qualifying employee will also require supporting document(s) verifying the appropriate relationship to the qualifying employee.

If the information is verified as correct, the Unit Commander shall write or stamp "Contents Noted" in the margin left of the Employment Verification Information field on the white and yellow copy.

With the form complete and the information verified, the Operations Office shall send the original and yellow copy of the Request for Confidentiality of Home Address (INV 32) form and the DMV printouts to:

Personnel Administration  
101 Centre Plaza Drive  
Monterey Park, California 91754  
Attention: Personnel Operations Unit

The Operations Office may want to retain a copy of the INV32 for the employee's personnel folder at the Unit.

### **3-09/320.25 DURATION OF CONFIDENTIALITY**

With the exception of employees assigned to sensitive positions, a qualifying employee's home address shall be withheld from public inspection for the duration of the employee's tenure in their position. Sensitive-position-eligible employees shall receive confidentiality in three-year increments. Deputy Sheriffs and Level I Reserve Deputy Sheriffs who retire from the Department are eligible for confidentiality during retirement.

Confidentiality for Professional Staff in a "sensitive position" will remain in effect for three years from the Certification Date. To ensure continuity of confidentiality, it is the employee's responsibility to submit a new INV 32 to Personnel Administration's Personnel Operations Unit at least four months prior to the three-year expiration date.

NOTE: DMV may require Department employees to demonstrate continued eligibility for confidentiality upon renewal of a driver license or identification card. Retired peace officers are exempted.

### **3-09/320.30 CANCELLING CONFIDENTIALITY ON SOLD VEHICLES**

Department employees who delete vehicle license confidentiality upon sale of their vehicle will make their home address accessible through a vehicle history check.

To maintain confidentiality, Department employees with vehicle license confidentiality should submit a Notice of Release of Liability (REG 138) for vehicles being sold. A Notice of Release of Liability (REG 138) will maintain confidentiality when a vehicle is transferred out of an employee's name and into new ownership.

### **3-09/320.35 PERSONNEL ADMINISTRATION'S PROCESSING UNIT RESPONSIBILITIES**

Personnel Administration's Personnel Operations Unit will be responsible for coordinating the processing and forwarding of all Department employees' Request for Confidentiality of Home Address (INV 32) to the Department of Motor Vehicles. This includes any new requests, changes, or deletions to an active or retiree's confidentiality attached to a vehicle registration or driver license.

The Personnel Operations Unit will ensure the Request for Confidentiality of Home Address (INV 32) received for processing be "Content Noted" by the qualifying employee's Unit Commander.

Personnel Operations Unit will be responsible for verifying an employee's eligible job title, item classification, and employee number in the County-Wide Timekeeping and Payroll Personnel System (CWTAPPS), and reviewing the DMV printouts submitted by the Unit

for eligibility established by the California Vehicle Code before submitting a Request for Confidentiality of Home Address (INV 32) to the Director of Personnel for signature approval.

To ensure the validity of confidentiality records approved by the Sheriff's Department, Personnel Operations Unit shall submit a Request for Confidentiality of Home Address (INV 32) to DMV whenever an employee resigns or has a change in their eligibility status (i.e., resignation from the Department or change to non-sensitive from a sensitive position). All pertinent information shall be noted on the INV 32 and forwarded to DMV, who will place the confidentiality record in "suspense" for removal in three years from the resignation date or change in eligibility status. Retirees with peace officer status are exempted.

Additionally, a yearly random audit of professional staff promotions and transfers shall be conducted to ensure their continued eligibility status for confidentiality.

### **3-09/320.40 LIST OF CLASSIFICATIONS ELIGIBLE FOR CONFIDENTIALITY**

Confidentiality is granted by the Sheriff's Department in two categories: standard or sensitive. A standard authorization of confidentiality is granted as long as the employee remains in good standing with the Department. Standard confidentiality is granted to employees in the following categories:

#### **Active or Retired Police Officers**

- all full-time and Reserve Deputy Sheriffs at all ranks.

#### **Professional Staff**

- Public Response Dispatchers;
- professional staff who in the course of their employment controls, supervises, or is required to have a prisoner in their care or custody; and
- Custody Assistants and Matrons.

A sensitive position authorization of confidentiality is granted to employees in three-year increments based upon an employee's specific situation. Any professional staff personnel who have a need for DMV Confidentiality must submit a memorandum to their Unit Commander justifying their need for confidentiality as established by this policy. The Unit Commander shall submit to Personnel Administration the DMV form along with the detailed justification memorandum substantiating the duties and responsibilities for the requesting employee to have DMV Confidentiality.

Family members of qualifying employees are also eligible for DMV Confidentiality as indicated below:

### Eligible Family Members

- spouse of an eligible employee;
- child of an eligible employee; and
- surviving spouse and/or child of a peace officer killed in the line of duty (lifetime).

Confidentiality for family members have the same duration as the qualifying employee (exceptions are noted in parentheses).