

**San Bernardino Community College  
District  
POLICE DEPARTMENT**



**POLICIES & PROCEDURES  
MANUAL**

Approved: \_\_\_\_\_

Bruce Baron  
Chancellor

1/16/14  
Date

PREFACE

MISSION STATEMENT  
LAW ENFORCEMENT CODE OF ETHICS  
GENERAL INFORMATION  
OATH OF OFFICE

I. INTRODUCTION

1.01. OFFICIAL POLICIES AND PROCEDURES MANUAL

1.01.01: DEPARTMENT MANUAL  
1.01.02: VALIDITY OF MANUAL CONTENT  
1.01.03: ISSUANCE OF AMENDMENTS  
1.01.04: AMENDMENT PROCEDURE  
1.01.05: **GRAMMATICAL** CONSTRUCTION  
1.01.06: KNOWLEDGE OF SUPPLEMENTAL DIRECTIVES AND  
**MANUAL** UPDATES

II. LAW ENFORCEMENT ROLE AND AUTHORITY

2.01: ROLE AND AUTHORITY OF SBCCD POLICE DEPARTMENT

2.01.01: AUTHORITY  
2.01.02: PC 830.32 - COMMUNITY COLLEGE DISTRICT POLICE  
2.01.03: AREA OF JURISDICTION  
2.01.04: COMPLAINTS FROM NEIGHBORS  
2.01.05: ASSISTING OTHER AGENCIES  
2.01.06: EMERGENCY ASSISTANCE  
2.01.07: SITE AUTHORITY

III. ADMINISTRATIVE PRINCIPLES

3.01: DELINEATION OF FUNCTIONS, ORGANIZATION AND CHAIN OF COMMAND

3.01.01: DELINEATION OF FUNCTIONS  
3.01.02: ORGANIZATION FOR COMMAND  
3.01.03: CHAIN OF COMMAND  
3.01.04: UNITY OF COMMAND  
3.01.05: RANK  
3.01.06: AUTHORITY OF RANK  
3.01.07: MANNER OF EXERCISING AUTHORITY  
3.01.08: DELEGATION OF COMMENSURATE AUTHORITY  
3.01.09: CONFLICT OF ORDERS

IV: SUPERVISION

4.01: SUPERVISION (SWORN AND NON-SWORN)

4.01.01: EXTENT OF SUPERVISION  
4.01.02: IMPLEMENTING SUPERVISION

- 4.01.03: SUPERVISORIAL IDENTITY
- 4.01.04: RESPONSIBILITY FOR COMPLETION OF DUTIES
- 4.01.05: CHAIN OF RESPONSIBILITY
- 4.01.06: RELATIONSHIP WITH CAMPUS & SITE ADMINISTRATOR
- 4.01.07: DELEGATION OF AUTHORITY
- 4.01.08: IMPROVEMENT OF METHODS
- 4.01.09: MANNER OF GIVING ORDERS AND INSTRUCTIONS
- 4.01.10: RESPONSIBILITY FOR SUBORDINATES
- 4.01.11: EVALUATION OF SUBORDINATE WORK
- 4.01.12: DEVELOPMENT OF POSITIVE ATTITUDES
- 4.01.13: RELATIONSHIP WITH SUBORDINATES
- 4.01.14: WELFARE OF SUBORDINATES
- 4.01.15: RESPONSIBILITY FOR CONDUCT OF SUBORDINATES

V. POLICIES AND PROCEDURES

5.01 : GENERAL POLICIES AND PROCEDURES

- 5.01.01: GENERAL BEHAVIOR
- 5.01.02: CONFORMANCE WITH DEPARTMENT POLICY AND PROCEDURES
- 5.01.03: OBEDIENCE TO LAWS, REGULATIONS, AND ORDERS
- 5.01.04: DISTRICT KEYS
- 5.01.05: RADIO PROCEDURES
- 5.01.06: RADIO COMMUNICATIONS
- 5.01.07: SECRET TAPING OF CONVERSATIONS
- 5.01.08: BRIBES/REWARDS/LOANS/GIFTS/FAVORS
- 5.01.09: GAMBLING
- 5.01.10: COURT ATTENDANCE
- 5.01.11: SAFEGUARDING PERSONS IN CUSTODY
- 5.01.12: RECOMMENDING LAWYERS OR BONDSMEN
- 5.01.13: SEXUAL HARASSMENT POLICY
- 5.01.14: POLITICS
- 5.01.15: CARE OF IDENTIFICATION ITEMS
- 5.01.16: POLICE PROTECTION FOR SPECIAL PERSONS/EVENTS

5.02 : DUTIES AND PERFORMANCE OF DUTIES

- 5.02.01: DUTIES OF POLICE OFFICERS
- 5.02.02: PERFORMANCE OF DUTIES
- 5.02.03: INATTENTIVE/SLEEPING ON DUTY

5.03 : HOURS AND ATTENDANCE OF DUTY

- 5.03.01: HOURS OF DUTY
- 5.03.02: PUNCTUALITY
- 5.03.03: DISCIPLINE
- 5.03.04: OVERTIME
- 5.03.05: DEVIATION FROM REGULAR HOURS OF ASSIGNMENT
- 5.03.06: UNSCHEDULED ABSENCES

5.04: PERSONAL INFORMATION

5.04.01: POLICY

5.05: GROOMING STANDARDS

5.05.01: CLEANLINESS AND NEATNESS

5.05.02: SWORN UNIFORMED PERSONNEL- GROOMING STANDARDS

5.06: UNIFORM STANDARDS (PATROL PERSONNEL)

5.06.01: PURPOSE

5.06.02: MAINTENANCE OF UNIFORM

5.06.03: WEARING OF UNIFORM

5.06.04: ALTERING STYLE OF UNIFORM

5.06.05: DUPLICATING EMBLEMS OR ORNAMENTS PROHIBITED

5.06.06: CARRYING REQUIRED EQUIPMENT WITH UNIFORM

5.06.07: AUTHORIZED UNIFORM

5.06.08: CLOTHING (PLAIN CLOTHES)

5.07: CLASSES OF UNIFORMS

5.07.01: DUTY UNIFORMS FOR UNIFORMED PERSONNEL

5.07.02: CLASS "A"

5.07.03: CLASS "B"

5.07.04: CLASS "C"

5.08: ORNAMENT GUIDELINES

5.08.01: SBCCD POLICE DEPARTMENT PATCH

5.08.02: BADGE

5.08.03: **PINS**

5.09: ISSUANCE OF DEPARTMENT "FLAT" BADGES AND RETIREMENT BADGES

5.09.01: POLICY AND GUIDELINES

5.09.02: BASIC REQUIREMENTS

5.09.03: RETIREMENT BADGES/SERVICE AWARDS

5.09.04: BADGE (OPTIONAL CLOTH)

5.09.05: SERVICE HASH MARKS

5.09.06: METAL NAME PLATES

5.10: RANK AND SPECIAL ASSIGNMENT INSIGNIA

5.10.01: CHIEF OF POLICE

5.10.02: SUPERVISOR

5.11: ACCESSORIES

5.11.01: HELMETS/RIOT GEAR

5.11.02: RAIN GEAR

- 5.11.03: WHISTLE (OPTIONAL)
- 5.11.04: IDENTIFICATION CARD
- 5.11.05: SUNGLASSES

5.12 : SAFETY AND OTHER RELATED EQUIPMENT

- 5.12.01: SAM BROWN GEAR
- 5.12.02: EQUIPMENT
- 5.12.03: PROTECTIVE VESTS

5.13 : DISORDERLY AND IMMORAL CONDUCT

- 5.13.01: DISORDERLY CONDUCT
- 5.13.02: IMMORAL CONDUCT
- 5.13.03: CONDUCT TOWARDS OTHERS
- 5.13.04: STUDENT CONTACTS
- 5.13.05: DEROGATORY LANGUAGE

5.14 : USE OR POSSESSION OF ALCOHOL, DRUGS OR NARCOTICS AND TOBACCO

- 5.14.01: USE OR POSSESSION OF ALCOHOL
- 5.14.02: USE OR POSSESSION OF DRUGS OR NARCOTICS
- 5.14.03: USE OF TOBACCO

5.15: USE OF THE DISTRICT, DISTRICT PROPERTY AND EQUIPMENT

- 5.15.01: INCURRING FINANCIAL LIABILITY AGAINST THE DISTRICT
- 5.15.02: USE OF DISTRICT PROPERTY FOR PERSONAL USE
- 5.15.03: CARE OF DISTRICT PROPERTY AND EQUIPMENT
- 5.15.04: RETURN OF DISTRICT PROPERTY
- 5.15.05: INJURY OR PROPERTY DAMAGE
- 5.15.06: TRANSPORTATION OF DISTRICT FUNDS

5.16: STATEMENTS

- 5.16.01: FALSE STATEMENTS
- 5.16.02: STATEMENTS DURING DEPARTMENTAL INVESTIGATIONS

5.17: REPORTING OF INFORMATION, CONFIDENTIAL INFORMATION, RELEASE OF INFORMATION AND DISSEMINATION OF INFORMATION

- 5.17.01: POLICE DEPARTMENT REPORTS
- 5.17.02: TYPES OF REPORTS INVESTIGATED
- 5.17.03: REQUIREMENT TO REPORT IF SUBJECT OF ARREST OR CRIMINAL INVESTIGATION
- 5.17.04: CRIME REPORTS AND RECORDKEEPING
- 5.17.05: REPORTING INFORMATION REGARDING VIOLATIONS
- 5.17.06: CONFIDENTIAL INFORMATION/PRESS RELEASES
- 5.17.07: DISSEMINATION OF CRITICAL INFORMATION
- 5.17.08: MISSING PERSONS

5:17:09: SIGNIFICANT EVENT  
5:17:10: DUE DATES FOR REPORTS

5:18: FIRES- REPORTING PROCEDURE

5:18:01: PROCEDURE  
5:18:02: FIRE - BURNING, SMOLDERING OR OUT

5:19: SEARCH OF SUSPECTS BY SBCCD POLICE PERSONNEL

5:19:01: SEARCH OF FEMALE SUSPECTS  
5:19:02: SKIN SEARCHES AND ISOLATION OF SUSPECTS

5:20: OBTAINING SEARCH AND ARREST WARRANTS

5:20:01 PROCEDURE

5:21: CASE CLEARANCE POLICY

5:21:01 CASE CLEARANCE REQUIREMENTS  
5:21:02 CLEARED BY ARREST - ADULTS  
5:21:03 CLEARED BY ARREST - JUVENILES  
5:21:04 INVESTIGATION CONTINUED  
5:21:05 CLEARED OTHER

5:22: ARREST

5:22:01: DISPOSITION OF VIOLATORS  
5:22:02: ARREST, TRANSPORTATION AND BOOKING OF FIELD  
ARRESTEES  
5:22:03: ARREST-USE OF FORCE  
5:22:04: PRISONERS AND SUSPECTS - SAFEGUARDING  
5:22:05: HANDCUFFING AND RESTRAINING OF ARRESTED PERSONS

5:23: RECOVERED PROPERTY AND/OR EVIDENCE

5:23:01: MONEY AND PROPERTY OF OTHERS  
5:23:02: MISAPPROPRIATION OF PROPERTY  
5:23:03: EVIDENCE RESULTING FROM A CRIMINAL ACT  
5:23:04: NARCOTICS  
5:23:05: FOUND PROPERTY  
5:23:06: DISPOSITION OF PROPERTY  
5:23:07: TAMPERING WITH EVIDENCE

VI. FORCE AND FIREARMS

6.01: FORCE AND FIREARMS POLICY GUIDELINES

6.01.01: PURPOSE  
6.01.02: DOCUMENTATION  
6.01.03: DISPLAY OF FIREARMS

- 6.01.04: USE OF FORCE
- 6.01.05: PHYSICAL FORCE
- 6.01.06: DEADLY FORCE
- 6.01.07: DISCHARGING FIREARMS - OTHER THAN DEADLY FORCE
- 6.01.08: FIREARM - TO CONTROL DANGEROUS FELONY SUSPECT
- 6.01.09: TASER
- 6.01.10: TASER TRAINING
- 6.01.11: TASER MANDATORY CARRY
- 6.01.12: TASER DUTY HOLSTER
- 6.01.13: TASER VERBAL WARNING
- 6.01.14: TASER REMOVAL OF PROBES
- 6.01.15: TASER PRE-BOOKING MEDICAL EXAMINATION
- 6.01.16: TASER REPORTING ITS USE
- 6.01.17: TASER LIMITATIONS OF USE

6.02 : GENERAL WEAPONS POLICY

- 6.02.01: PURPOSE
- 6.02.02: SURRENDERING OF WEAPON TO SUSPECT
- 6.02.03: STORAGE AND MAINTAINING CONTROL OF FIREARMS
- 6.02.04: AUXILIARY WEAPONS - CARRYING ON-DUTY (RESTRICTED)
- 6.02.05: SELLING OF FIREARMS (RESTRICTIONS)
- 6.02.06: PURCHASE OR LOSS OF FIREARMS (FILE REPORT)
- 6.02.07: MAINTENANCE REQUIREMENTS OF FIREARMS
- 6.02.08: MISCELLANEOUS REGULATIONS OF FIREARMS
- 6.02.09: CLEANING OF WEAPONS
- 6.02.10: OTHER WEAPONS

6.03 : FIREARMS QUALIFICATIONS

- 6.03.01: PURPOSE
- 6.03.02: FIREARMS QUALIFICATIONS
- 6.03.03: REMEDIAL TRAINING
- 6.03.04: SPECIAL WEAPONS TRAINING

6.04 : ON-DUTY WEAPONS AND AMMUNITION - UNIFORMED PERSONNEL

- 6.04.01: GENERAL CONSIDERATIONS
- 6.04.02: HANDGUNS - UNIFORMED PERSONNEL
- 6.04.03: AMMUNITION

6.05 : USE OF CHEMICAL AGENT DEVICES (OC SPRAY)

- 6.05.01: CHEMICAL AGENTS SPRAY GUIDELINES
- 6.05.02: REQUIRED INSTRUCTION FOR USE
- 6.05.03: RESTRICTIONS
- 6.05.04: CARRYING OF OLEORESIN CAPSICUM SPRAY
- 6.05.05: TREATMENT FOR OC SPRAY EXPOSURE
- 6.05.06: REPORT OF USE
- 6.05.07: PURPOSE
- 6.05.08: TYPES OF CHEMICAL AGENT DEVICES

- 6.05.09: CARRYING OF CHEMICAL AGENT DEVICES
- 6.05.10: PURPOSE OF CHEMICAL AGENT USE
- 6.05.11: MANNER OF USE
- 6.05.12: FIRST AID
- 6.05.13: REPORTING THE USE OF CHEMICAL AGENTS
- 6.05.14: CERTIFICATION

VII. PATROL OPERATIONS

7.01: PATROL ASSIGNMENTS, DUTIES AND RESPONSIBILITIES

- 7.01.01: PURPOSE
- 7.01.02: DUTIES AND RESPONSIBILITIES
- 7.01.03: ASSIGNMENT
- 7.01.04: POLICY
- 7.01.05: VEHICLE INSPECTION
- 7.01.06: VEHICLE IN NEED OF REPAIR

VIII. VEHICLE OPERATIONS

8.01 : USE OF DISTRICT VEHICLES

- 8.01.01: POLICY
- 8.01.02: VEHICLE ACCIDENT REPORTING AND REVIEW PROCEDURES
- 8.01.03: VEHICLE STOPS

8.02 : PURSUIT POLICY

- 8.02.01: DEFINITION OF A VEHICLE PURSUIT
- 8.02.02: INITIATING A PURSUIT
- 8.02.03: RESPONSIBILITIES OF THE UNIT INITIATING A VEHICLE PURSUIT
- 8.02.04: VEHICLE PURSUITS RESPONSIBILITIES
- 8.02.05: VEHICLE PURSUITS SPEED
- 8.02.06: VEHICLE PURSUITS DISPATCH RESPONSIBILITIES
- 8.02.07: VEHICLE PURSUITS SUPERVISOR RESPONSIBILITIES
- 8.02.08: VEHICLE PURSUITS ADDITIONAL REQUIREMENTS AND INFORMATION
- 8.02.09: VEHICLE PURSUITS INTO OTHER JURISDICTIONS
- 8.02.10: VEHICLE PURSUITS FROM ANOTHER JURISDICTION
- 8.02.11: VEHICLE PURSUITS AND THE USE OF DEADLY FORCE
- 8.02.12: DISCONTINUING A VEHICLE PURSUIT
- 8.02.13: WRONG WAY VEHICLE PURSUITS
- 8.02.14: VEHICLE PURSUITS APPREHENDING OFFENDERS
- 8.02.15: VEHICLE PURSUITS REPORTING PROCEDURE
- 8.02.16: SHOOTING AT FLEEING MISDEMEANANTS
- 8.02.17: USE OF FORCE IN VEHICLE PURSUITS
- 8.02.18: MOVING STALLED VEHICLES WITH SBCCD POLICE DEPARTMENT AUTOMOBILES



8.03 : EMERGENCY CALL RESPONSE

- 8.03.01: PURPOSE
- 8.03.02: EMERGENCY CALL RESPONSE
- 8.03.03: RED LIGHT AND SIREN
- 8.03.04: DUE REGARD FOR LIFE AND PROPERTY
- 8.03.05: BUS ACCIDENTS
- 8.03.06: TRAFFIC ACCIDENTS
- 8.03.07: STORAGE AND IMPOUNDING OF VEHICLES

IX. UNUSUAL EVENTS/SPECIAL OPERATIONS

9.01: EMERGENCY OPERATIONS

- 9.01.01: PURPOSE
- 9.01.02: TACTICAL ALERT
- 9.01.03: MOBILIZATION
- 9.01.04: DEPARTMENTAL OFFICERS

X. DISCIPLINE PROCESS

10.01: EMPLOYEE DISCIPLINE

- 10.01.01: BACKGROUND
- 10.01.02: STANDARDS

XI. SBCCD POLICE DISPATCH

11.01 : POLICE DEPARTMENT DISPATCH FUNCTION

- 11.01.01: PURPOSE

11.02 : PROCEDURE FOR USE OF DAILY LOG

- 11.02.01: PURPOSE
- 11.02.02: PROCEDURE
- 11.02.03: DISPATCHER/OFFICER ROLE
- 11.02.04: EMERGENCY TRANSMISSION/CODE 33

## **APPENDICES**

- Education Code Section 72330
- SBCCD Board Policy 7370 Political Activity
- Penal Code 830.32
- Penal Code 836
- Government Code 8597 & 8598
- SBCCD Board Policy 3430 Prohibition of Harassment
- CSEA Agreement Article 14 Leaves
- CSEA Agreement Article 19 Vacation Requests
- SBCCD Board Policy 7420 Authorized Drivers
- CSEA Agreement Article 8 Employee Expenses and Materials
- SBCCD Board Policy 3570 Smoking
- SBCCD Administrative Regulations 6330 Purchasing
- SBCCD Board Policy 7365 Discipline and Dismissal Classified Employees
- Penal Code Section 148.6
- Welfare and Institutions Code Section 5150
- CHP 187 Report
- CA Vehicle Code 21055 Exemption of Authorized Emergency Vehicle
- CA Vehicle Code 21056 Effect of Exemption

## MISSION STATEMENT

The SBCCD Police Department, in concert with the Board of Trustees, is committed to providing a safe and secure learning and working environment for all students and employees. This will be accomplished through a cooperative and coordinated effort involving all departments and the SBCCD employees, law enforcement agencies and the community.

## **LAW ENFORCEMENT CODE OF ETHICS**

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression and intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

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

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

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

## **GENERAL INFORMATION**

### **A. PURPOSE OF THE MANUAL**

The purpose of this manual is to provide a ready reference of rules, procedures, and guidelines for all SBCCD Police personnel to assist them in the proper performance of their duties (but it is not all-inclusive).

### **8. USE OF THE MANUAL**

Each employee is issued a copy of the department policies and procedures manual. It is the responsibility of the employee to read and familiarize himself/herself with the regulations set forth in this manual. If questions regarding policies in this manual arise, they shall be brought to the attention of a Sergeant or the Chief in order that the policy may be clarified.

### **C. ACKNOWLEDGEMENT OF RECEIPT OF THE MANUAL**

---

**Employee Name**

---

**Date Issued**

**OATH OF OFFICE**

I, \_\_\_\_\_, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear the faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

\_\_\_\_\_  
Officer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chief of Police

\_\_\_\_\_  
Date

## **INTRODUCTION**

### **1.01 : OFFICIAL POLICIES AND PROCEDURES MANUAL**

#### **1.01.01 : DEPARTMENT MANUAL**

- A. The official policies and procedures manual of the SBCCD Police Department is hereby established and shall hereafter be referred to as "the manual". The manual is designed as an instrument to define and assist police personnel in adhering to policies, procedures, and standards of the organization.
- 8. All personnel of the Department are hereby directed to conform to the rules and regulations contained herein.
- C. Ignorance of the written policies set forth herein, shall not be considered as an excuse for failure to act in conformity with Department procedures and commonly accepted practices of California Public Law Enforcement.
- D. As used in this manual, "law enforcement personnel defined as sworn peace officers.

#### **1.01.02 : VALIDITY OF MANUAL CONTENT**

- A. Any part of this manual found to be illegal, incorrect or inapplicable shall not affect the validity of the remaining content.

#### **1.01.03 : ISSUANCE OF AMENDMENTS**

- A. Amendments to the Department manual shall be issued as supplemental directives. Supplemental directives are to be considered an extension of the manual.

#### **1.01.04 : AMENDMENT PROCEDURE**

- A. Amendments to the Department manual shall be made by the issuance of supplemental directives that list the affected manual sections. Notice of such changes shall be given to all affected personnel. Revised manual pages shall be distributed. It is the employee's responsibility to exchange updated pages.

#### **1.01.05 : GRAMMATICAL CONSTRUCTION**

- A. The content of the manual shall be interpreted in accordance with the following grammatical rules:
  - 1. The present tense shall also include the past and future.
  - 2. The masculine gender also includes the feminine.
  - 3. The singular also includes the plural.
  - 4. "Shall" is mandatory, "may" is permissive.

**1.01.06 : KNOWLEDGE OF SUPPLEMENTAL DIRECTIVES AND MANUAL UPDATES**

- A. Supplemental directives and manual updates will be prepared and distributed. It is the Officer's responsibility to review all policies and procedures. If the officer needs further clarification, he shall contact his supervisor for direction.

**II. LAW ENFORCEMENT ROLE AND AUTHORITY**

**2.01 : ROLE AND AUTHORITY OF SBCCD POLICE DEPARTMENT**

**2.01.01 : AUTHORITY**

- A. College districts within the State of California have the authority to adopt and implement a college police department pursuant to California Education Code Section 72330. Members of this force include Supervisors, Chief and Community College Police Officers who are peace officers while engaged in the performance of their duties. The California Penal Code, Section 830.32, states that the authority of any such peace officer extends to any place in the state as to a public offense committed with respect to persons or property, the protection of which is the immediate duty of such officer as stated above.

**2.01.02 : PC830.32-COMMUNITY COLLEGE DISTRICT POLICE**

- A. The following persons are peace officers whose authority extends to any place in the state for the purpose of performing their primary duty or when making an arrest pursuant to Section 836 of the Penal Code as to any public offense with respect to which there is immediate danger to person or property, or of the escape of the perpetrator of that offense, or pursuant to Section 8597 or 8598 of the Government Code. Those peace officers may carry firearms only if authorized and under terms and conditions specified by their employing agency.
  - 1. Members of a community college police department appointed pursuant to Section 72330 of the Education Code, if the primary duty of the peace officer is the enforcement of the law as prescribed in Section 72330 of the Education Code.

**2.01.03 : AREA OF JURISDICTION**

- A. Subject to the Education Code and Penal Code, SBCCD police personnel will exercise their authority throughout the State to ensure the security of college district personnel, students, and for the security of the real and personal property of the college district.
- B. Officers must understand that although they are peace officers of the State, it is the policy of this department that a community college Police Officer's primary duty is the enforcement of college related laws pursuant to the Education Code and Penal Code. SBCCD Police Officers shall only engage in general law enforcement in emergency situations.



**20104 : COMPLAINTS FROM NEIGHBORS**

- A. Complaints from neighbors regarding trespassing on private property by students when classes are in session may be referred to SBCCD police.

**20105 : ASSISTING OTHER AGENCIES**

- A. SBCCD police department employees will assist other agencies to the extent possible upon request by a member of that agency who is in a position of authority.
- B. In the event that a SBCCD Police Officer is required to take police action in an emergency situation which is outside the officer's primary jurisdiction, the officer will notify the agency with lawful jurisdiction as soon as possible and disengage from the situation as soon as his assistance is no longer required.

**20106 : EMERGENCY ASSISTANCE**

- A. In the event that a SBCCD Police Officer hears or observes any other law enforcement officer in urgent need of assistance, the SBCCD Police Officer will immediately offer and/or render such assistance until such assistance is no longer required.

**20107 7: SITE AUTHORITY**

- A. Presidents or Executive Officers have authority in all matters on their sites except law enforcement matters.

**III. ADMINISTRATIVE PRINCIPLES**

**3.01 : DELINEATION OF FUNCTIONS, ORGANIZATION AND CHAIN OF COMMAND**

**3.01.01 : DELINEATION OF FUNCTIONS**

- A. Lines of demarcation between the security/police are clearly drawn by a precise definition of duties, which are made known to all officers so that responsibility is accurately placed.

**3.01.02 : ORGANIZATION FOR COMMAND**

- A. Lines of control are established in conformity with the official organization of the Department to:
  - 1. Permit delegation of authority.
  - 2. Place responsibility.
  - 3. Provide for supervision of operations.
  - 4. Provide for coordination of effort.

**3.01.03 : CHAIN OF COMMAND**

- A. The chain of command shall be respected, on all matters. Information and

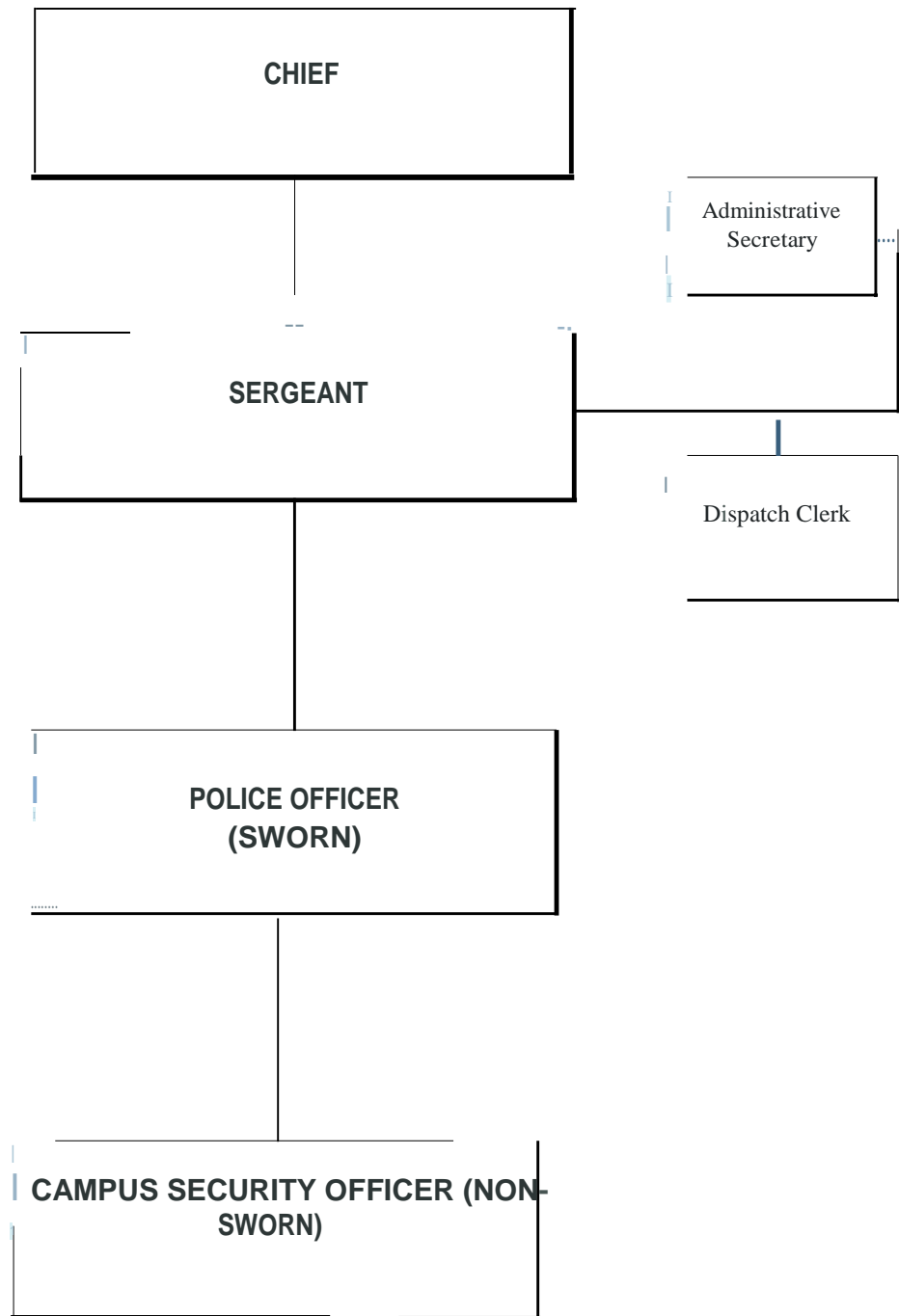
communications shall move up, down, or across established channels. It shall be the responsibility of persons at each level of authority to forward information and communication to the next or lower level together with approval, disapproval, directive or action taken.

**3.01.04 : UNITY OF COMMAND**

- A. Each individual, unit, and situation is under the immediate control of his supervisor.

**3.01.05 : RANK**

- A. Police Officers, as members of the Department, have a special responsibility to act or take command in situations calling for law enforcement action. These situations may be regular/routine operations, an emergency situation, or command of a unit or division.
- B. Department personnel are distinguished by rank, which is assigned in terms of level of responsibility within the chain of command. The descending order of rank in the Department is as follows:



- C. In routine law enforcement situations, the officer in charge shall be the member having the highest rank, who is on duty at the scene.

**3.01.06 : AUTHORITY OR RANK**

- A. The authority delegated to or granted to supervisory personnel is not confined to their respective campuses/sites, but shall include supervision over any subordinate of the Department, when necessary for efficient administration or when the conduct of subordinate members is contrary to Department policy and regulations. This authority should be exercised with utmost discretion. Members having rank should avoid giving direct commands to personnel not assigned to their control, except when required to do so in an emergency or for the good of the Department. When such action is required, the respective supervising personnel should be informed as soon as possible.
- B. Supervising personnel shall exercise the authority of their position under all conditions which require the use of such authority for the best interest of the Department.

**3.01.07 : MANNER OF EXERCISING AUTHORITY**

- A. Authority in the Department shall be exercised with fairness and impartiality and in a logical, rational and consistent manner. Under no circumstances shall personal attitudes influence decisions.

**3.01.08 : DELEGATION OF COMMENSURATE AUTHORITY**

- A. Officers directed to act in capacities above their ordinary or usual rank or classifications shall possess the authority of the higher rank or classification for the designated period of time, and shall be compensated pursuant to any collective bargaining agreement governing the sworn personnel.

**3.01.09 : CONFLICT OF ORDERS**

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

**IV. SUPERVISION**

**4.01 : SUPERVISION (SWORN AND NON-SWORN)**

**4.01.01 : EXTENT OF SUPERVISION**

- A. Each and every employee shall have a supervisor, namely, the person next above him in the chain of command. The supervisor is accountable for the proper execution of job functions.
  1. Rules established
  2. Personal presence
  3. Instructions given
  4. Delegation of authority

**4.01.02 : IMPLEMENTING SUPERVISION**

- A Supervision shall be implemented by:
1. Regular inspection
  2. Observing employee performance on-duty.
  3. Review and approval of reports.

**4.01.03 : SUPERVISORIAL IDENTITY**

- A Every supervisor on-duty shall know whom he is supervising. Every employee shall know his supervisor.

**4.01.04 : RESPONSIBILITY FOR COMPLETION OF DUTIES**

- A Each supervisor shall take all reasonable steps to determine that his subordinates perform their duties completely, promptly and in compliance with department rules.

**4.01.05 : CHAIN OF RESPONSIBILITY**

- A Each supervisor shall assume responsibility for the supervision of all employees subordinate to him in the chain of command. He shall not divest himself of the responsibility.

**4.01.06: RELATIONSHIP WITH CAMPUS AND SITE ADMINISTRATORS**

- A "President" or "Executive Officer" as used herein is an official of the District having overall responsibility for a particular campus or facility. This also includes any personnel designated by the president. SBCCD Police personnel, either assigned to a campus or dispatched to assist with a problem at any District site, must understand that although they are Police Officers and are expected to do their job as such, they also must perform their duties with consideration of whatever appropriate policy is established by that campus president, and communicated to police personnel, unless otherwise mandated by Department policy or law.
- B. The President, while having overall responsibility for his campus and knowledge of the Education Code, state law, and District policies, will rely on law enforcement personnel to perform law enforcement functions. The SBCCD Police Officer, on the other hand, must respect the position of the president.
- C. Lines of communication must be maintained and ideas concerning campus safety should be shared and discussed. It is imperative that the SBCCD Police Officer interact with both students and staff in an effective manner demonstrating both consideration and understanding without compromising statutory mandates.

**4.01.07 : DELEGATION OF AUTHORITY**

- A Supervisors shall make suitable and clearly defined delegations of authority to maintain maximum efficiency.

**4.01.08 : IMPROVEMENT OF METHODS**

A Each supervisor shall develop sound and resourceful operating methods for law enforcement activities based on his own experience and that of others. He shall see that these methods are passed on from the experienced subordinates to new subordinates. He shall encourage the contribution of new ideas by his subordinates.

**4.01.09 : MANNER OF GIVING ORDERS AND INSTRUCTIONS**

A Each supervisor shall use tact in giving orders and in correcting errors in order to inspire confidence and self-motivation. He shall ensure that subordinates know, in detail what they are to do and how they are to do it, and, if necessary, the reasons therefore.

**4.01.10 : RESPONSIBILITY FOR SUBORDINATES**

- A Each supervisor shall be aware of the progress of his subordinates and lead by example and assist them by counsel, advice, and direction. He shall recommend solutions to problems which arise.
- B. When an investigation is conducted in response to citizen complaints about the action of a given sworn officer, the supervisor conducting the investigation is a direct representative of the Chief and acts for him.
- C. The investigation shall be conducted in strict confidence, and the person under investigation shall be so advised, when appropriate
- D. The supervisor shall also be responsible for seeing that copies of all investigation records, correspondence, recommendation, etc., concerning the alleged incident, are forwarded to the Chief.

**4.01.11 : EVALUATION OF SUBORDINATE WORK**

A Each supervisor shall be fair and impartial in assessing the work of his subordinates.

**4.01 .12: DEVELOPMENT OF POSITIVE ATTITUDES**

A Each supervisor shall be responsible for the development and maintenance of positive attitudes by his subordinates in their contacts with students, faculty and the general public.

**4.01.13 : RELATIONSHIP WITH SUBORDINATES**

A Each supervisor shall strive to maintain a high level of morale and respect with members of the department.

**4.01.14 : WELFARE OF SUBORDINATES**

A Supervisors shall make themselves available to assist subordinates. Counseling by the supervisor can help employees recognize problems relating to their work and aid them in correcting the identified problem.

**4.01.15 : RESPONSIBILITY FOR CONDUCT OF SUBORDINATES**

- A. Supervisors shall advise the Chief and investigate reports of substandard work performance or violations of department rules. After determining the facts, the supervisor shall report his findings to the Chief.

**V. POLICIES AND PROCEDURES**

**5.01 : GENERAL POLICIES AND PROCEDURES**

**5.01.01 : GENERAL BEHAVIOR**

- A. It is important that employees not act or behave on or off duty in such a manner as to compromise his responsibilities as a member of this department or to discredit himself, of the Department or the District.

**5.01.02 : CONFORMANCE WITH DEPARTMENT POLICY AND PROCEDURES**

- A. Every employee shall be familiar with and conform to the policy and procedures of this department, in the performance of his duty.

**5.01.03 : OBEDIENCE TO LAWS, REGULATIONS AND ORDERS**

- A. All sworn employees of this department shall:
  - 1. Not willfully violate any federal statute, state law, or local ordinance.
  - 2. Strictly obey and properly execute any lawful order issued by any superior.
  - 3. When assigned to duty with other employees of the department, each employee shall be jointly responsible for compliance with the rules and regulations and proper performance of duty.
  - 4. For violation of any rules, regulations, practices, or policies of the Department or District, may be subject to disciplinary action, as governed by Education Code, District Regulations, and the Collective Bargaining Agreement.

**5.01.04 : DISTRICT KEYS**

- A. Employees shall advise their supervisor of any missing police department issued keys. The supervisor will initiate an investigation to determine cause. The supervisor will be notified of missing keys and facilitate replacement.

**5.01.05 : RADIO PROCEDURES**

- A. When contacted by radio, all employees shall respond. It is the employee's responsibility to know all standard radio codes and to use them appropriately. Professional demeanor is required at all times when using the radio.

**5.01.06 : RADIO COMMUNICATIONS**

- A All radio transmissions will deal strictly with department business and will be conducted in a professional manner. Transmissions shall be concise, accurate and spoken in a clear and precise manner. Use of radio codes shall be a standard practice when communicating with other officers as well as dispatch.
- B. Employees shall at all times notify dispatch of unit status, additional information and disposition of every call. Employees shall notify dispatch if they are going to be off the air for any length of time. When a Patrol Officer is out taking a report, He shall keep his radio on so he can be contacted.

**5.01.07 : SECRET TAPING OF CONVERSATIONS**

- A The secret recording of conversations between staff, supervisors, and subordinates, in the course of official business is prohibited. Official business includes activities during duty hours, e.g. conferences, roll calls, routine contacts, and informal conversations.
- B. The taping of conversations is permissible if both parties are aware and agree to the recording.

**5.01.08 : BRIBES/REWARDS/LOANS/GIFTS/FAVORS**

- A Employees shall not solicit or accept any reward, gratuity, fee, loan, gift, or bribe relative to their employment.

**5.01.09 : GAMBLING**

- A Employees shall not engage in any illegal game of chance, or in any form of gambling, while on duty or on district property.

**501.10 : COURT ATTENDANCE**

- A Officers involved in cases before the courts shall be punctual in attendance. They shall dress in business-like attire or uniform. Officers shall review their report and take a copy to court. Review any documents or items of evidence you are ordered to bring to court. Follow-up reports shall be submitted stating disposition of case. Officers shall testify with the strictest accuracy, in regards to the case before the court. They shall neither suppress nor overstate the slightest circumstance with a view towards favoring or discrediting any person.

**501.11 : SAFEGUARDING PERSONS IN CUSTODY**

- A Officers having in their custody any person under arrest or detention shall properly safeguard such person and his property.

**501.12 : RECOMMENDING LAWYERS OR BONDSMEN**

- A Officers shall not recommend or suggest the name or employment of any person, firm, or corporation to act as attorney, counsel, or bondsman.



**50113 : SEXUAL HARASSMENT POLICY**

- A. Personnel shall conform to the current San Bernardino Community College Board Policy #3430 (Prohibition of Harassment) (See Attached).

**50114 : POLITICS**

- A. Police personnel may not participate in political activities as defined within Board Policy 7370 (Political Activity).

**50115 : CARE OF IDENTIFICATION ITEMS**

- A. Officers shall be personally responsible for the items of identification issued to him by the Department (i.e. badge, identification card, nameplate, emblem, other uniform paraphernalia, etc.). An officer shall neither loan nor borrow such items. He shall immediately report the loss of such items to the immediate supervisor and, upon becoming aware of the loss, file the appropriate police report.

**50116 : POLICE PROTECTION FOR SPECIAL PERSONS/EVENTS**

- A. When an officer receives information of an impending visit to his location by a visiting dignitary or other persons/events which require special security precautions the officer shall advise his immediate supervisor. However, if the supervisor is unavailable the Chief shall be advised.

**5.02 : DUTIES AND PERFORMANCE OF DUTIES**

**5.02.01 : DUTIES OF POLICE OFFICERS**

- A. Police Officers of the SBCCD Police Department shall:
1. Protect life and property.
  2. Preserve the public peace.
  3. Protect Individuals' rights.
  4. Prevent crime.
  5. Detect and arrest violators of the law.
  6. Enforce federal, state, local, and all other related laws as required to maintain the efficient operation of the education process.
  7. Carry out specific duties and assigned responsibilities.
  8. Carry out any duty required by lawful order.
  9. Within a reasonable time, report and/or take appropriate action in District related situations where there is a duty to act.
  10. Maintain a close working relationship with administrators, faculty, staff and other law enforcement agencies.
- B. Primary responsibility of a SBCCD Police Officer relates to offenses at or near District facilities committed against District students, staff or property. Any responsibility to intervene/arrest outside of the primary responsibility area requires an immediate danger to person or property. The duty to intervene depends on the nature of the offense observed. Violations such as drunken driving, traffic violations, and non-violent crimes outside of an officer's primary responsibility shall be immediately referred to the appropriate law enforcement agency.

**5.02.02 : PERFORMANCE OF DUTY**

- A While on duty, employee of this Department shall be governed by the following rules, subject to District job descriptions.
  - 1. Devote their time and attention to the service of the District and shall direct and coordinate their efforts in a manner which will establish and maintain the highest level of efficiency.
  - 2. Maintain a professional demeanor and shall perform their duties in a calm and firm manner acting together to assist and protect each other in maintaining law and order.
  - 3. Serve the District loyally and discreetly and shall not display poor judgment or fail to support their fellow members in the performance of their duty.

**5.02.03 : INATTENTIVE/SLEEPING ON-DUTY**

- A Employees shall not sleep while on-duty.

**5:03: HOURS AND ATTENDANCE OF DUTY**

**5.03.01 : HOURS OF DUTY**

- A. Police personnel shall be considered off-duty unless working regular assigned hours or special assignment duties, pursuant to the Collective Bargaining Agreement.

**5.03.02 : PUNCTUALITY**

- A Employees shall be punctual in reporting for duty at the time and place designated by their supervisor.

**5.03.03 : DISCIPLINE**

- A Any disciplinary action taken against police personnel shall comply with Public Safety Officers Procedural Bill of Rights Act, Education Code, District Board Policy and the CSEA Collective Bargaining Agreement (CBA).

**5.03.04 : OVERTIME**

- A Officers shall advise their supervisor in advance when the need to work overtime arises. If involved in a late arrest, the supervisor shall be advised at the beginning and ending of the overtime. The same practice will be followed when working a special assignment/event.

**5.03.05 : DEVIATION FROM REGULAR HOURS OF ASSIGNMENT**

- A Employees must contact their supervisor before deviating from their regularly assigned work hours.

**5.03.06 : UNSCHEDULED ABSENCES**

- A. Illness  
Employees are entitled to sick leave in accordance with CSEA Collective Bargaining Agreement, Article 14, Section 14.4 (1-15).
- B. Personnel Leave  
Employees desiring personal leave absence shall conform to current CSEA Collective Bargaining Agreement, Article 14, Section 14.6.
- C. Bereavement Leave  
Employees are entitled to paid bereavement absence in accordance with current CSEA Collective Bargaining Agreement, Article 14, Section 14.1.
- D. Military Leave  
Employees seeking military leave shall conform to State and Federal regulations as outlined in CSEA Collective Bargaining Agreement, Article 14, Section 14.3.
- E. Vacation  
Vacation requests shall be submitted to the immediate supervisor. Requests shall conform to current CSEA Collective Bargaining Agreement , Article 19, (1-13).
- F. Jury Duty  
Paid leaves shall be granted for employees called to serve on jury duty, subject to conditions outlined in CSEA Collective Bargaining Agreement, Article 14.2.
- G. Injury on Duty  
All employees injured on-duty are required to immediately notify their supervisor. Employees will be advised of correct procedures and forms to be completed by their supervisor in accordance with current District procedure .
- H. Return to Work (Light Duty)  
All employees may be assigned to light duty or reassigned as determined by SBCCD Human Resources.

**5.04 : PERSONNEL INFORMATION**

**5.04.01 : POLICY**

- A. All employees shall follow current Board Policy 7420 regarding authorized drivers.

**5.05 : GROOMING STANDARDS**

**5.05.01 : CLEANLINESS AND NEATNESS**

- A. It shall be the duty of all sworn personnel to keep their person, clothing, uniforms and/or equipment, in a neat, clean and sanitary condition while on duty.

## **5.05.02 : SWORN UNIFORMED PERSONNEL - GROOMING STANDARDS**

A. All uniformed personnel employed by the SBCCD Police Department are responsible to the public they serve. Part of the responsibility is to project a positive image to students, the community, school personnel, and members of other agencies. Critical to this image is personal appearance; therefore, all uniformed personnel of the SBCCD Police Department shall be required to meet the following grooming standards.

### 1. Hair

- a. Male Officers shall keep their hair neatly groomed and properly trimmed. The hair shall be no less than moderately tapered, shall not touch or extend below the top of the shirt collar, and shall not cover any portion of the ear. Beards or other facial hair, other than mustache, shall not be worn (this includes a goatee, hair growing below the bottom lip). Personnel will be clean shaven when reporting for duty. An employee with a medical condition which precludes his shaving must provide a medical notice. **Exceptions may be approved by the Chief for employees on special assignments.**
- b. Female Officers shall maintain their hair in such a manner as to be neat in appearance and not present a hazard to themselves. Some hazards include decorative beads braided into the hair, large barrettes and large combs. The officer's hair shall be arranged so as not to interfere with vision in anyway. On-duty uniformed officers shall arrange their hair so that it does not interfere with the officer's hearing.

### 2. Fingernails

- a. Fingernails shall not extend past ¼ inch from the tip of the finger or interfere in any way with the performance of any primary police task. Polish will consist of natural tones only.

## **5.06 : UNIFORM STANDARDS (PATROL PERSONNEL)**

### **5.06.01 : PURPOSE**

A. The purpose of this policy is to establish guidelines to maintain uniformity in the wearing of the SBCCD Police Department uniform and equipment as provided by the CSEA Collective Bargaining Agreement, Article 8.1. All on-duty sworn personnel are required to wear and use only that apparel and gear which is authorized as set forth in this general order. **Exceptions to this policy are authorized only under the direction of the Chief of Police.**

### **5.06.02 : MAINTENANCE OF UNIFORM**

A. Officers shall maintain, in a clean and serviceable condition, such articles of uniform as are prescribed for their rank and for the duty to which they are assigned. All sworn personnel shall possess and maintain, ready for immediate use, the uniform equipment and other required articles prescribed in this policy.

**5.06.03 : WEARING OF UNIFORM**

- A The uniform shall only be worn when the officer is fulfilling an assignment sanctioned by the department or as otherwise directed by the Chief of Police. Generally, sworn personnel shall wear the uniform and carry the applicable articles during all working hours.
1. When performing assigned plain clothes duty assignments.
  2. When attending events where wearing of civilian attire is considered to be more suitable for the occasion.
  3. When so directed by the Chief of Police.
- B. Except as directed by proper authority or where their assignment otherwise permits, all officers shall be in complete uniform when on-duty and will not be in uniform when off-duty except as directed.

**5.06.04 : ALTERING STYLE OF UNIFORM**

- A Uniforms shall be made of the material and in the style prescribed, and such style shall not be altered nor changed in any manner unless authorized by the Chief of Police. Jewelry or personal ornaments, other than those authorized in this manual, shall not be affixed to any part of the uniform or equipment.

**5.06.05 : DUPLICATING EMBLEMS OR ORNAMENTS PROHIBITED**

- A Employees of the Department are prohibited from having any official department emblem or uniform ornament duplicated without permission of the Chief of Police.

**5.06.06 : CARRYING REQUIRED EQUIPMENT WITH UNIFORM**

- A While on active duty, with exception of those officers who are assigned to station duties, officers who are required to wear the specified uniform shall always carry, as full equipment, the following:
1. Badge
  2. Whistle (optional)
  3. Flashlight
  4. Issued Identification Card
  5. Department Approved Weapon (handgun)
  6. Police Baton/ASP
  7. Handcuffs, Case and Key
  8. Black Ink Pen
  9. Nameplate
  10. Valid California Driver's License
  11. OC Spray
  12. Radio and Radio Holder
  13. Taser
- B. The following are optional items of equipment - knives, laser, and other approved backup weapons.

## **5.06.07 : AUTHORIZED UNIFORM**

A The SBCCD Police Department uniform shall be dark blue unless otherwise stated.

### 1. Uniform Shirt and Accessories

- a. Long and short sleeve shirts shall be dark blue with epaulets and flap pockets.
- b. All shirts shall be worn with department issued patches on each shoulder.
- c. Patch shall be located  $\frac{1}{4}$ " below top shoulder seam.
- d. Supervisor stripes shall be located  $\frac{1}{4}$ " below each shoulder patch.
- e. Nameplates of departmental issue shall be worn just above and centered over right shirt pocket.
  - i. Lower edge to be touching top seam.
  - ii. Nameplates are  $\frac{1}{2}$ " wide by  $2 \frac{1}{4}$ " long, white metal with black lettering.
  - iii. Nameplate shall contain officer's first name, initial and full last name, in that order.
- f. Either the summer short sleeve shirt or the winter long sleeve shirt may be worn for normal duty throughout the year at the officer's discretion.
- g. Whenever either shirt is worn with the dress jacket, the tie and tie bar shall be worn.
- h. When wearing the short/long sleeve shirt, white or black crew neck tee-shirts will be worn and shall be free from holes and dirt and the neck shall not be stretched out of its normal shape. V-neck tee-shirts are not permitted.

### 2. Uniform Pants

- a. Pants will be navy blue in color.
- b. No cuffs allowed.
- c. Sap pockets (optional).
- d. Pants may have slight flare at bottom.
- e. Material may be wash and wear, wool or stretch.

### 3. Work Jacket (Lightweight-optional)

- a. All black nylon with zippered front, two square pockets on front.
- b. Shoulder patches and badge shall be affixed in the same manner as uniform shirts.
- c. Supervisors shall wear the appropriate chevrons on both sleeves.
- d. A cloth name tag shall be worn immediately below and centered.
- e. Name Tag
  - i. The name tag shall consist of an officer's first name initial followed by a period, and full last name.
  - ii. The cloth strip, upon which the custom embroidered lettering will be sewn will measure  $1 \frac{1}{4}$ " high with the width (left to right) being

proportionate in length with the number of letters in the name, and allowing ½" in front of the first letter and following the last letter. The cloth strip, upon which the letters are sewn, will be of a material compatible with the jacket material and of the same color.

- iii. The embroidered block (Roman Gothic) letters shall be sewn of silver thread, letters measuring ½" high, ¼" wide. The period following the first name initial shall be a 1/16" silver dot.

4. Work Jacket (Heavyweight)

- a. All black nylon with imitation black fur collar, with two outside square pockets.
- b. Jacket is to have zipper and button combination front, pockets are to have button down flaps.
- c. Patches are to be affixed to each shoulder ½" below top seam of sleeves.
- d. Supervisors shall wear the appropriate chevrons on both sleeves.
- e. A departmental issued cloth badge may be worn in place of the metal badge.
- f. The nametag, as described for the lightweight work jacket, shall be affixed and worn in like manner.

5. Dress Jacket (Optional)

- a. Navy blue, with fly front and concealed zipper.
- b. Breast pockets, usable, and fastened at outer points by hidden snaps.
- c. Buttons to be 5/8 "P" type, silver in color.
- d. Patches are to be affixed to each shoulder ½" below top seam of sleeve.
- e. Piping.
  - i. No piping on sleeves below the rank of supervisor.
  - ii. Supervisors will wear 5/8" dark blue piping with gold borders.
  - iii. Bottom edge of piping positioned 3" above cuff.

6. Ties

- a. Shall be of black material at least 11" in length and 2" to 3" in width.
- b. Shall be clip-on tie.
- c. Tie bar shall be silver in color, plain, without ornamentation, and shall be worn parallel to shirt pocket buttons.

7. Footwear

- a. Shoes or boots will be black roundplain toe.
- b. Lace-up or slip-on.
- c. Footwear shall be polished at all times when worn.
- d. Steel-toed footwear is prohibited.

8. Socks

- a. Socks worn with low shoes or shorts shall be black.
- b. Socks must be without design.

9. Gloves (Optional)

- a. Black leather may only be worn during inclement weather. When worn both gloves will be worn.
- b. May not have selected fingers cut from glove.

- c. Lead or sand filled gloves (commonly referred to as "sap gloves") are not authorized.

#### **5.06.08 : CLOTHING (PLAIN CLOTHES)**

- A. Male Officers shall wear conservative sport shirt and slacks or business suits. When a tie is worn, the shirt collar shall be buttoned and the tie knot appropriately in place.
- B. Female Officers shall wear business suits, coordinated pants/slacks and blazer or jackets. Female officers, unless assigned to non-field duties, shall not wear dresses or skirts. Blue jeans, brushed denim, parachute "gaucho" pants or other similar articles of clothing are not to be worn. Leg or foot covering shall be worn at all times (nylons or socks). Bare legs or feet are not considered professional dress, and are not acceptable to department dress standards.
- C. When worn, coats and jackets shall adequately cover all issued equipment (handcuffs, etc.). Jackets such as windbreaker are not acceptable dress unless they are the department's identification windbreaker jacket. Casual clothing, i.e. any type of coat/jacket with short sleeves, blue jeans, brushed denim slacks, tee-shirts, and western shirts may not be worn.
  - 1. Shoes
    - a. Personnel shall wear black shoes which are clean and shined. Shoes shall not hinder ease of movement and agility, i.e. raised heels. Female officers shall not wear shoes with heels higher than one inch when working field duties. Shoes should provide the foot with maximum protection. Tennis shoes, sandals, moccasins, platform shoes, plastic type jellies and similar types are considered inappropriate and shall not be worn.
  - 2. Accessories
    - a. Earrings on female personnel shall not be a type which can easily be grabbed or pulled by a suspect. No pierced earrings other than studs shall be worn. Any accessories shall be of the types which are conducive to a professional law enforcement image. i.e. facial/tongue studs or piercing are not allowed.
  - 3. Exceptions
    - a. Special assignments or specific occasions may require alterations of dress standards. Approval by an assignment supervisor is required prior to any modification of the dress standard.

#### **5:07: CLASSES OF UNIFORMS**

##### **5.07.01 : DUTY UNIFORMS FOR UNIFORMED PERSONNEL**

- A. Duty uniforms for uniformed personnel shall be one of the following classes:
  - 1. Class "A"
  - 2. Class "B"
  - 3. Class "C"



### **5.07.02 : CLASS "A"**

A This will be the dress uniform for formal wear. It may be worn with or without the dress jacket. However, if a jacket is worn, it will be the dress jacket. This uniform will be worn as directed by the Chief:

1. Long sleeve dark blueshirt
2. Pants, navy blue.
3. Black Tie with plain silver tie bar.
4. Dress jacket (optional dependent upon weather); a short sleeve shirt may be worn under the dress jacket.
5. Black smooth toe shoes or boots.
6. Dress belt.
7. Sam Brown leather gear.

### **5.07.03 : CLASS "B"**

A The duty uniform for day-to-day patrol wear.

1. Long or short sleeve navy blue shirt, open collar.
2. Pants, navy blue.
3. Light weight or heavy field jacket.
4. Black shoes or boots.
5. Baseball cap or helmet, (optional with supervisor's approval). Authorized baseball hat may be worn during wind conditions.
6. Dress belt.
7. Sam Brown leather gear or nylon gear.

### **5.07.04 : CLASS "C"**

A Special Uniform - Gang Unit

The authorized special duty uniform for Gang Unit personnel:

1. Golf-type lightweight (50% polyester & 50% cotton), blue shirt (or green for SMASH) with collar; opening at the neck with two buttons.
2. The embroidered block (Roman Gothic) letters shall be on the front upper left side of the shirt, and the emblem shall duplicate the inside of the official department badge, with the words "Gang Detail or "SMASH" embroidered in .45" letters under the eagle.

B. Special Uniform - Bicycle Patrol

The authorized Special Duty Uniform for personnel assigned to Bicycle Patrol:

1. Golf-type, lightweight Black or White shirt, with collar; opening at neck with two to three buttons.
2. The officer's last name and first initial shall be embroidered in 3/8" black or white block lettering on the upper right side of the shirt. "Police" shall be silk screened on the back of the shirt in 3" white letters. A soft badge shall be sewn onto the left of the shirt and arm patches sewn onto both sleeves.
3. Shorts shall be black bike uniform shorts.
4. Pants shall be black bike pants with zip-off legs or BOU.
5. Jacket shall be a light windbreaker, black with "Police" silk screened in 3" white letters on the back.

6. Safety equipment shall include bike helmet, bike gloves and eye wear.
7. Standard leather gear or nylon gear shall be worn.
8. Department issued badge may be worn on belt.

## **5.08 : ORNAMENT GUIDELINES**

### **5.08.01 : SBCCD POLICE DEPARTMENT PATCH**

- A. Shall be department approved and issued by the department.
- B. Shall be sewn on all bicycle uniform shirts and jackets. Patches will be centered on the middle crease of the sleeve (or shoulder seam if no crease) and ¼" below top shoulder seam (1/2" on heavy-duty jacket).

### **5.08.02 : BADGE**

- A. Department approved and issued by the department.
- B. Shall be worn above left pocket on outermost garment worn (unless cloth badge is visible on outermost garments).

### **5.08.03 : PINS**

- A. Department uniformed personnel are authorized to wear the following pins on their uniform:
  1. Department lifesaving, meritorious, and excellence pins.
  2. 10851 pin.
  3. CAL-ID pin.
  4. Drug use is Life Abuse pin.
  5. CSEA pin on pocket.
- B. In order to maintain a neat appearance for uniformed personnel, only two (2) of the above listed pins may be worn at the same time.

## **5.09 : ISSUANCE OF DEPARTMENT "FLAT" BADGES AND RETIREMENT BADGES**

### **5.09.01 : POLICY AND GUIDELINES**

- A. The following Department Policy and Guidelines establish the issuance procedure of department "flat" badges and retirement badges.

### **5.09.02 : BASIC REQUIREMENTS**

- A. The employee requesting authorization to be issued a flat badge must be a regular employee.
- B. Prior to issuance of a flat badge, the following requirements must be satisfied:

1. The employee will complete a memorandum to their supervisor requesting department issued flat badge.
  2. The supervisor receiving the employee's request shall review the memo for content and cause and forward it to the Chief if acceptable.
- C. Upon completion of the above requirements, the Chief will issue a flat badge only, and record the issuance on the employee's inventory file.

**5.09.03 : RETIREMENT BADGES/SERVICE AWARDS**

- A. Retirement badges will be issued to retiring employees upon recommendation of the Chief of Police to the Board of Trustees.
- B. A copy of the memo approving issuance by the Chief of Police will be placed in the retiring employee's personnel file.
- C. In place of a simple scroll pattern, the word "retired" shall appear.
- D. Service awards including the presentation of retiring employee's badge, mounted on a plaque or other arrangement, will be authorized by the Chief of Police.
- E. Information on badges presented as service awards will be noted in the employee's personnel file.

**5.09.04 : BADGE (OPTIONAL CLOTH)**

- A. Must be department approved.
- B. Issued by the Department. The cloth blue patch badge may be sewn onto the lightweight jacket, the heavy field jacket and the coveralls. This patch is to be attached over the left pocket and in the same location as the metal badge.

**5.09.05 : SERVICE HASH MARKS**

- A. One "hash mark" for each five (5) years service with any police department. Service hash marks may be placed on uniforms six (6) months prior to five year date.
- B. Service hash marks shall be worn on all dress jackets. Wearing of hash marks on long sleeve shirts shall be optional and at the discretion of the officer.
  1. Dress jacket hash positioning - supervisors and above  
Supervisors and above shall affix hash mark(s) on left sleeve,  $\frac{3}{4}$ " above piping, with hash marks centered on sleeve. A  $\frac{1}{2}$ " spacing shall exist between hash marks.
  2. Dress jacket - Officers below rank of supervisor  
Officers below the rank of supervisor shall position the first hash mark  $4\frac{3}{4}$ " up from the cuff edge.
  3. Long sleeve shirt hash positioning - all officers  
Shall be worn on left sleeve  $\frac{1}{2}$ " above top cuff seam, centered on sleeve with  $\frac{1}{2}$ " between hash marks.

### **5.09 .06: METAL NAME PLATES**

- A Metal nameplates shall be attached to the uniform shirts and Class A jacket, and centered directly on top of the right breast pocket.
  - 1. Name plates shall be silver in color with black lettering measuring ½" wide and 2 ¼" long.
  - 2. Name plate shall contain officer's first name , initial and full last name.

### **5.10 : RANK AND SPECIAL ASSIGNMENT INSIGNIA**

#### **5.10.01 : CHIEF OF POLICE**

- A The four stars of the Chief of Police shall be metal and silver in color.

#### **5.10.02 : SUPERVISOR**

- A SBCCD Police Department patch
  - 1. Chevrons will be centered ¼" below police patch.
  - 2. Chevrons shall be blue, silver trim with black background and outside border.

### **5.11 : ACCESSORIES**

#### **5.11.01 : HELMETS/RIOT GEAR**

- A. Supervisors may require the wearing of helmets by all personnel on specific occasions when the need is apparent. In such instances, the helmet shall be strapped at all times when worn and shall be department issue only.
- B. Shield, gas mask, riot stick, and other gear as required.

#### **5.11.02 : RAIN GEAR**

- A Coats and boots are provided by the department. Officers may wear yellow or clear raincoats or pants.

#### **5.11.03 : WHISTLE (OPTIONAL)**

- A. When worn, whistles will be silver colored metal.
- B. Whistle chains will not be worn.

#### **5.11.04 : IDENTIFICATION CARD**

- A. While on duty, all officers shall have in their possession the identification card currently issued to them unless a special assignment prohibits carrying of police identification.

#### **5.11.05 : SUNGLASSES**

- A Type: On-duty personnel shall be permitted to wear only non-mirrored sunglasses.

There shall be no design or picture of any type allowed on the lens of the sunglasses. For safety purposes, no lanyard or other devices attached to the sunglasses will be permitted.

- B. Frame Style: On-duty personnel shall be permitted to wear only frames which are conservative in style, constructed of black or brown plastic, or gold or silver polished metal.
- C. Usage: On duty personnel shall not be permitted to wear sunglasses indoors or during the hours of darkness. Personnel wearing prescription eyeglasses which darken into sunglasses are exempt from this portion of the policy.

## **5:12: SAFETY AND OTHER RELATED EQUIPMENT**

### **5.12.01 : SAM BROWN GEAR**

- A. Dress Belt  
The trouser belt shall be black basket weave, 2 1/4" wide, with silver Sam Brown two-prong buckle or nylon gear.
- B. Sam Brown Belt  
Shall be black basket weave, 2 1/4" wide, with silver Sam Brown two prong buckles or nylon gear.
- C. Handcuff Case  
Shall be black basket weave with pear shaped flap and silver button or nylon gear.
- D. Buck Knife Case  
Shall be black basket weave with fold over flap and silver button or nylon gear.
- E. Key Strap and Baton/ASP Ring  
Shall be black basket weave with silver snap and silver ring or nylon gear.
- F. Keepers  
Shall be black basket weave or nylon gear with one or two silver snaps.
- G. Radio/Radio Holder  
Shall be black basket weave or nylon gear.
- H. Leather Gear/Gun Holster  
Shall be maintained in good condition and not show signs of wear or folding.

### **5.12.02 : EQUIPMENT**

- A. Sworn personnel shall appropriately wear all issued equipment while on-duty. This includes:
  - 1. Department approved weapon (handgun).
  - 2. Department issued chemical irritant.
  - 3. Handcuffs.

4. Baton (optional for plain clothed personnel but shall be readily available.)
  5. Radio
- B. Leather accessories shall be polished with a liquid polish. Issued items shall be worn on the belt.

### **5.12.03 PROTECTIVE VESTS**

- A The protective vest is provided to all sworn personnel for their personal protection. All uniformed officers, investigators, and supervisors shall wear their protective vest while in the field.
- B. The care instructions for the protective vest ballistic panels and carriers are included in each vest package. The instructions shall be strictly followed to prevent damage to the ballistics capability of the vest.
1. Protected vest life span is monitored by supervisory personnel. Officers will be provided a replacement prior to expiration.
- C. In the event a sworn employee is involved in an incident, such as a shooting or assault, and the protective vest is struck by a bullet, other penetrating object, or damaged in any way, the following procedures shall be followed:
1. The officer should have a thorough physical examination, even if there is no apparent injury.
  2. As soon as practical, after the incident, the officer's supervisor is to forward a report to Human Resources concerning the ballistics protection afforded by the protective vest. It should cover, but is not limited to:
    - a. Serial number of the protective vest, number of panels worn, the location of the hit(s), or area of damage, and the number of layers of the ballistics material that were penetrated.
    - b. Type, model, caliber, and barrel length of the weapon; or description of instrument used.
    - c. If appropriate manufacturer of the ammunition, bullet weight in grains and the provider of the grains, if it can be determined
    - d. If appropriate distance between the officer and the penetrator..
  3. The Officer will be provided with a replacement vest.

## **5.13 : DISORDERLY AND IMMORAL CONDUCT**

### **5.13.01 : DISORDERLY CONDUCT**

- A Officers shall not engage in any disorderly conduct in any public place at any time.

### **5.13.02 : IMMORAL CONDUCT**

- A Officers shall maintain a level of moral conduct in their personal and business affairs which is in keeping with the highest standards of the law enforcement profession .

Officers shall not participate in any incident involving moral turpitude which tends to impair their ability to perform as law enforcement officers or causes the district to be brought into disrepute.

**5.13.03 : CONDUCT TOWARDS OTHERS**

- A. Officers shall not intentionally antagonize any person with whom they come in contact and shall treat all persons in a respectfully, courteous and civil manner.
- B. Officers shall perform their duties in a courteous, fair, firm, impartial and business-like manner. They shall scrupulously avoid any display of officious or overbearing attitude and shall not use any language designed to belittle, ridicule, or embarrass any person.
- C. Officers shall not display in their work environment, any material that is racially or religiously derogatory, offensive in nature, or sexually explicit or degrading. Officers must comply with the District Sexual Harassment Policy (BP 3430).

**5.13.04 : STUDENT CONTACTS**

- A. All officer contacts with students must be prudent and conducted in such a manner that precludes any concerns of impropriety .

**5.13.05 : DEROGATORY LANGUAGE**

- A. Officers shall not use profane, derogatory, harassing or threatening terms of speech towards any individual.

**5.14 : USE OR POSSESSION OF ALCOHOL, DRUGS OR NARCOTICS AND TOBACCO**

**5.14.01 : USE OR POSSESSION OF ALCOHOL**

- A. Officers shall not consume any kind of intoxicating beverage while on-duty. No officer shall report for duty or be on-duty under the influence of alcohol, or be unfit for duty because of its use. The odor of an alcoholic beverage on the breath will require subsequent testing to determine fitness for duty.
- B. Officers shall not consume or possess intoxicating beverages while on the premises of any district property.

**5.14.02 : USE OR POSSESSION OF DRUGS OR NARCOTICS**

- A Officers shall not use or possess any controlled substance, narcotic or hallucinogens except when properly prescribed by a physician for an illness or injury. Officers shall not report for duty or be on-duty while under the influence of such prescribed medication.
- B. Whenever employees must take prescribed medication which may impair their ability to function while on-duty, they must report this to Human Resources.

**5.14.03 : USE OF TOBACCO**

- A. Use of tobacco products are governed under Board Policy 3570, and must be adhered to.

**5.15 : USE OF DISTRICT, DISTRICT PROERTY ANDEQUIPMENT**

**5.15.01 : INCURRING FINANCIAL LIABILITY AGAINST THE DISTRICT**

- A. No officer shall incur a financial liability chargeable against the Department or the District, without proper authorization, as provided in Board Policy 6330.

**5.15.02 : USE OF DISTRICT PROPERTY FOR PERSONAL USE**

- A. It is inappropriate for any district employee to commit for personal use any district property or equipment. This includes but is not limited to district supplies, equipment, machines, vehicles, telephones or district mail services per Board of Trustees policy.

**5.15.03 : CARE OF DISTRICT PROPERTY AND EQUIPMENT**

- A. Officers shall be responsible for the proper care, maintenance and serviceable condition of any district property, issued or assigned to him. Loss or damage to, or unserviceable condition of such property shall be reported immediately to a supervisor.

**5.15.04 : RETURN OF DISTRICT PROPERTY**

- A. When an officer is suspended, resigns, or is separated from the department for any reason or upon request of the Chief, He shall return all district property in his possession to the supervisor.

**5.15.05 : INJURY OR PROPERTY DAMAGE**

- A. Officers shall promptly notify their supervisor of any injury to any person or damage to real or personal property resulting from the execution of their official duties and responsibilities.

**5.15.06 :TRANSPORTATION OF DISTRICT FUNDS**

- A. SBCCD Police Officers may be assigned to transport College District funds. The funds must be in a sealed pouch.

**5.16 : STATEMENTS**

**5.16.01 : FALSE STATEMENT**

- A. Officers shall not make false or misleading statements in reports or when questioned or interviewed. False and misleading statements are considered work related dishonestly, for which personnel may receive disciplinary action, up to and including dismissal, per Board Policy 7365 and/or Penal Code Section 148.6.



### **5.16.02 : STATEMENTS DURING DEPARTMENTAL INVESTIGATIONS**

- A If requested to make a statement in the course of an official departmental investigation, officers shall make full, complete and truthful statements.
  
- B. Pursuant to "Peace Officer's Bill of Rights", Officers are subject to disciplinary action, up to and including dismissal, for insubordination if they fail to answer questions/make statements in a lawful investigation after being ordered to do so for administrative purposes only.
  
- C. The United States Supreme Court has held that any statement made by an officer in response to an order from his superior(s) to cooperate in an investigation may not be used against him in any subsequent criminal proceeding. Garrity vs. State of New Jersey 1967-385 U.S. 495).

### **5.17: REPORTING OF INFORMATION, CONFIDENTIAL INFORMATION, RELEASE OF INFORMATION AND DISSEMINATION OF INFORMATION**

#### **5.17.01 : POLICE DEPARTMENT REPORTS**

- A The following is the procedure for reporting.
  - 1. Incident is reported to, or discovered by, SBCCD Police Department personnel who will then investigate the incident.
  - 2. Report on incident is completed by SBCCD Police personnel.
  - 3. If, at the time the report is taken, there are items with serial numbers or other identifying marks which can be entered in the Stolen Property System, the SBCCD Police Officer or supervisor, dispatcher shall enter the property.
  - 4. Once a report is completed by SBCCD Police personnel, it will be submitted to a SBCCD Police Supervisor for review.
  - 5. After the report is reviewed and approved by a SBCCD Police Supervisor, the report will be turned into dispatch for filing or copying for other agencies.

#### **5.17.02 : TYPES OF REPORTS INVESTGATED**

##### **A Misdemeanors**

Will investigate all misdemeanors

##### **B. Felonies**

Will investigate all felonies except homicides and some sex crimes. Crimes requiring extensive investigation may be turned over to the appropriate allied agency pursuant to the Memorandum of Understanding with that agency.

**5.17.03 : REQUIREMENT TO REPORT IF SUBJECT OF ARREST OR CRIMINAL INVESTIGATION**

- A. Police Officers of the State of California are sworn to uphold the Constitution of the United States and enforce the laws of the land. The acceptance of a position of a Police Officer imposes a tremendous amount of responsibility and accountability.
- B. It follows that any conduct by an officer which is illegal reduces his effectiveness as an officer and may reflect unfavorably on his position as an officer of the department He represents. This precept applies to both on and off duty conduct.
- C. Therefore, should any officer or other employee of the department become the subject of an arrest or criminal investigation, he shall advise the Chief as soon as possible so as to permit department review of the allegations surrounding such arrest/investigation.
- D. No disciplinary action affecting employment status will be taken solely on the basis of information that an officer has been arrested or subject to a criminal investigation.

**5.17.04 : CRIME REPORTS AND RECORDKEEPING**

- A. Crime reports generated by the SBCCD police requiring follow-up investigation by another agency will contain the case number assigned by that agency.
- B. After the report has been reviewed and approved by a SBCCD Supervisor, it will be placed in the appropriate outgoing report basket. One copy of the report is to be filed and entered in the database.

**5.17.05 : REPORTING INFORMATION REGARDING VIOLATIONS**

- A. Officers who have knowledge of any information relative to an arrest or criminal investigation or a possible violation of law, or District or Department policy, by any member of this department, shall promptly advise the Chief.

**5.17.06 : CONFIDENTIAL INFORMATION/PRESSRELEASES**

- A. Official business of the department is confidential and shall only be discussed with authorized personnel.

**5.17.07 : DISSEMINATION OF CRITICAL INFORMATION**

- A. Periodically crimes occur on or near campuses, which make it desirable and necessary to alert surrounding schools and allied agencies of the problem. Providing information to adjoining schools and allied agencies will prepare them for potential trouble and possibly lead to identifying and apprehending subjects.
- B. SBCCO police personnel shall as soon as reasonably possible, call the supervisor with the pertinent details of the incident. The supervisor will then cause the agencies in the area to be notified of the incident and deploy coverage as needed.
- C. Gang fights, shootings, demonstrations, sex crimes, including indecent exposures, would be representative of the types of incidents involved in this procedure. Any

situation which might impact surrounding agencies should be called to the supervisor's attention.

- D. Officers should provide the supervisor with all the information available; however, they should not delay calling in partial information if obtaining full information would unnecessarily delay alerting the adjoining agencies.

#### **5.17.08: MISSING PERSONS**

- A Whenever anyone attempts to report a missing person to SBCCD Police Department employee, a SBCCD Police Officer shall complete a Missing Person Report form. The report shall be submitted immediately to the appropriate agency for computer entry and follow-up. Dispatch shall be notified and a broadcast shall be made giving the description of the missing person and other pertinent details. The amber alert reporting system shall be used where appropriate.

#### **5.17.09: SIGNIFICANTEVENT**

- A The supervisor must be immediately advised if a major crime or incident occurs (example: riot, major injury, rape, sit-ins, shootings, major gang activity, fire, evacuation, chemical spill) on or about a district facility. Unless otherwise directed, a report will be submitted to the department that day.

#### **5.17.10: DUE DATES FOR REPORTS**

- A All crime/arrest reports are to be completed and submitted on the date of notification by the reporting officer and forwarded to the supervisor. All in custody reports shall be completed by the end of the reporting officer's shift. Any non-custody crime report shall be completed by the end of the officer's shift. All outstanding reports shall be completed by the end of the officer's shift. Any exceptions to this shall be approved by the supervisor.
- B. Follow-up reports shall be submitted promptly when additional relevant information is obtained.

### **5.18 : FIRES- REPORTNG PROCEDURE**

#### **5.18.01 : PROCEDURE**

- A City and County Codes mandate that all uncontrolled and/or unlawful fires, or evidence of a fire to be reported to the Fire Department.
- B. District policy states that all fires and related emergencies, in any building, or any site shall be immediately reported to the Fire Department.

#### **5.18.02 : FIRE - BURNING, SMOLDERING OR OUT**

- A The following guidelines are to be adhered to:
  - 1. If the fire is very minor and means of immediate extinguishing are present with no

- probability of intensification or spreading of flames, i.e. trash can, dumpster, etc., take the action necessary to extinguish the fire or potential for such and call the Fire Department. If in doubt, call the Fire Department.
2. Secure the area, close windows and doors to reduce the probability of the fire spreading.
  3. Immediately contact the administrator or other responsible person advising them of the situation.
  4. Should the officer's presence not be necessary to assist the administrator, the officer(s) should return to the involved area, making certain all persons have been evacuated to a safe area.
  5. The officer(s) or some other responsible person, should await the arrival of the Fire Department in order to provide the most expeditious route to the involved area.
  6. Contact with the SBCCD Police Department supervisor should be made as soon as possible.
  7. Complete SBCCD Police crime/incident report.
  8. Preserve any evidence for investigators.
  9. Take role of suspicious person(s) or circumstances and report same.
  10. Locate and identify witnesses, if any are present.

B. The supervisor will have the responsibility for making notifications to the Chief.

#### **5.19 : SEARCHING OF SUSPECTS BY SBCCD POLICE PERSONNEL**

##### **5.19.01 : SEARCH OF FEMALE SUSPECTS**

- A In those instances where it may be necessary for a pat down search of a female to assure the officer's safety, the suspect should be handcuffed, placed under close scrutiny and moved to an area or location where a female officer can make the necessary search. Only under exigent circumstances would it be reasonable to conduct a pat down search for weapons on a female by a male SBCCD Police Officer.
- B. In those instances where such a search would be warranted, the search shall be limited to the area where the suspect weapon could be secreted and those areas where a manacled person would reach such weapon. Such search shall only be conducted in the presence of an adult person who would bear witness to the officer's actions.
- C. The same consideration should be exercised when female officers find it necessary to conduct a search of a male. Whenever possible, the subject search will be conducted by persons of the same sex.

##### **5.19.02 : SKIN SEARCHES AND ISOLATION OF SUSPECTS**

- A SBCCD Police Officer shall not conduct skin searches of male or female subject/suspects. Nor shall they request other college personnel, i.e. nurse, doctor, to conduct a search. In those instances where the SBCCD Police Officer is of the opinion that such a search is warranted, there should exist such reasonable cause to believe that a crime is being committed, and, therefore, any arrest would be appropriate and such search should then be conducted by appropriate law enforcement personnel (i.e. custody officer at the jail). (SBCCD Police Officers do not conduct skin searches).

- B. Under circumstances where it would appear that such a search is warranted, it is recommended that the suspect be appropriately restrained, isolated, and kept under observation until an appropriate search can be conducted by custodial law enforcement agency . In this manner, it is possible to prevent the destruction or disposal of evidence and still not subject the officer to a criminal or civil action as an outgrowth of the incident. The exception to a skin search would be during the booking procedure as required by the local law enforcement agency.

## **5.20 : OBTAINING SEARCH AND ARREST WARRANTS**

### **5.20.01 : PROCEDURE**

- A A search warrant is an order issued by a judge, commanding a Peace Officer to search for and seize particular property from a particular location. An arrest warrant is a written order from a magistrate commanding a Peace Officer arrest the person named therein.
- B. In all instances, the responsible law enforcement agency shall be contacted.
- C. The following procedures will be adhered to in preparing a search or arrest warrant.
1. Prior to preparing an affidavit for a warrant, the officer will discuss the facts of the case with a supervisor. The supervisor will then discuss the matter with the Chief, who will ascertain whether a warrant is to be written.
  2. Upon completing the affidavit for a warrant and before obtaining a judicial signature, the officer will present the completed package to the supervisor for approval.
  3. After the warrant has been issued by the court, but prior to serving the warrant, the officer will advise the supervisor of the time and place the warrant is to be served, as well as what type of uniformed assistance will be necessary. The supervisor will pass the information and a copy of the warrant to the Chief (be sure to mark "copy").
  4. Prior to serving the warrant, the officer will advise dispatch of his intentions, and will notify dispatch at the conclusion of the operation.
  5. In all instances the responsible investigative agency will be advised and solicited for assistance in the service of the search or arrest warrant. In the absence of investigations, and service is imperative, the responsible jurisdiction Supervisor will be requested to provide assistance In all instances, adequate support will be on hand to contain the situation and assure the safety of those involved.
  6. Upon conclusion of the operation, the Chief is to be notified of the results. Further, should any problems arise during the course of the operation, the supervisor will immediately contact the Chief.
  7. In all such services, a summary of the operation will be prepared and available prior to the end of watch.

## **5.21 : CASE CLEARANCE POLICY**

### **5.21.01 : CASE CLEARANCE REQUIREMENTS**

- A Case clearance requirements are based on the FBI Uniform Crime Reporting

Guidelines. While interpretation of these guidelines may vary, the requirements are not subject to revision or alternation on a local basis.

**5.21.02 : CLEARED BY ARREST - ADULTS**

- A. Shall indicate that an adult is arrested and charged with the commission of the offense based upon the crimereport, or
- 8. The matter is set for a District Attorney hearing/review.

**5.21.03 : CLEARED BY ARREST - JUVENILES**

- A. Shall indicate that a juvenile is identified as the perpetrator and a petition is requested.
- B. The juvenile is referred to another agency .
- C. The juvenile is counseled and released.

**5.21.04 : INVESTIGATION CONTINUED**

- A. Shall indicate that the case has not been cleared or unfounded and no other case status applied.

**5.21.05 : CLEARED OTHER**

- A. Shall indicate that a case has progressed to a point where further action cannot be reasonably taken and all four of the circumstances exist:
  - 1. The identity of the perpetrator definitely has been established, and
  - 2. The location at which the perpetrator could be arrested is known by the investigator, and
  - 3. There is sufficient admissible information and/or evidence to support an arrest and the filing of a complaint based upon the offense(s) under investigation , and
  - 4. The reason further action cannot be taken is outside of police control.

**5.22 : ARREST**

**5.22.01 : DISPOSITION OF VIOLATORS**

- A. Uniformed personnel have various methods of handling people involved in criminal acts. These methods include, but are not limited to the following:
  - 1. On-scene arrest when the act is witnessed by the arresting officer.
  - 2. In felony cases not witnessed, the officer may arrest when He has probable cause to believe that the arrested person committed a felony.
  - 3. Arrest should not be made in cases lacking probable cause. Proper reports should detail whatever suspicious circumstances point to a particular suspect.
  - 4. In most cases where the suspect is identified, but his whereabouts are unknown, proper reports should be submitted to the appropriate prosecuting agency requesting a warrant of arrest.

- B. Whenever juveniles are arrested by SBCCD Police Officers, it is mandatory that the parents be contacted and advised of the circumstances and disposition of the case. SBCCD Police Department crime reports will reflect only those facts developed during the investigation. Statements related to the disposition of a case will be limited to whatever disposition is made by the SBCCD Police Officer "custody of parents, pending follow-up by police department," or "turned over to Officer\_\_\_\_ Badge\_\_\_\_ for further disposition".
- C. Adults arrested may be cited for misdemeanor violations unless there is cause to book them into San Bernardino County jail.
- D. Adults arrested for felonies shall be transported and lodged in San Bernardino County Jail.
- E. Any person arrested who needs medical care shall be transported to Arrowhead Regional Medical Center or the San Bernardino County Jail medical facility prior to lodging at any detention facility.

**5.22.02 : ARREST, TRANSPORTATION AND BOOKING OF FIELD ARRESTEES**

- A. The purpose of this order is to establish recommended procedures relative to the arrest, transportation, and booking process. Additionally, this policy will serve to facilitate the efficient processing of an arrestee from the time of arrest to the time of booking and to ensure that arrestee is properly restrained and their movements controlled and restricted. This is essential in the interest of the arrestee's safety, the safety of our departmental personnel, and that of the general public.

**5.22.03: ARREST - USE OF FORCE**

- A. Officers shall use reasonable force in making an arrest.

**5.22.04 : PRISONERS AND SUSPECTS - SAFEGUARDING**

- A. Officers shall be cautious in the arrest and detention of prisoners or suspects and shall take all necessary precautions to prevent an escape, the carrying of weapons on their person after arrest, injury to themselves or any other person or damage to property.
- B. Officers shall not place, or cause to be placed; weapons or objects adaptable for use as weapons and capable of inflicting bodily harm, or permit such weapons or objects to remain unattended, in any location normally accessible to a prisoner or suspect.

**5.22.05 : HANDCUFFING AND RESTRAINING OF ARRESTED PERSONS**

- A. As a general rule, all adult suspects placed under arrest wherein booking is necessary and appropriate, should be handcuffed behind their back immediately following their arrest and prior to transportation for booking. The use of handcuff restraints is desirable from the standpoint of officer safety and to reduce a suspect's opportunity to escape from custody. Demonstrably dangerous and/or combative suspects may, if circumstances warrant their use, be further restrained about the ankles using plastic-cuffs, handcuffs, or department-issued nylon leg restraints. Extremely combative suspects and/or persons alleged to require observation per Section 5150 of the Welfare

and Institutions Code, may, at the discretion of the arresting or transporting officer, be restrained utilizing the previously delineated restraint devices and/or "soft restraints" leg cuffs, or other appropriate humane restraint devices available to said officers.

- B. In using any restraint device, reasonable care must be utilized in the deployment of such devices to ensure that they are placed on the suspect in a secure manner. An equal consideration shall be the use of such devices in a manner designed to minimize trauma or injury to the suspect.
- C. When it is determined, at the officer's discretion, that the suspect(s) to be transported are of youthful age, aged, infirm, handicapped or suffering from injury or illness, such persons may be exempted from the general rule regarding the handcuffing of suspects.
- D. Juveniles shall not be handcuffed to fixed objects.

## **5.23 : RECOVERED PROPERTY AND/OR EVIDENCE**

### **5.23.01 : MONEY AND PROPERTY OF OTHERS**

- A. Officers shall deliver to the proper custodian any monies or other property not his own, which comes into his possession. A report shall be made of the transaction.

### **5.23.02 : MISAPPROPRIATION OF PROPERTY**

- A. Officers shall not appropriate for their own use any district property, evidence, or found or recovered property.

### **5.23.03 : EVIDENCE RESULTING FROM A CRIMINAL ACT**

- A. All property or other evidence, such as fingerprints recovered or gathered as part of a criminal investigation or arrest situation must be turned over to the agency of jurisdiction as soon as possible. The SBCCD Police Officer must properly mark the item(s) for identification and describe the evidence in his report. The chain of evidence must be maintained. Recovered College District property shall be photographed and returned to the school site unless the property is necessary for prosecution of the case.

### **5.23.04 : NARCOTICS**

- A. Any narcotics/drug turned over to SBCCD Police from campus sites or other district offices where there is no crime report taken shall be processed and delivered to the San Bernardino County Sheriff's Department for destruction. A report listing the items and their description will be completed. The disposition of the narcotics will be noted on the report.

### **5.23.05 : FOUND PROPERTY**

- A. All property that is found on a campus shall be secured by a SBCCD Police Officer and documented in report form.



#### **5.23.06 : DISPOSITION OF PROPERTY**

- A. The Chief of SBCCD Police shall ensure that property is disposed of pursuant to California law.

#### **5.23.07 : TAMPERING WITH EVIDENCE**

- A. Officers shall not fabricate, withhold, or destroy evidence of any kind.

### **VI. FORCE AND FIREARMS**

#### **601 1: FORCE AND FIREARMS POLICY GUIDELINES**

##### **6.01.01 : PURPOSE**

- A. The purpose of this policy is to establish guidelines concerning the use of force and firearms by officers of the SBCCD Police Department in the performance of their duties.

##### **6.01.02 : DOCUMENTATION**

- A. In order to insure that police reports are thorough and accurate in all respects, including cases in which SBCCD Police Officers use reasonable and necessary force, it is required that the use of force be documented.
- B. Whenever force beyond the normal handcuffing procedure is required, that force and the necessity for its use shall be thoroughly and specifically documented in the arrest report.
- C. An advantage in such procedure is that in citizen's complaints, relative to the use of force, the facts from the officer's perspective will have already been documented in a separate memorandum or report may not be required of the accused officer.
- D. Documentation at the time of the initial report also serves the purpose of making it easier to immediately refute false claims of excessive force.

##### **6.01.03 : DISPLAY OF FIREARMS**

- A. Officers shall not unnecessarily display any firearm in any public place or carelessly handle a firearm at any time. Firing at or from moving vehicles is generally prohibited and is only authorized under extreme circumstances.

##### **6.01.04 : USE OF FORCE**

- A. Officers shall not use unnecessary force in making arrests or at any other time. An officer must be firm, resolute, and energetic in exercising the means necessary to properly perform his duty. In all cases where personnel are required to use physical force, the following procedures shall be strictly adhered to:
  - 1. Officers shall, as soon as possible, verbally advise their supervisor. If no supervisor is on duty, the officer shall notify the Chief.
  - 2. List all details regarding the use of force in the crime report.
  - 3. Complete further reports as directed.

#### **6.01.05 : PHYSICAL FORCE**

- A No officer shall use more force than is necessary to overcome the resistance of a suspect and affect an arrest. At no time shall a Police Officer abuse or apply unnecessary force to a subdued arrestee.
- B. The continuum of force should be used in all cases. Example: presence of the officer followed by verbal commands, followed by hands-on, followed by pepper spray, followed by asp, followed by lateral vascular neck restraint as the continuum of force increases.

#### **6.01.06 : DEADLY FORCE**

- A No officer shall utilize deadly force except under the following circumstances:
  - 1. As a means of self-defense from death or serious injury.
  - 2. To defend the life of another officer.
  - 3. To defend the life of a victim of a crime.
  - 4. To prevent a crime in which human life is in serious jeopardy as a result of a suspect's action.
  - 5. When all reasonable means of apprehension have failed to prevent escape of a felony suspect whom the officer has reason to believe presents a serious danger to others.

#### **6.01.07 : DISCHARGING FIREARMS - OTHER THAN DEADLY FORCE**

- A Warning or attention shots fired into the ground or air are a danger to the officer and/or innocent person and are generally prohibited except:
  - 1. To give alarm or call of assistance for an important purpose when no other means is available or practical. Reasonable safety measures must be adhered to.

#### **6.01.08 : FIREARM- TO CONTROL DANGEROUS FELONY SUSPECT**

- A As a general rule, officers shall not remove a firearm from the holster unless there is sufficient justification. In effecting the arrest of a suspected felony offender, the officer may display a weapon for the purpose of obtaining and maintaining control of the suspect.
- B. An officer shall not place his finger on the trigger of a drawn weapon until the weapon' must be fired. If the weapon is not going to be fired, the trigger finger will be either alongside the frame or trigger guard.
- C. Officers will not have their weapons cocked when physically searching a suspect or while searching for a suspect unless exigent circumstances exist.
- D. Use of deadly force by an officer while in an on-duty or off-duty situation shall be governed by State and Federal statutes.

#### **6.01.09 : TASER**

- A The term "Taser," as used in this manual, refers to a class of electronic control devices

which discharge probes and deliver an electronic charge to an individual for the purpose of controlling violent or potentially violent subjects who pose an immediate threat to a law enforcement officer or other member of the public.

- B. Appropriate use of the Taser is intended to help reduce the risk of injury to suspects, officers, and the general public.
- C. Police officers are authorized to carry and use Tasers in accordance with current Departmental training and in compliance with the Department's Use of Force Policy (See 6.01.04). The Taser shall not be used as a means or method of punishment.

#### **6.01.10 : TASER: TRAINING**

- A. The San Bernardino County Sheriff's Training Division shall be responsible for establishing training requirements related to the carry and use of the Taser.
- B. SBCCD Officers must successfully complete an approved Taser training course before they are authorized to carry and use the Taser.

#### **6.01.11 : TASER: MANDATORY CARRY**

- A. SBCCD Officers who have successfully completed an approved Taser training course and been issued a Taser shall carry the Taser while on duty, unless the device is in need of repair or otherwise unavailable for use.

The following personnel are exempt from this requirement:

- 1. SBCCD Officers assigned to special details, administrative or public relations duties, upon approval from the Chief of Police.
- B. All other SBCCD Officers who have successfully completed an approved Taser training course and have been issued a Taser shall ensure the Taser is readily accessible for use while on duty, unless the device is in need of repair or otherwise unavailable for use.

#### **6.01.12 : TASER: DUTY HOLSTER**

- A. SBCCD Officers shall carry the Taser in a holster issued or approved by the Chief of Police.
- B. The holster shall be attached to the duty gun belt. The Taser shall be carried in the holster in a butt-forward, cross-draw position. The Taser SHALL NOT be carried on the same side as the officer's service handgun.
- C. Generally, the Taser should be only drawn from the holster with the dominant gun hand. Personnel assigned to special details may receive authorization from the Chief of Police to carry the Taser in a holster configuration other than that described above, based on the individual's assignment.

#### **6.01.13 : TASER: VERBAL WARNING**

- A. Generally, a verbal announcement of the intended use of the Taser shall be given prior to the application of the Taser. This announcement serves to:
1. Provide the individual with a reasonable opportunity to voluntarily comply with the officer's direction.
  2. Provide other officers and individuals with the warning that a Taser may be deployed.
  3. No verbal announcement is required prior to application of the Taser if making such an announcement would endanger officers or others, or if an announcement is otherwise impractical.

**6.01.14 : TASER: REMOVAL OF PROBES**

- A. Generally, probes imbedded in a subject's skin shall be removed as soon as practical by either trained Department personnel or by licensed medical personnel.
1. If a probe is embedded in a sensitive area of the body (i.e. eye, lip, neck, breast, or genital area), licensed medical personnel should accomplish the removal, if practicable.
  2. In the event of a serious injury, immediate medical aid shall be sought.
  3. If medical personnel other than those employed by the Department remove Taser probes, the arresting officer shall ensure a Taser Probe Removal form is completed.

**6.01.15 : TASER: PRE-BOOKING MEDICAL EXAMINATION**

- A. Generally, if the subject to which the Taser was applied is to be booked at a Type I or Type II facility, and there are no other medical issues associated with the individual, no pre-booking medical exam is required.

**06.01.16 : TASER: REPORTING ITS USE**

- A. Every Taser application shall be reported by the officer who applied the Taser. This shall be accomplished by:
1. All members involved will orally report the application to their supervisor as soon as practicable after the event.
  2. Personnel will ensure the Taser use is documented on the subject's booking application, WI5150 application, or juvenile application.
  3. At the direction of the incident supervisor, all members involved will complete a related crime report or memorandum containing a detailed description of the facts involved, including both their own and other officers' interaction with the subject, and the underlying reasons for the decision to use a particular level of force.
  4. The supervisor will complete the Use of Force Report form.

5. If an officer discharges a Taser at a subject, but the probes miss the subject, the officer shall notify their supervisor, as soon as practical and document the "miss" in the crime report.

#### **06.01.17 : TASER: LIMITATIONS OF USE**

- A. Generally, the Taser should not be used:
  1. Over a prolonged period of time. Minimize repeated, continuous, or simultaneous exposures.
  2. Near flammable liquids or fumes; or when the officer knows a subject has recently come into contact with flammable liquids likely to be on his person.
  3. In conjunction with the application of pepper spray.
  4. When a subject is operating a moving vehicle.
  5. When the subject is likely to fall from a precarious position, such as at the top of a staircase, on a balcony or ledge, in a tree, or in or next to a body of water.
  6. When the subject is obviously pregnant, or known to be pregnant.
  7. When the subject is visibly enfeebled due to advanced age or illness.
  8. When subjects are handcuffed or otherwise restrained, absent overtly assaultive behavior that cannot be reasonably overcome by any other less intrusive manner.

### **6:02: GENERAL WEAPONS POLICY**

#### **6.02.01 : PURPOSE**

- A. The purpose of this policy is to establish guidelines for miscellaneous concerns involving firearms and other authorized weapons.

#### **6.02.02 : SURRENDERING OF WEAPON TO SUSPECT**

- A. An officer shall not surrender his firearm.

#### **6.02.03 : STORAGE AND MAINTAINING CONTROL OF FIREARMS**

- A. Officers shall not place or store any firearms on the department premises except when the place of storage is locked.
- B. Officers that carry weapons home that are ordinarily carried on-duty shall adhere to strict safety precautions when selecting a place of storage. Children and unauthorized persons should not have access to such weapons.

#### **6.02.04 : AUXILIARY WEAPONS - CARRYING ON-DUTY (RESTRICTED)**

- A. Officers carrying a weapon on or off duty, as authorized by this manual, shall always exercise strict safety precautions when removing the weapon from its holster or other place of concealment. Officers shall not place a weapon in any place where it may be inadvertently misplaced or fall into the hands of another person.

- B. Officers on-duty shall not carry auxiliary weapons either on their persons or in vehicles.

**6.02.05 : SELLING OF FIREARMS (RESTRICTIONS)**

- A Officers shall not lend, give, or sell any firearms to any persons who do not have a legal right to possess such firearms. Selling of a firearm mandates officer transfer as ordered by law.

**6.02.06 : PURCHASE OR LOSS OF FIREARMS (FILE REPORT)**

- A Officers shall file a report with the supervisor in charge of maintaining personnel inventory records immediately following the purchase of duty weapons and shall list complete descriptions including serial numbers. A similar report shall be filed at once in case of replacement of a reported duty weapon by another. Any loss of a regulation weapon shall be reported in writing immediately setting forth all facts concerning the loss to the supervisor.

**6.02.07 : MAINTENANCE REQUIREMENTS OF FIREARMS**

- A It shall be each officer's responsibility to maintain his sidearm in good working order. Any indication of malfunction shall be called to the attention of the supervisor and immediate steps taken to identify and remedy the malfunction.

**6.02.08 : MISCELLANEOUS REGULATIONS OF FIREARMS**

- A Off duty weapons should be no smaller caliber than .38 and shall be approved by the Chief.

**6.02.09 : CLEANING OF WEAPONS**

- A Officers shall not clean, repair, load, or unload firearms any place on the department premises except within the confines of the designated loading and unloading station.

This restriction shall not apply to firearms when loading or unloading is ordered by a supervisor involved in actual use of a firearm as authorized by departmental regulations.

**6.02.10: OTHER WEAPONS**

- A Baton  
As provided by the Department.
- B. Shotguns  
As provided by the Department.
- C. Types of Chemical Agents, Pepper Spray, Examples: Oleoresin Capsicum Weapon Systems  
As provided by the Department.

- D. Tasers and Tear Gas  
As provided by the Department.

**6.03 : FIREARMS QUALIFICATION**

**6.03.01 : PURPOSE**

- A. To establish procedural guidelines concerning minimum firearms qualification standards, disciplinary and corrective actions, exemptions, and remedial training procedures.

**6.03.02 : FIREARMS QUALIFICATIONS**

- A. All sworn personnel of the Department are required to qualify each trimester.
- B. Demonstrated proficiency shall mean achieving minimum scores.
- C. Minimum score shall be set by the Range Master.

**6.03.03 : REMEDIAL TRAINING**

- A. At a given time, the officer shall report to the range at the direction of the officer's supervisor and receive remedial training.

**6.03.04 : SPECIAL WEAPONS TRAINING**

- A. Shotgun training consisting of a course prescribed by the Range Master will be required of all officers as scheduled. Specific dates and times for the qualification will be established by the Range Master.

**6.04 : ON-DUTY WEAPONS AND AMMUNITION- UNIFORMED OFFICER**

**6.04.01 : GENERAL CONSIDERATIONS**

- A. Handguns carried by sworn uniformed personnel of this department shall conform to the specifications established in this procedure. No officer of this department shall carry any firearm not approved by this department.

**6.04.02 : HANDGUNS - UNIFORMED OFFICERS**

- A. Uniformed personnel shall carry a revolver or semiautomatic handguns meeting the following specifications:
1. Manufacturer: Smith and Wesson, Sig Sauer, Colt, Ruger, Glock, Beretta, H&K and Springfield.
  2. Semi-automatic handgun Caliber.
- B. All semi-automatic handguns must be double action on the first round fired. Remaining rounds may be single or double action. If single action, they will be equipped with a de-cocking lever.

**6.04.03 : AMMUNITION**

- A. Ammunition carried by officers in approved duty weapons shall be issued by the department. New ammunition shall be issued annually as part of the officer's equipment inventory verification.

**6.05 : USE OF CHEMICAL AGENTS (OC Spray)**

**6.05.01 : CHEMICAL AGENTS SPRAY GUIDELINES**

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

**6.05.02 : REQUIRED INSTRUCTION FOR USE**

- A. All personnel authorized to carry oleoresin capsicum spray, shall complete the required course of instruction prior to possessing and using the oleoresin capsicum spray.

**6.05.03 : RESTRICTIONS**

- A. OC **will not** be used against non-combatative persons
- B. Officers (sworn / non-sworn) **will not** spray OC into the face of a person who is closer than twelve inches away.
- C. Officers **will not** carry department issued OC for personal use or used when off duty.

**6.05.04 : CARRYING OF OLEORESIN CAPSICUM SPRAY**

- A. Uniformed field personnel carrying the oleoresin capsicum spray shall carry the device in its holster on the equipment belt. Plainclothes personnel may carry the oleoresin capsicum spray as authorized, consistent with the needs of their assignment or at the direction of their supervisor.
- B. Canisters involved in any type of malfunction or damage shall be turned in to the supervisor for exchange.

**6.05.05 : TREATMENT FOR OC SPRAY EXPOSURE**

- A. Persons who have been affected by the use of chemical agents should be promptly provided with the proper solution to cleanse the affected areas. Those persons who complain of further severe effects shall be afforded a medical examination by competent medical personnel.

**6.05.06 : REPORT OF USE**

- A. All uses of chemical agents shall be documented in the related arrest/crime report.



#### **6.05 :07 PURPOSE**

- A. The purpose of this policy is to set up guidelines for the carrying and use of chemical agent devices and to offer the officer an optional alternative defensive device to be used at the officer's discretion in place of or in conjunction with physical or deadly force.

#### **6.05.08 : TYPES OF CHEMICAL AGENT DEVICES**

- A. Types of Chemical Agents  
This category includes all authorized and department issued spray-type canisters designed for daily carrying by officers.

#### **6.05.09 : CARRYING OF CHEMICAL AGENT DEVICES**

- A. General purposes chemical agent devices may be carried by officers who are certified to do so.

#### **6.05.10 : PURPOSE OF CHEMICAL AGENT USE**

- A. Chemical agent devices are viewed as an optional alternative for police safety. The device is viewed as defensive and should not be used when less severe measures can be employed.

#### **6.05.11 : MANNER OF USE**

- A. In utilizing a chemical agent, the following factors should be considered:
1. Wind direction.
  2. Potential effect on others.
  3. Physical and mental condition of the suspect.

#### **6.05.12 : FIRST AID**

- A. As soon as practical, the suspect's affected area should be allowed to "air-out", and flushed with water.

#### **6.05.13 : REPORTING THE USE OF CHEMICAL AGENTS**

- A. The circumstances surrounding the use of chemical agent shall always be documented by memorandum directed to the Chief.

#### **6.05.14 : CERTIFICATION**

- A. Officers using a chemical agent in the lawful course of their employment shall possess a Certificate of Training, qualifying them in its use, and such certificate shall be on file in the officer's training file.

### **VII. PATROL OPERATIONS**

#### **7.01 : PATROL ASSIGNMENTS, DUTIES AND RESPONSIBILITIES**

### **7.01.01 : PURPOSE**

- A The purpose of Patrol Operations is to ensure the safety of students, personnel, authorized facility visitors, College District property, and to assist staff in creating a safe and secure campus environment.
  
- B. Because of the responsibility of 24-hour coverage of the District, the duties of the officers are varied and complex. SBCCD Officers are Peace Officers and are expected to take appropriate action to discourage potential law violations and deter threatening situations that occur on or about District facilities. Their primary function is to "keep the peace" by protecting students and district personnel from physical assault and District property from theft and destruction.

### **7.01.02 : DUTIES AND RESPONSIBILITIES**

- 1. In general, Officers provide a law enforcement function in the prevention, control, and investigation of crimes against students, personnel and District facilities; the protection of District property, the apprehension of suspects; and makes recommendations for the disposition of criminal and related matters. In most situations, the Officers will be dispatched to provide extra coverage, investigate a crime, handle a hostile situation or answer alarm activations.
  
- 2. As directed by the supervisor, Patrol Officers will:
  - 1. Conduct a continuous surveillance and patrol of the District premises, the prime objectives being the protection of students and district personnel, the prevention of theft and/or malicious mischief to cars and other personal property of personnel while on the campus and the security of the district property.
  - 2. Investigate incidents involving criminal violations that occur at any location that impacts the school and affects the orderly conduct of its operation.
  - 3. Follow all procedures consistent with the district-established policies or SBCCD Police directives.
  - 4. Handle all assigned calls in a thorough and competent manner. Advise dispatch of the disposition of each assigned call.
  - 5. Act in an advisory capacity regarding the possible need to involve local law enforcement agencies.
  - 6. Advise all concerned persons of any unusual activity that may affect the orderly conduct of district business.

### **7.01.03 : ASSIGNMENT**

- A All Officers are required to report to duty in uniform, with all issued equipment.

### **7.01.04 : POLICY**

- A SBCCD Officers may be assigned to work a specialized assignment such as an acting supervisor, investigator, task force with an allied agency.

- B. When the SBCCD Police Officer is assigned to work with allied agencies, the officer will adhere to the policies of this department as well as the guidelines set forth by the allied agency.
- C. Wearing of uniforms will be at the discretion of the SBCCD Police Chief.

**7.01.05 : VEHICLE INSPECTION**

- A At the beginning and end of watch, the Officer will check his assigned vehicle for:
  - 1. Cleanliness.
  - 2. Vehicle damage.
  - 3. Fuel/Oil/Fluids.
  - 4. Tires (spare and jack).
  - 5. Fuel (at end of watch, officers shall return patrol vehicles with a minimum of ½ tank of fuel).
  - 6. Emergency equipment (fire extinguisher and reflectors).
  - 7. Officers are responsible for conducting the vehicle inspection and advising the field supervisor of any deficiencies, and the required inspection sheet.

**7.01.06: VEHICLE IN NEED OF REPAIR**

- A When a patrol vehicle is rendered inoperable, patrol personnel will complete a vehicle repair/service slip and give to the supervisor who, in turn, will make proper arrangements for repair.

**VIII. VEHICLE OPERATIONS**

**8.01 : USE OF DISTRICT VEHICLES**

**8.01.01 : POLICY**

- A An employee shall not use a district vehicle without the knowledge and permission of the supervisor or Chief.
- B. Officers driving any district vehicle shall not violate traffic laws and shall use seat belts. In cases of emergency, officers shall be guided by ~~EVE~~ 21055 and CVC 21056.
- C. All Officers operating any district vehicle shall not permit other than authorized employees of the district to operate/ride in the vehicle while on duty. An exception shall be made when an officer is required to transport other persons in the performance of duty or as authorized by the supervisor or Chief.

**8.01.02 : VEHICLE ACCIDENT REPORTING AND REVIEW PROCEDURES**

- A The following procedure is to be followed in the reporting and review of all vehicle accidents involving SBCCD Police Department personnel:
  - 1. If a SBCCD Police Department Officer is involved in a vehicle accident while performing assigned duties, the employee shall immediately report the accident to the supervisor or Chief.

2. Unless otherwise directed, he shall remain at the scene until police reports are completed.
3. A supervisor will be dispatched to the scene of the vehicle accident to provide assistance to the employee, to determine possible causes of the accident, to complete an administrative report of his observations, and to assure that a District Motor Vehicle Accident Report is completed by the Officer. Photographs will be taken of the accident and/or the damaged vehicle.
4. The agency having jurisdiction in the area of the accident shall be dispatched to the scene *to* take an appropriate vehicle accident report.

### **8.01.03 : VEHICLE STOPS**

- A SBCCD Police Officers may enforce traffic laws in and around campuses
8. Dispatch shall be notified via radio of the license number and location of the stop.

### **8.02 : PURSUIT POLICY**

#### **8.02.01 : DEFINITION OF A VEHICLE PURSUIT**

A A vehicle pursuit is defined as an event involving one or more law enforcement officers operating motor vehicles and utilizing emergency lights and sirens, attempting to apprehend a suspected or actual law violator in a motor vehicle while the driver is actively attempting to avoid detention/arrest by using high or low speed driving or other evasive tactics, such as:

1. Driving off surface streets/paved roads.
2. Turning suddenly or abruptly.
3. Bypassing traffic control devices.
4. Driving in a legal manner, but willfully failing to yield to the officer's signal to stop.

#### **8.02.02 : INITIATING A PURSUIT**

A A pursuit is justified only when the apparent need for immediate apprehension or protection of the public outweighs the level of danger created by the pursuit (to innocent motorist, peace officers or the general public).

B. Whenever an officer pursues an offender, he shall continually weigh the risk to public safety against law enforcement's duty to enforce the law and apprehend violators. Factors to be considered in initiating a pursuit include:

1. The seriousness of the crime committed (e.g., violent vs. non-violent).
2. Whether the crime was committed in the officer's presence.
3. Whether the fleeing offender's identity is established to the point where later apprehension may be accomplished without further risk to public safety.
4. The known criminal history of the fleeing offender.

5. The area involved in the pursuit, such as rural, urban, business, industrial, or schools.
6. The volume of vehicular and pedestrian traffic in the area.
7. Whether there are civilian passengers in the pursuing patrol vehicle.
8. Whether there are other persons in or near the pursued vehicle.
9. Road conditions, such as line of sight, hills, curves, road surfaces, obstructions, construction and parked vehicles.
10. Weather conditions such as rain, fog or snow.
11. The time of day.
12. The speed of the pursuit given the conditions.
13. Vehicle Code provisions related to vehicle pursuits, emergency vehicle operations and/or public safety.
14. Whether the area is familiar to the officers involved.
15. The quality of radio communication between pursuing units, the supervisor and the dispatcher.
16. The type and capability of the pursuit vehicles.
17. The availability of backup units and other resources.

C. It is the responsibility of all involved Department personnel to continually evaluate whether a pursuit should be continued, balancing law enforcement's duty to enforce the law and apprehend offenders against the risk to public and officer safety.

**8.02.03: RESPONSIBILITIES OF THE UNIT INITIATING A VEHICLE PURSUIT**

- A. The officer initiating a vehicle pursuit shall immediately notify San Bernardino Community College District Police Department Dispatch that a pursuit is underway. Initially, the officer shall advise dispatch of their unit identification (call sign), a description of the vehicle (including the license plate number if known) their direction of travel/location and the violation for ensuing the pursuit. After this, the officer shall switch to the San Bernardino County Sheriff's Communications channel (EVC-1 or EVC-2 if in Yucaipa) and utilize this frequency for the duration of the pursuit.
- B. The initiating officer shall identify himself on Sheriff's Communication with his/her county assigned unit identifier. Once acknowledged by Sheriff's Dispatch, the officer shall inform the dispatcher of the following:
  1. The known law violations or reasons for the pursuit.
  2. A description of the pursued vehicle, including the license plate number (if known).
  3. The location and direction of travel of the pursued vehicle.
  4. The speed of the fleeing vehicle.
  5. The number of known occupants in the fleeing vehicle.
  6. Any pertinent information concerning the identity of the offender(s).
  7. Any information concerning unusual hazards.

**8.02.04 : VEHICLE PURSUITS: RESPONSIBILITIES**

- A. Generally, pursuits should be limited to no more than two marked ground units plus a supervisor. The supervisor may join the pursuit as the third unit.

8. The unit that first attempts to stop the suspected vehicle is considered to be the initiating pursuit unit. Generally, the initiating pursuit unit shall be the primary unit (first or closest pursuit unit immediately behind the pursued vehicle). The assisting unit is the second of the two marked units allowed to participate in a pursuit.
- C. The primary unit, the assisting unit, and the supervisor should be the only units to pursue the suspect vehicle in Code Three mode. Units involved shall not pass other units unless requested to do so by the primary unit or the pursuit supervisor. All other units shall stay clear of the pursuit, but alert to its progress and location.
- D. The primary unit or the supervisor may request additional units to assist. If it appears certain the officers in the units involved would not be sufficient to safely accomplish the arrest of the suspect(s). Generally, any assigned units other than the primary, secondary, or supervisory unit shall follow at a distance that would allow them to respond for an apprehension, but shall not join in the pursuit.
- E. PRIMARY UNIT RESPONSIBILITIES:
  1. The initial coordination of the pursuit.
  2. Assumption of command at the termination point of the pursuit unless relieved by a higher authority.
  3. Requesting a second unit.
  4. Requesting additional units, if needed, based on officer safety or public safety concerns.
  5. Reporting the crime and/or circumstances involved in the initiation of the pursuit.
  6. Discontinuing the pursuit if hazards to officers and/or the public appear to outweigh the benefit of suspect apprehension.
- F. SECONDARY UNIT RESPONSIBILITIES - The secondary unit is the assisting unit and shall notify communications of his involvement in the pursuit as a secondary unit. The secondary unit, once in position, is typically responsible for the following:
  1. Reporting the location, direction of travel, and the speed of the fleeing vehicle.
  2. Providing traffic condition updates as frequently as possible during the pursuit.
  3. Assessing and reporting information concerning unusual hazards, and any other safety concerns .
  4. Reporting the actions of the fleeing vehicle and/or suspect(s) such as running red lights, throwing objects out of the window, and other unusual activities.

#### **8.02.05 : VEHICLE PURSUITS: SPEEDS**

- A. Although it is typically the offender that controls the actual speed of a pursuit, it is the responsibility of all involved Department personnel to constantly evaluate whether a pursuit should be continued, balancing the speed and driving behavior of the offender against the risk to public safety, officer safety, and against law enforcement's duty to enforce the law and apprehend violators.

- B. For example, the "reasonable" speed of a pursuit in a rural area or on a freeway may be much different than the "reasonable" speed of a pursuit in an urban or surface street environment.
- C. The following factors should be considered in determining whether the speed of a pursuit is "reasonable":
1. The type or seriousness of the crime committed (e.g., violent v. non-violent).
  2. The safety of the public and of involved law enforcement personnel.
  3. Whether the fleeing offender's identity is established to the point where later apprehension may be accomplished without further risk to public safety.
  4. Vehicle Code provisions related to vehicle pursuits, emergency vehicle operations, and/or public safety.
  5. Whether there are civilian passengers in the pursuing patrol vehicle.
  6. Whether there are other persons in or near the pursued vehicle.
  7. The presence of pedestrian and vehicular traffic.
  8. The location of the pursuit (e.g., school zone, playground, residential, downtown, jurisdiction) and the time of day.
  9. Weather, visibility, and road conditions.
  10. The capabilities of law enforcement vehicles (s) and the driving ability of officers involved.
  11. The availability of additional resources.
  12. Officers/supervisory familiarity with the area of the pursuit.
  13. The quality of radio communications (e.g., out of range or poor transmission quality).

#### **8.02.06 : VEHICLE PURSUITS: DISPATCH RESPONSIBILITIES**

With respect to a pursuit, the department dispatcher shall be responsible for the following:

1. Informing the Supervisor/Chief immediately if a pursuit is initiated.
2. Advising all units to switch to alternate frequencies if necessary.
3. Providing additional direction and/or coordination as indicated by the Supervisor/Chief.

#### **8.02.07 : VEHICLE PURSUITS: SUPERVISOR RESPONSIBILITIES**

A Generally, the Supervisor/Chief is responsible for the overall monitoring, management and control of a pursuit; and assessing risk factors involved. Specific areas of concern for a supervisor during a vehicle pursuit include, but are not limited to, the following:

1. Determining that a law violation constitutes justification for the pursuit.
2. Ensuring that no more than the required or necessary units are involved in the pursuit.
3. Ensuring that available aircraft have been requested.
4. Ensuring that the proper radio frequencies are being utilized.

5. Ensuring that the driving and pursuit intervention tactics used by pursuing officers are reasonable and within policy.
  6. Evaluating the speed of the pursuing vehicles.
  7. Assessing roadway, weather, and traffic conditions.
  8. Assessing the hazards presented to uninvolved bystanders or motorist.
  9. Ensuring that Department policy and applicable inter-agency pursuit Memorandums of Understanding or agreements are followed.
  10. Planning/coordinating the apprehension of suspects.
  11. Stabilizing/containing the incident.
  12. Determining whether to request another agency's assistance.
  13. Determining whether to grant assistance in response to the request of another agency.
  14. Notifying affected allied agencies.
  15. Ensuring that the initiating and/or primary pursuit unit has provided the information set forth in this manual.
  16. Engaging in the pursuit, when appropriate and practicable, to provide direct on-scene supervision.
- B. If, at any time, in the pursuit supervisor's judgment, the risk or danger to the public outweigh the necessity for immediate apprehension of the offender, he shall cause the pursuit to be immediately terminated. If the suspect's identity is established to the point where later apprehension may be accomplished and there is no immediate threat to public safety, the pursuit supervisor shall cause the pursuit to be immediately terminated.
- C. As an option, the pursuit supervisor may direct pursuing units to disengage from the pursuit and allow aviation to monitor the pursued vehicle and broadcast its location so ground units may safely arrest its occupants when stopped.
- D. The pursuit supervisor shall proceed to the termination point of the pursuit, if practicable, to provide guidance and supervision.

**8.02.08 : VEHICLE PURSUITS: ADDITIONAL REQUIREMENTS AND INFORMATION**

- A SAFETY CUSHION BETWEEN PURSUIT UNITS AND SUSPECT VEHICLE -
- All officers involved in the pursuit of suspect vehicles shall ensure, as much as practical, that the distance between involved vehicles is such that a reasonable "safety cushion" exists. This "safety cushion" of distance will allow for pursuing units to react safely to any erratic or dangerous driving activity perpetrated by the suspect vehicle, and will allow officers to more accurately assess specific dangers the pursuit may present to public and/or officer safety.
- B. LOSS OF PURSUIT UNIT - if the primary pursuit unit cannot continue, the assisting unit shall become the primary unit and shall generally request another marked unit to assist. This is also applicable if the assisting unit is disabled.



- C. PURSUIT OF VEHICLE OFF ROAD - Absent extraordinary circumstances officers shall not pursue vehicles off road.
- D. UNMARKED UNITS - Engaging in a pursuit with an unmarked unit is generally not recommended, but there may be certain situations where it is appropriate. Unmarked units that initiate a pursuit shall, after sufficient marked units have joined the pursuit, discontinue Code Three mode and drop out of the pursuit. They should however continue to the termination point of the pursuit.

#### **8.02.09 : VEHICLE PURSUITS INTO OTHER JURISDICTIONS**

A Generally, when a pursuit crosses into another law enforcement agency jurisdiction, the officer in charge or the pursuit supervisor shall retain control of the pursuit, at least initially.

In all cases, when practical, the other jurisdiction shall be notified of the pursuit and may be requested to assume full control, assist, or provide traffic control of the pursuit. The allied agency also may be requested *to* assume the secondary unit position in order *to* broadcast the location and direction of the pursuit while in its jurisdiction. Whichever agency is in supervisory control of the pursuit shall be fully responsible for management of the pursuit and coordination with other assisting agencies.

If the other jurisdiction assumes control of the pursuit it may be necessary *to* continue the initiating/primary unit to provide information for the arrest. All other units shall terminate the pursuit and remain in their area of jurisdiction, except possibly for the incident supervisor.

When a pursuit crosses into another law enforcement agency jurisdiction the following should be considered in determining who takes control of the pursuit:

1. The distance involved.
2. The pursuing officer's possible unfamiliarity with the new area.
3. Radio coverage and communications issues.

When officers assist with an inter-jurisdictional pursuit arrest, the officer's methods, techniques and tactics shall comply with SBCCD Department policy and all applicable interagency Memoranda of Understanding.

#### **8.02. 10: VEHICLE PURSUITS FROM ANOTHER JURISDICTION**

- A Notification by another agency of a pursuit in progress shall not be automatically considered a request to join or assume control of the pursuit. Units shall not become involved in another agency's pursuit unless requested to do so by that agency, or when such assistance is provided for in established inter-agency agreements. Request for assistance will be evaluated and approved by the Supervisor/Chief.
- B. When officers assist with an inter-jurisdictional pursuit arrest, the officers' methods, techniques, and tactics shall comply with SBCCD Department Policy and all applicable interagency Memoranda of Understanding.

### **8.02.11 : VEHICLE PURSUITS: AND THE USE OF DEADLY FORCE**

- A The use of deadly force during a vehicle pursuit is justified in the following circumstances:
1. An officer may use deadly force to protect himself or others from what he reasonably believes to be an immediate threat of death or serious bodily injury.
  2. An officer may use deadly force to accomplish the arrest or prevent the escape of a suspected felon, when the officer has probable cause to believe that the suspect poses a significant threat of death or serious bodily injury to the officer or others.
  3. Under such circumstances, some warning should precede the use of deadly force, when feasible.
- B. The use of deadly force cannot be justified solely by stating that it was initiated due to an order or authorization given by another officer. Officers must be able to articulate a justified and appropriate use of deadly force, based on information available to them at the time it is used. There may be times when an authorization to use deadly force has been communicated, and yet circumstances have changed to the point that deadly force is no longer reasonable.
- C. Attempts to intentionally disable a suspect vehicle moving at dangerous speeds by tactical acts such as blocking, ramming, cutting off, boxing in, or barricading a roadway should be considered as force likely to result in serious bodily harm or death.
1. Under no circumstance shall an occupied vehicle be used to barricade a roadway.
  2. The ramming of any vehicle is generally not recommended but there may be certain limited situations where it is appropriate (for example, in an ambush situation, etc.).
- D. Firing at or from a moving vehicle is not recommended, but may be reasonable in certain situations.

### **8.02.12 : DISCONTINUING A VEHICLE PURSUIT**

A Officers and supervisors involved in a pursuit must continually assess whether the totality of the circumstances justifies the continuance of a vehicle pursuit. Officers weigh the risk to public safety against law enforcement's duty to enforce the law and apprehend violators.

Generally, pursuits shall be discontinued when:

1. The level of danger created by the pursuit (to innocent motorists, peace officers and/or the general public) outweighs the apparent need for immediate suspect apprehension.
2. The pursued vehicle's location is no longer definitely known.
3. The fleeing offender's identity is established to the point where later apprehension may be accomplished without further risk to public safety.

- B. As officers and supervisors continually assess the appropriateness of a continued pursuit, or its termination, the following additional factors should also be considered:
1. The type or seriousness of the crime committed (e.g., violent v. non-violent).
  2. Whether the crime was committed in the officer's presence.
  3. The type of area involved in the pursuit, such as rural, urban, business, industrial or schools.
  4. The volume of vehicular and pedestrian traffic in the area.
  5. Whether there are civilian passengers in the pursuing patrol vehicle.
  6. Whether there are other persons in or near the pursued vehicle.
  7. Road conditions such as line of sight, hills, curves, road surfaces, obstructions, construction and parked vehicles.
  8. Weather conditions, such as rain, fog or snow.
  9. The time of day.
  10. The speed of the pursuit given the conditions.
  11. Vehicle code provisions related to vehicle pursuits, emergency vehicle operations, and/or public safety.
  12. Whether the area is familiar to the officers involved.
  13. The quality of radio communication between pursuing units, the supervisor, and the dispatcher.
  14. The type and capability of the pursuit vehicles.
  15. The availability of backing units and other resources.
  16. The distance between the pursued vehicle and the pursuing vehicles.
  17. The availability of air support.
  18. Whether emergency equipment (e.g., emergency lights and siren) or vehicle have become disabled.
  19. Whether the pursuit is going the wrong way on a roadway.
  20. Whether the pursuit is leaving the initial area of jurisdiction.

**8.02.13 : WRONG WAY VEHICLE PURSUITS**

- A. Officers shall not pursue a vehicle by entering the wrong way on a freeway or divided highway that is open to vehicle traffic. They shall maintain visual contact with the suspect by paralleling on the correct side of the roadway, and shall implement one or more of the following additional measures:
1. Discontinue the vehicle pursuit.
  2. Reduce speed.
  3. Request or employ the assistance of Sheriff's Department Aviation or other law enforcement agency aircraft for aerial observations.
  4. Coordinate other units to monitor and/or block freeway on/off ramps and /or cross streets in order to prevent additional vehicles from being involved.
  5. Notify allied law enforcement agencies with BOLO information.
- B. In the event a suspect vehicle travels the wrong way on a surface street, the officer should consider implementing one or more of the following measures:

1. Maintain visual contact with the suspect vehicle while paralleling on the correct side of the roadway.
2. Reduce speed.
3. Request or employ the assistance of Sheriff's Department Aviation or other law enforcement agency aircraft for aerial observation.
4. Coordinate other units to monitor and/or block freeway on/off ramps and/or cross streets in order to prevent additional vehicles from being involved.
5. Notify allied law enforcement agencies with BOLO information.

**8.02.14 : VEHICLE PURSUITS: APPREHENDING OFFENDERS**

- A The safety of the public and officers during the effort to capture an offender is an important consideration when a pursuit concludes. The officer in command at the apprehension location continues to be the primary unit unless relieved by a supervisor, and is responsible for organizing and accomplishing the apprehension of the offender(s) in a controlled and reasonable manner
- B. When practical, a high-risk car stop technique shall be used to apprehend offenders involved in a vehicle pursuit.
- C. Additional factors to be considered during the apprehension of offenders if involved in a vehicle pursuit include:
1. The behavior of the offender(s) and level of threat.
  2. The availability/presence of additional units.
  3. The availability/use of force policy and available force options.
  4. The physiological and psychological condition(s) of the involved officer(s).
  5. Department use of force policy and available force options.
  6. Less lethal force options.
  7. The characteristics of the arrest location.

**8.02.15 5: VEHICLE PURSUITS: REPORTING PROCEDURE**

- A Whenever an officer engages in a vehicle pursuit as defined in this manual both a criminal report and a CHP 187 Report shall be completed.

**8.02.16 : SHOOTING AT FLEEING MISDEMEANANTS**

- A Officers shall not use deadly force to affect the arrest or prevent the escape of a person whose only offense is classified solely as a misdemeanor under the Penal Code.

**8.02.17 : USE OF FORCE IN VEHICLE PURSUITS**

- A The Department recognizes that Code 3 and pursuit driving are two of the most common, yet most hazardous of law enforcement functions, subjecting both the involved officers as well as nearby members of the public to significant danger. Therefore, all officers shall remain constantly familiar with the policy and procedures concerning Code 3 and pursuit driving set forth in the SBCCD Department Manual.

**8.02.18 : MOVING STALLED VEHICLES WITH SBCCD POLICE DEPARTMENT AUTOMOBILES**

A Employees may use a San Bernardino Community College District Police Department vehicle to push another vehicle when:

1. The vehicle is equipped with a push bar.
2. It is necessary to clear the roadway.
3. The circumstances indicate neither vehicle will be damaged by such action.

B. In such cases, the other automobile shall be moved no further than the nearest place of safety or legal parking. No attempt shall be made to start the vehicle during such movement.

**8.03 : EMERGENCY CALL RESPONSE POLICY**

**8.03.01 : PURPOSE**

A The purpose of this procedure is to establish guidelines for the proper use of police vehicles in response to emergency calls.

**8.03.02 : EMERGENCY CALL RESPONSE**

A The current policy of emergency call response for police vehicles is based on the requirements of California Vehicle Codes 21055 and 21056.

**8.03.03 : RED LIGHT AND SIREN**

A No officer shall respond with red light and siren without advising the dispatcher as soon as possible.

**8.03.04 : DUE REGARD FOR LIFE AND PROPERTY**

A Officers shall exercise judgment and care with due regard for life and property when responding to an emergency call. Officers shall reduce speed at all street intersections to such a degree that they shall have complete control of the vehicle.

B. If the weather is bad or traffic congested, the officer may prefer to respond to an emergency without the use of red lights and siren at the legal speed limit.

**8.03.05 : BUS ACCIDENTS**

A Current state law requires that the California Highway Patrol be dispatched to investigate all school bus accidents where there are students on board. SBCCD Officers shall respond to all school bus accidents occurring on district property. The SBCCD Officer will prepare a vehicle accident report for District use. The SBCCD Officer can also assist the California Highway Patrol in their investigation.

**8.03.06 : TRAFFIC ACCIDENTS**

- A SBCCD Officers shall investigate traffic collisions occurring on any District property. The accident shall be reported on the approved CHP traffic collision report forms.

**8.03.07 : STORAGE AND IMPOUNDING OF VEHICLES**

- A Whenever a vehicle is impounded or stored, an Officer must complete a CHP form 180 and ensure that the dispatcher or supervisor has forwarded the appropriate copies to the registered owner within 48 hours and that the automobile's information has been entered into the database.

**IX. UNUSUAL EVENTS/SPECIAL OPERATIONS**

**9.01 : EMERGENCY OPERATIONS**

**9.01.01 : PURPOSE**

- A The purpose of this directive is to define an EMERGENCY and to give specific guidelines for handling such an event.
- B. An emergency is defined as an unscheduled situation, the control of which requires the assignment of a large number of personnel.
- C. This emergency operations procedure describes the procedure and framework for activating departmental personnel to meet contingency situations, either preplanned or spontaneous.

**9.01.02 : TACTICAL ALERT**

- A A tactical alert is the preliminary step to the mobilization of department personnel. It includes the controlled distribution of on-duty personnel. Units should be pre-designated.
  - 1. Incident Commander  
The on-duty supervisor or unless relieved by a higher authority.
  - 2. Operations Commander  
The Chief or designated alternate.

**9.01.03 : MOBILIZATION**

**PURPOSE** All phases of mobilization will or could be defined as an earthquake, flood, fire or shooting severity, will be determined by the incident and the Chief.

- A **A Phase II** mobilization would normally be utilized for a limited geographical disaster.
- B. **A Phase II** mobilization is the total mobilization of the SBCCD Police Department and its equipment.
- C. **A Phase II** mobilization would be utilized for a District-wide disaster.

**9.01.04 : DEPARTMENTAL OFFICERS**

- A Depending on the amount and location of damage within the land area that personnel reside, the following guidelines are in effect:
1. On-duty Officers shall remain at their assignment until properly relieved (12-hour shifts) or re-deployed. Officers shall keep their District radio on the main frequency.
  2. Off-duty departmental Officers shall report to the station for their next duty shift, after stabilizing their families. If travel is not possible, personnel should report to the nearest District site. Officers shall notify dispatch of their location and standby for instructions.

**X. DISCIPLINE PROCESS**

**10.01 : EMPLOYEE DISCIPLINE**

**10.01.01 : BACKGROUND**

A The provisions of this Article are subject to the Public Safety Officers Procedural Bill of Rights Act, Education Code, District Regulations, and the Collective Bargaining Agreement between CSEA and SBCCD. In the event of conflict between this Article and anything contained in those rules, those rules shall be controlling.

**10.01.02 : STANDARDS**

A SBCCD Police personnel by nature of their position and responsibilities, will be held to a higher standard of conduct than other District employees; especially in the areas of misconduct, dishonesty and off-duty conduct.

**XI. SBCCD POLICE DISPATCH**

**11.01 : POLICE DEPARTMENT DISPATCH FUNCTION**

**11.01.01 : PURPOSE**

A The SBCCD Police Department Dispatch function will be staffed during assigned business hours. After hours, the dispatching will be assumed by the San Bernardino County Sheriff's Department.

**11.02 : PROCEDURE FOR USE OF DAILY LOG**

**11.02.01 : PURPOSE**

A The Daily Log is to be used as a means to record official business (complaints/calls for service/etc.) of the SBCCD Police Department.

**11.02.02 : PROCEDURE**

- A At the beginning of shift the Dispatcher/Officer will log in each officer on-duty, unit number in the Daily Log. This includes the Supervisor/Chief and the Dispatcher.
- B. The Daily Log is to be kept current each shift as activities, reports and other events occur. Information is to be logged in the sequence of occurrence, after the disposition has been ascertained from the primary responding officer.
- C. All logs will be maintained in the data base.

**11.02.03 : DISPATCHER/OFFICER ROLE**

- A The Dispatcher's function is to broadcast impersonal radio messages to the field units and receive their requests. The importance of this task usually gives the dispatcher the authority to direct field units as an agent of the supervisor or the Chief of Police.
- B. It is expected and required that when a dispatcher gives an assignment, the officer takes the appropriate action. His function does not permit discussion or disagreement to take place about the task over the radio. Any differences of opinion should be discussed over the telephone with a supervisor, but in no case over the radio.

**11.02.04 : EMERGENCY TRANSMISSION/CODE 33**

- A Emergency communications supersede all other forms of radio traffic. The dispatcher should require that all non-emergency traffic on the channel stop until the emergency is cleared. After the emergency is completed, the dispatcher should announce that routine transmission may resume.




PAGE  
IONALL  
\_ANK.


**SAN BERNARDINO COMMUNITY COLLEGE DISTRICT**  
**SCRIBE'S WAIVER**  
**POLICE DEPARTMENT POLICIES & PROCEDURES**  
**MANUAL**

In the event of any inadvertent omission or errors by the scribe of the manual, the parties agree to be governed by work product used in the development of the manual.

Dated: 1/11/11 / 11 / 11

**B** \_\_\_\_\_  
SBCCD Chancellor

  
\_\_\_\_\_  
Colleen Gamboa  
CSEA Chapter 291 President

  
\_\_\_\_\_  
Grayling Eation  
CSEA Chapter 291 1<sup>st</sup> Vice President

## **EDUCATION CODE**

### **SECTION 72330-72332**

72330. (a) The governing board of a community college district may establish a community college police department under the supervision of a community college chief of police and, in accordance with Chapter 4 (commencing with Section 88000) of Part 51, may employ personnel as necessary to enforce the law on or near the campus of the community college and on or near other grounds or properties owned, operated, controlled, or administered by the community college or by the state acting on behalf of the community college. Each campus of a multi campus community college district may designate a chief of police.

(b) The governing board of a community college district that establishes a community college police department under subdivision (a) may also establish a police reserve officer program to supplement that police department.

(c) Persons employed and compensated as members of a community college police department, when so appointed and duly sworn, are peace officers as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code.

(d) The governing board of a community college district that establishes a community college police department shall set minimum qualifications of employment for the community college chief of police, including, but not limited to, prior employment as a peace officer or completion of any peace officer training course approved by the Commission on Peace Officer Standards and Training. A chief of security or chief of police shall be required to comply with the prior employment or training requirement set forth in this subdivision as of January 1, 1993, or a date one year subsequent to the initial employment of the chief of security or chief of police by the community college district, whichever occurs later. This subdivision may not be construed to require the employment by a community college district of any additional personnel.

72330.2. Every member of a California Community College police department first employed by a California Community College district before July 1, 1999, shall, in order to retain his or her employment, fulfill both of the following conditions:

(a) The employee shall submit to the district one copy of his or her fingerprints on forms prescribed by the Department of Justice. The Department of Justice shall forward this copy to the United States Federal Bureau of Investigation.

(b) The employee shall be determined to be a person who is not prohibited from employment by the California Community College district, and, if the employee is required to carry a firearm, shall be determined by the Department of Justice to be a person who is not prohibited from possessing a firearm.

The Department of Justice may participate in the National Instant Criminal Background Check System (NICS) in lieu of submitting fingerprints to the United States Federal Bureau of Investigation in order to meet the requirements of this section relating to firearms.

72330.5. (a) It is the intent of the Legislature to ensure the safety of pupils, staff, and the public on or near California's community colleges, by providing community college security officers with training that will enable them to deal with the increasingly diverse and dangerous situations they encounter.

(b) After July 1, 2000, every school security officer employed by a community college district who works more than 20 hours a week as a school security officer shall complete a course of training developed no later than July 1, 1999, by the Bureau of Security and Investigative Services of the Department of Consumer Affairs in consultation with the Commission on Peace Officer Standards and Training pursuant to Section 7583.31 of the Business and Professions Code. If any community college security officer subject to the requirements of this subdivision is required to carry a firearm while employed, that security officer shall additionally satisfy the training requirements of Section 832 of the Penal Code.

(c) For purposes of this chapter, "security officer" means any person primarily employed or assigned pursuant to subdivision (b) to provide security services as a watchperson, security guard, or patrolperson on or about premises owned or operated by the community college district to protect persons or property or to prevent the theft or unlawful taking of district property of any kind or to report any unlawful activity to the district and local law enforcement.

(d) No security officer shall be employed or shall continue to be employed by the district after July 1, 2000, until both of the following conditions have been met:

(1) (A) The applicant or employee has submitted to the district two copies of his or her fingerprints on forms or electronically, as prescribed by the Department of Justice. The district shall submit the fingerprints to the Department of Justice, which shall submit one copy of the fingerprints to the United States Federal Bureau of Investigation.

(B) An applicant or employee who holds a permanent registration with the Bureau of Security and Investigative Services of the Department of Consumer Affairs as a security guard need only submit one copy of his or her fingerprints, which copy shall be submitted to the United States Federal Bureau of Investigation.

(C) An applicant or employee who is registered by the Bureau of Security and Investigative Services of the Department of Consumer Affairs, and who holds a firearms qualification card as specified in Section 7583.22 of the Business and Professions Code, is exempt from the requirements of this subdivision.

(2) The applicant or employee has been determined not to be a person legally prohibited from employment by the community college and has been determined by the Department of Justice not to be a person prohibited from possessing a firearm if the applicant is required to carry a firearm.

The Department of Justice may participate in the National Instant

Criminal Background Check System (NICS) in lieu of submitting fingerprints to the United States Federal Bureau of Investigation in order to meet the requirements of this subdivision relating to firearms.

(e) Every security officer employed by a community college district prior to July 1, 2000, who works more than 20 hours a week as a school security officer shall meet the requirements of subdivision (b) by July 1, 2002, unless he or she has completed an equivalent course of instruction pursuant to Section 832.2 of the Penal Code.

72331. Every member of a community college police department shall be supplied with, and authorized to wear, a badge bearing the words "Community College Police", prefaced by the name of the district, and shall be issued a suitable identification card bearing his or her physical description, photograph, and authority for peace officer status, and such other identification data as may be required by local law enforcement agencies, countersigned by the chief administrative officer of the district. The governing board may direct the wearing of a distinctive uniform and shall prescribe such a uniform. The governing board shall pay for the required uniforms, equipment, identification cards, and badges.

72332. Any vehicle, when operated in the performance of his or her duties by any member of the police department, is an authorized emergency vehicle and may be equipped and operated as such as provided by the Vehicle Code.

**SAN BERNARDINO COMMUNITY COLLEGE DISTRICT  
BOARD POLICY 7370**

**POLITICAL ACTIVITY**

Employees shall not use District funds, services, supplies or equipment to urge the passage or defeat of any ballot measure or candidate, including, but not limited to, any candidate for election to the governing board.

This policy prohibits political activity during an employee's working hours, but shall not be construed to prohibit an employee from urging the support or defeat of a ballot measure or candidate during nonworking time.

Reference:  
Education Code Sections 7054, 7056;  
Government Code Section 8314

APPROVED: 6/10/04

830.32. The following persons are peace officers whose authority extends to any place in the state for the purpose of performing their primary duty or when making an arrest pursuant to Section 836 as to any public offense with respect to which there is immediate danger to person or property, or of the escape of the perpetrator of that offense, or pursuant to Section 8597 or 8598 of the Government Code. Those peace officers may carry firearms only if authorized and under terms and conditions specified by their employing agency.

(a) Members of a California Community College police department appointed pursuant to Section 72330 of the Education Code, if the primary duty of the police officer is the enforcement of the law as prescribed in Section 72330 of the Education Code.

(b) Persons employed as members of a police department of a school district pursuant to Section 38000 of the Education Code, if the primary duty of the police officer is the enforcement of the law as prescribed in Section 38000 of the Education Code.

(c) Any peace officer employed by a K-12 public school district or California Community College district who has completed training as prescribed by subdivision (f) of Section 832.3 shall be designated a school police officer.

836. (a) A peace officer may arrest a person in obedience to a warrant, or, pursuant to the authority granted to him or her by Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, without a warrant, may arrest a person whenever any of the following circumstances occur:

(1) The officer has probable cause to believe that the person to be arrested has committed a public offense in the officer's presence.

(2) The person arrested has committed a felony, although not in the officer's presence.

(3) The officer has probable cause to believe that the person to be arrested has committed a felony, whether or not a felony, in fact, has been committed.

(b) Any time a peace officer is called out on a domestic violence call, it shall be mandatory that the officer make a good faith effort to inform the victim of his or her right to make a citizen's arrest, unless the peace officer makes an arrest for a violation of paragraph (1) of subdivision (e) of Section 243 or 273.5. This information shall include advising the victim how to safely execute the arrest.

(c) (1) When a peace officer is responding to a call alleging a violation of a domestic violence protective or restraining order issued under Section 527.6 of the Code of Civil Procedure, the Family Code, Section 136.2, 646.91, or paragraph (2) of subdivision (a) of Section 1203.097 of this code, Section 213.5 or 15657.03 of the Welfare and Institutions Code, or of a domestic violence protective or restraining order issued by the court of another state, tribe, or territory and the peace officer has probable cause to believe that the person against whom the order is issued has notice of the order and has committed an act in violation of the order, the officer shall, consistent with subdivision (b) of Section 13701, make a lawful arrest of the person without a warrant and take that person into custody whether or not the violation occurred in the presence of the arresting officer. The officer shall, as soon as possible after the arrest, confirm with the appropriate authorities or the Domestic Violence Protection Order Registry maintained pursuant to Section 6380 of the Family Code that a true copy of the protective order has been registered, unless the victim provides the officer with a copy of the protective order.

(2) The person against whom a protective order has been issued shall be deemed to have notice of the order if the victim presents to the officer proof of service of the order, the officer confirms with the appropriate authorities that a true copy of the proof of service is on file, or the person against whom the protective order was issued was present at the protective order hearing or was informed by a peace officer of the contents of the protective order.

(3) In situations where mutual protective orders have been issued under Division 10 (commencing with Section 6200) of the Family Code, liability for arrest under this subdivision applies only to those persons who are reasonably believed to have been the dominant aggressor. In those situations, prior to making an arrest under this subdivision, the peace officer shall make reasonable efforts to identify, and may arrest, the dominant aggressor involved in the incident. The dominant aggressor is the person determined to be the most significant, rather than the first, aggressor. In identifying the dominant aggressor, an officer shall consider (A) the intent of the law to protect victims of domestic violence from continuing abuse, (B) the threats creating fear of physical injury, (C) the



history of domestic violence between the persons involved, and (D) whether either person involved acted in self-defense.

(d) Notwithstanding paragraph (1) of subdivision (a), if a suspect commits an assault or battery upon a current or former spouse, fiancée, fiancée, a current or former cohabitant as defined in Section 6209 of the Family Code, a person with whom the suspect currently is having or has previously had an engagement or dating relationship, as defined in paragraph (10) of subdivision (f) of Section 243, a person with whom the suspect has parented a child, or is presumed to have parented a child pursuant to the Uniform Parentage Act (Part 3 (commencing with Section 7600) of Division 12 of the Family Code), a child of the suspect, a child whose parentage by the suspect is the subject of an action under the Uniform Parentage Act, a child of a person in one of the above categories, any other person related to the suspect by consanguinity or affinity within the second degree, or any person who is 65 years of age or older and who is related to the suspect by blood or legal guardianship, a peace officer may arrest the suspect without a warrant where both of the following circumstances apply:

(1) The peace officer has probable cause to believe that the person to be arrested has committed the assault or battery, whether or not it has in fact been committed.

(2) The peace officer makes the arrest as soon as probable cause arises to believe that the person to be arrested has committed the assault or battery, whether or not it has in fact been committed.

(e) In addition to the authority to make an arrest without a warrant pursuant to paragraphs (1) and (3) of subdivision (a), a peace officer may, without a warrant, arrest a person for a violation of Section 25400 when all of the following apply:

(1) The officer has reasonable cause to believe that the person to be arrested has committed the violation of Section 25400.

(2) The violation of Section 25400 occurred within an airport, as defined in Section 21013 of the Public Utilities Code, in an area to which access is controlled by the inspection of persons and property.

(3) The peace officer makes the arrest as soon as reasonable cause arises to believe that the person to be arrested has committed the violation of Section 25400.

836.1. When a person commits an assault or battery against the person of a firefighter, emergency medical technician, or mobile intensive care paramedic while that person is on duty engaged in the performance of his or her duties in violation of subdivision (b) of Section 241 or subdivision (b) of Section 243, a peace officer may, without a warrant, arrest the person who commits the assault or battery:

(a) Whenever the peace officer has reasonable cause to believe that the person to be arrested has committed the assault or battery, although the assault or battery was not committed in the peace officer's presence.

(b) Whenever the peace officer has reasonable cause to believe that the person to be arrested has committed the assault or battery, whether or not the assault or battery has in fact been committed.

836.3. A peace officer may make an arrest in obedience to a warrant delivered to him, or may, without a warrant, arrest a person who, while charged with or convicted of a misdemeanor, has escaped from any county or city jail, prison, industrial farm or industrial road camp or from the custody of the officer or person in charge of him while engaged on any county road or other county work or going to or returning from such county road or other county work or from the custody of any officer or person in whose lawful custody he is when such escape is not by force or violence.

836.5. (a) A public officer or employee, when authorized by ordinance, may arrest a person without a warrant whenever the officer or employee has reasonable cause to believe that the person to be arrested has committed a misdemeanor in the presence of the officer or employee that is a violation of a statute or ordinance that the officer or employee has the duty to enforce.

(b) There shall be no civil liability on the part of, and no cause of action shall arise against, any public officer or employee acting pursuant to subdivision (a) and within the scope of his or her authority for false arrest or false imprisonment arising out of any arrest that is lawful or that the public officer or employee, at the time of the arrest, had reasonable cause to believe was lawful. No officer or employee shall be deemed an aggressor or lose his or her right to self-defense by the use of reasonable force to effect the arrest, prevent escape, or overcome resistance.

(c) In any case in which a person is arrested pursuant to subdivision (a) and the person arrested does not demand to be taken before a magistrate, the public officer or employee making the arrest shall prepare a written notice to appear and release the person on his or her promise to appear, as prescribed by Chapter SC (commencing with Section 853.5). The provisions of that chapter shall thereafter apply with reference to any proceeding based upon the issuance of a written notice to appear pursuant to this authority.

(d) The governing body of a local agency, by ordinance, may authorize its officers and employees who have the duty to enforce a statute or ordinance to arrest persons for violations of the statute or ordinance as provided in subdivision (a).

(e) For purposes of this section, "ordinance" includes an order, rule, or regulation of any air pollution control district.

(f) For purposes of this section, a "public officer or employee" includes an officer or employee of a nonprofit transit corporation wholly owned by a local agency and formed to carry out the purposes of the local agency.

836.6. (a) It is unlawful for any person who is remanded by a magistrate or judge of any court in this state to the custody of a sheriff, marshal, or other police agency, to thereafter escape or attempt to escape from that custody.

(b) It is unlawful for any person who has been lawfully arrested by any peace officer and who knows, or by the exercise of reasonable care should have known, that he or she has been so arrested, to thereafter escape or attempt to escape from that peace officer.

(c) Any person who violates subdivision (a) or (b) is guilty of a

misdemeanor, punishable by imprisonment in a county jail not to exceed one year. However, if the escape or attempted escape is by force or violence, and the person proximately causes a peace officer serious bodily injury, the person shall be punished by imprisonment in the state prison for two, three, or four years, or by imprisonment in a county jail not to exceed one year.

8597. Whenever a state of emergency is proclaimed to exist within any region or area, or whenever a state of war emergency exists, the following classes of state employees who are within the region or area proclaimed or who may be assigned to duty therein shall be peace officers and shall have the full powers and duties of those officers for all purposes as provided by Section 830.1 of the Penal Code, and shall perform those duties and exercise any powers which are appropriate or which may be directed by their superior officers:

(a) All peace officers of the Department of the California Highway Patrol.

(b) All deputies of the Department of Fish and Game who have been appointed to enforce the provisions of the Fish and Game Code pursuant to Section 851 of that code.

(c) The Director of Forestry and Fire Protection and the classes of the Department of Forestry and Fire Protection who are designated by the Director of Forestry and Fire Protection as having the powers of peace officers pursuant to Section 4156 of the Public Resources Code.

(d) Peace officers who are state employees within the provisions of Section 830.5 of the Penal Code.

8598. Whenever a local emergency exists within a region or area of the state and the Department of the California Highway Patrol or the Department of Corrections or the Department of the Youth Authority employing any peace officer within Section 830.5 of the Penal Code is requested by properly constituted local authorities to assist local law enforcement, the officers assigned to assist within the designated regions or areas shall have the full powers of peace officers within the meaning of Section 830.1 of the Penal Code and shall perform those duties and exercise those powers as are appropriate or as may be directed by their superior officers.

**SAN BERNARDINO COMMUNITY COLLEGE DISTRICT  
BOARD POLICY 3430**

**PROHIBITION OF HARASSMENT**

The District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of sexual harassment and all forms of sexual intimidation and exploitation. It shall also be free of other unlawful harassment, including that which is based on any of the following statuses: race, color, religion, ancestry, national origin, disability, sex (i.e. gender), sexual orientation, or the perception that a person has one or more of the foregoing characteristics.

Harassment based on any of the following statuses is prohibited and will not be tolerated; race, color, religion, ancestry, national origin, disability, gender, or sexual orientation, or the perception that a person has one or more of the foregoing characteristics.

Sexual harassment violates state and federal laws, as well as this policy, and will not be tolerated. It is also illegal to retaliate against any individual for filing a complaint of sexual harassment or for participating in a sexual harassment investigation, and retaliation constitutes a violation of this policy.

Sexual harassment is further defined as unwelcome sexual advances, requests for sexual favors and other conduct of a sexual nature when:

Submission to the conduct is made a term or condition of an individual's employment, academic status, or progress;

Submission to or rejection of the conduct by the individual is used as a basis of employment or academic decisions affecting the individual;

The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile or offensive work or education environment; or

Submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual.

This policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity. In addition, this policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities and compensation.

To this end, the Chancellor shall ensure that the institution undertakes education activities to counter discrimination and minimize and eliminate a hostile environment that impairs access to equal education opportunity (Education Code 66252).

The Chancellor shall establish procedures that define sexual harassment and other forms of harassment on campus. The Chancellor shall further establish procedures for employees, students, and other members of the campus community that provide for the investigation and resolution of complaints regarding sexual harassment and discrimination, and procedures for students to resolve complaints of sexual and other harassment and discrimination. All participants are protected from retaliatory acts by the District, its employees, students, and agents.

This policy and related written procedures shall be widely published and publicized to administrators, faculty, staff, and students, particularly when they are new to the institution. They shall be available for students and employees in all administrative offices.

Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion.

Reference: Education Code Sections 212.5; 66252; 66281.5

APPROVED: 6/8/06

## ARTICLE 14: LEAVES

- 14.1 **BEREAVEMENT LEAVE.** Unit members shall be entitled to a paid leave of absence, not to exceed three (3) days, or five (5) days if travel out-of-state or a round trip of over 500 miles is required, on account of the death of any member of his/her immediate family. Member of the immediate family means mother, father, grandparent, or grandchild of the unit member or the spouse/registered domestic partner of the unit member, and the spouse/registered domestic partner, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister, or sister-in-law of the unit member or any relative living in the immediate household of the unit member. Absences due to bereavement leave should be recorded on the member's work report.
- 14.2 **JUDICIAL LEAVE.** Unit members called for mandatory jury duty, or as a subpoenaed witness as an employee of the DISTRICT, or as a litigant on behalf of the DISTRICT, during working hours, shall be entitled to paid leave in the amount of the difference between the unit member's regular earnings and the amount of fees received as a juror, subpoenaed witness as an employee of the DISTRICT, or litigant on behalf of the DISTRICT, excluding allowances for meals, mileage, or parking. Absences due to judicial leave should be recorded on the member's work report.
- 14.2.1 A unit member's jury duty hours plus the hours from court to work plus any workday shift assignment for that day should not exceed nor be less than the unit member's regularly assigned number of work hours for that day. The DISTRICT shall assess any unusual work shift on an individual basis, taking into consideration what is reasonable under the circumstances giving due respect to the needs of the DISTRICT and the health and welfare of the unit member.
- 14.2.2 Unit members called for jury duty, or as a subpoenaed witness as an employee of the DISTRICT, or as a litigant on behalf of the DISTRICT, shall notice the DISTRICT as soon as possible upon receipt of the summons. The DISTRICT will require unit members absent on jury duty, or as a subpoenaed witness as an employee of the DISTRICT, or as a litigant on behalf of the DISTRICT, to submit verification from the court indicating the reporting and release times.
- 14.3 **MILITARY LEAVE.** A unit member shall be entitled to any military leave provided by law and shall retain all rights and privileges granted by law arising out of the exercise of military leave. Request for such military leave shall be made in writing and verified by a copy of the military orders requiring military duty. Absences due to military leave should be recorded on the member's work report.
- 14.4 **SICK LEAVE.** Members of the bargaining unit employed by the DISTRICT five (5) days per week with full pay for a fiscal year shall be entitled to twelve (12) days leave of absence for illness or injury, exclusive of days they are not required to render to the DISTRICT. Day, as used in this Article, means the employee's regularly assigned workday, exclusive of overtime. Absences due to sick leave should be recorded on the member's work report.
- 14.4.1 Members of the bargaining unit, employed five (5) days a week, who are employed for less than a full fiscal year are entitled that proportion of twelve (12) days leave of absence for illness or injury as the number of months he/she is employed bears to twelve (12). Members of the bargaining unit employed less than five (5) days per week or forty (40) hours per week shall be entitled, for a fiscal year of service, to that proportion of twelve (12) days leave of absence for illness or injury as the number of days or hours he/she is employed per week bears to five (5) days or forty (40) hours.
- 14.4.2 Pay for any day of such absence shall be the same as the pay which would have been received had the unit member served during the day of illness.

- 14.4.3 At the beginning of each fiscal year, the full amount of sick leave granted under this section shall be credited to each unit member. Credit for sick leave need not be accrued prior to taking such leave and such leave may be taken at any time during the year. However, a new unit member of the DISTRICT shall not be eligible to take more than six (6) days, or the proportionate amount to which they may be eligible under this section, until the first day of the calendar month after completion of six (6) months of active service with the DISTRICT.
- 14.4.4 Disabilities caused or contributed to by pregnancy, miscarriage, childbirth and recovery therefrom are, for all job related purposes, temporary disabilities and shall be treated as a condition of illness. Eligible employees are entitled to receive compensation at their regular rate of pay charged against credited sick leave for the workdays missed during the period of disability, provided that Human Resources receives a medical status report from the attending physician.
- 14.4.5 If a member of the bargaining unit does not take the full amount of leave allowed in any year, the amount not taken shall be accumulated from year to year.
- 14.4.6 Members of the bargaining unit absent due to surgery, serious injury or illness for more than five (5) consecutive assigned workdays shall be required to submit a medical release from a physician to Human Resources prior to being permitted to return to work. A member absent for more than five (5) workdays shall notify Human Resources of his/her approximate return date.
- 14.4.7 Members of the bargaining unit may be required to submit to medical examinations, at the DISTRICT'S expense, at the discretion of the DISTRICT.
- 14.4.8 A unit member who has been employed by some other school DISTRICT for a period of one (1) calendar year or more, and who terminates such employment for the sole purpose of accepting a position in this DISTRICT and has not been terminated by an action initiated by the employer for cause, and who subsequently accepts within one (1) year of such termination, a position with the DISTRICT, shall upon request have transferred with him/her all of the unused accumulated sick leave.
- 14.4.9 The DISTRICT may cancel all sick leave rights or accumulations when a unit member severs all official employment connection with the DISTRICT and all accumulated sick leave may be transferred pursuant to the provisions in Section 88202 of the Education Code. A unit member who has any sick leave benefits earned but unused on the date of retirement may have those converted to retirement credit if appropriate in accordance with applicable law.
- Upon retirement, if sick leave cannot be used for retirement credit, sick leave will be converted to vacation days as follows:
- a. A ratio of five (5) sick days (40 hours) to 1 vacation day (8 hours). Unit members working less than full-time shall be pro-rated accordingly.
  - b. Only days earned while employed for the SBCCD are eligible for conversion benefits.
  - c. Only employees who have rendered five (5) years or more of unbroken service to the SBCCD are eligible for conversion benefits.
  - d. The maximum number of vacation days which may be converted shall not exceed the number of days the retiring unit member earns annually under the provisions of Article 19, Section 19.1.2.
- 14.4.10 An unit member shall be credited once a fiscal year with a total of not less than 100 working days of paid sick leave, excluding sick days under Article 14.4. Such days of paid sick leave in addition to those days of sick leave under Article 14.4, shall be



compensated at 50% of the member's regular salary. Such additional days shall be exclusive of any other paid leaves, holidays, vacation or compensatory time to which the member may be entitled. The 100 working days of extended sick leave shall be allocated on July 1<sup>st</sup>, of each fiscal year; the 50% (half-pay) extended sick days will be utilized only after all accrued regular full-pay sick leave is exhausted. Any remaining 50% half pay extended sick leave will not carry forward to the next fiscal year. At the conclusion of the 100 working days of 50% half pay extended sick leave the member may elect to use any other available leaves.

14.4.11 Unit members who have given forty-eight (48) hours notice and have been released for a doctor or dental appointment have the option to work an extended day or to utilize sick leave. The additional hours constituting an extended day shall be equal to the period of time that the employee was absent, but not in no event shall exceed two (2) hours.

14.4.12 Sick leave shall be taken in increments of not less than one-quarter (1/4) hour.

14.4.13 A unit member shall contact his/her immediate supervisor, or their designee, as soon as the need to be absent is known or at the beginning of the work shift. This does not apply where the unit member cannot reasonably provide the notification. The unit member shall inform his/her immediate supervisor, or their designee as to the expected date of return. Required documentation shall be submitted to Human Resources Absences extending more than five work days are subject to the provisions in section 14.4.6.

14.4.14 The DISTRICT may require a unit member to provide to Human Resources written verification of illness or injury by a licensed physician for any absence that exceeds five (5) workdays for which entitlement to sick leave is claimed under this Article and reported on the employee absence form. The verification shall include a statement that the unit member is able to perform his/her duties without restriction. The verification shall also include the date upon which the member is released to full duties.

14.4.15 **SICK LEAVE STATUS REPORT.** All unit members will be issued an individual status report on accrued sick leave quarterly.

14.4.16 When all available leaves of absence, paid or unpaid, have been exhausted, the unit member shall be placed on a reemployment list for a period of thirty-nine (39) months.

14.5 **INDUSTRIAL ACCIDENT AND ILLNESS LEAVE.** Absences due to Industrial leave should be recorded on the member's work report. Unit members shall be entitled to industrial accident and illness leave in accordance with current Education Code and the following provisions.

14.5.1 A unit member suffering an injury or illness arising out of, and in the course, of his/her employment, shall be entitled to a leave of sixty (60) working days in any one fiscal year for the same accident or illness. This leave shall not be accumulated from year to year, and when any leave will overlap a fiscal year, the unit member shall be entitled to only that amount remaining at the end of the fiscal year in which the injury or illness occurred.

14.5.2 Payment for wages on any day shall not, when added to an award granted the unit member under the Worker's Compensation laws of this State, exceed the normal wage for the day. During all paid leaves of absence, whether industrial accident leave as provided in this section, sick leave, vacation, compensated time off or other available leave provided by law or the action of the Board of Trustees, the unit member may endorse to the DISTRICT wage loss benefit checks received under the Worker's Compensation laws of this State. In the absence of such endorsement, the DISTRICT shall pay the difference between the wage loss benefit check and any entitlement the employee may have.

14.5.3 The industrial accident or illness leave is to be used in lieu of normal sick leave benefits. When entitlement to industrial accident or illness leave under this section has been exhausted, entitlement to other sick leave, vacation or other paid leave will then be used. If however, a unit member is still receiving Worker's Compensation benefits at the time of the exhaustion of benefits under this Section, he/she shall be entitled to use only so much of his/her accumulated and available normal sick leave and vacation leave, which, when added to the Worker's Compensation award, provides for a day's pay at the regular rate of pay.

14.5.4 When all available leaves of absence, paid or unpaid, have been exhausted, the unit member shall be placed on a reemployment list for a period of thirty-nine (39) months.

14.5.5 Leave under this Section shall commence on the first day of absence. The DISTRICT may select the examining physician and require a physician's report as verification of illness or injury due to industrial accident or illness.

14.5.6 Any unit member receiving benefits as a result of this Section shall, during periods of injury or illness, remain within the State of California unless the Governing Board authorizes travel outside the State.

14.5.7 In order to be eligible for leave under this Section, a unit member must have served as an employee of the DISTRICT continually for a period of nine (9) months.

14.6 **PERSONAL NECESSITY LEAVE.** Absences due to personal necessity leave should be recorded on the member's work report. Any days of leave of absence for illness or injury under Section 14.4 of this Agreement may be used by a unit member, at his/her election in cases of personal necessity, including, but not limited to any of the following:

- a. Death of a member of his/her immediate family.
- b. Accident involving his/her person or property, or the person or property of a member of his/her immediate family.
- c. Appearance in court as a litigant, party or witness under subpoena or any order made with jurisdiction. If the unit member receives payment for this appearance, such payment will be forfeited to the DISTRICT.
- d. A serious illness of a member of the family.
- e. Such other reasons approved by the DISTRICT.

No earned leave in excess of seven (7) days may be used in any school year for leave under this Section. Under no circumstances shall leave be available for purposes of recreation of any kind, engaging in other employment of any kind, including direct or indirect self-employment, social events, vacation, any concerted refusal to work, pursuit of other business, financial or economic interests of the employee, or any illegal activity. For purposes of this Section, members of the immediate family means the mother, father, grandmother, grandfather, or a grandchild of the employee or of the spouse/registered domestic partner of the employee, and the spouse/registered domestic partner, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister, sister-in-law of the employee, or any relative living in the immediate household of the employee.

14.7 **UNAUTHORIZED LEAVE.** Absences due to unauthorized leave should be recorded on the member's work report. Any unit member absent without being on approved leave shall have deducted from his/her salary the appropriate amount covering such period. The DISTRICT reserves the right to take any appropriate disciplinary action against such unit member. Failure to notify the DISTRICT of the anticipated absence prior to the commencement of the unit member's shift may constitute unauthorized leave.

- 14.8 **BREAK IN SERVICE.** No absence under any paid leave provisions of this Article shall be considered as a break in service for any unit member who is in paid status, and all benefits accruing under the provisions of this Agreement shall continue to accrue under such absence.
- 14.9 **ADDITIONAL LEAVE.** The DISTRICT may grant, in addition to the leaves set forth hereinabove, such additional leaves of absence, with or without pay, for such purposes and periods of time as it deems advisable.
- 14.10 **AUTHORIZED LEAVE VERIFICATION.** Prior or subsequent to approval of any paid leave, the DISTRICT may require a unit member to furnish a doctor's certificate, affidavit or other documentation, on forms prescribed by the DISTRICT, as verification of illness or other reason for authorized leave. Verification may be required when the DISTRICT has reason to question the validity or any request for approved leave.
- 14.11 **PARENTAL LEAVE AND FAMILY CARE.** Absences due to Parental Leave and Family Care should be recorded on the member's work report.
- 14.11.1 **PARENTAL LEAVE/BONDING:** The DISTRICT will allow the use of paid sick leave for parental leave bonding up to a period of twelve (12) weeks within the first six (6) months following the birth or adoption of a child
- 14.11.2 **FAMILY CARE.** The DISTRICT will allow the use of paid sick leave for family care leave for care of a disabled or seriously ill immediate family member for a period of up to twelve (12) weeks.
- 14.11.3 Leave under this section are subject to the following provisions:
- (a) The unit member must have served as an employee of the DISTRICT continuously for a period of one (1) year.
  - (b) Sections 14.11.1 or 14.11.2 individually or in combination may not exceed a total of twelve (12) weeks in any twelve (12) month period.
  - (c) Upon exhaustion of sick leave, an employee may utilize difference in pay up to completion of the twelve-week period.
  - (d) During this leave, the DISTRICT will continue benefit coverage, sick leave and seniority will accrue, and pension contributions will be made by both DISTRICT and employee.
  - (e) For purposes of this Article, members of the immediate family means the mother, father, grandmother, grandfather or a grandchild of the employee or of the spouse of the employee, and the spouse/registered domestic partner, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister, sister-in-law of the employee or any other individual whose legal residence is in the immediate household of the employee.
- 14.12 **STATE AND FEDERAL LEAVE LAWS.** Family Medical Leave Act (FMLA), California Family Rights Act (CFRA), and Pregnancy Disability Act (PDA) benefits are available to classified employees as entitled under current state and federal law. Upon request, the DISTRICT shall provide the employee a copy of their rights and benefits.

All Federal and State Leave benefits will be calculated for eligibility and use on a 12 month basis.

- (a) In cases of non-pregnancy related illness, FMLA and CFRA will apply and run concurrent with Sick Leave (Article 14.4)
- (b) In cases of pregnancy related illness, FMLA and PDA will apply and run concurrent with Sick Leave (Article 14.4).
- (c) In cases of family care, FMLA and CFRA will apply and run concurrent with Parental Leave and Family Care (Article 14.11).

- 14.13 **Catastrophic Illness Leave.** The purpose of this program is to permit employees with a catastrophic injury or illness to solicit individual donations of sick leave and/or vacation and/or comp time leave from fellow employees.

All requests submitted to the Vice Chancellor of Human Resources are handled with confidentiality and upheld throughout the process. The District will make every effort to protect the identity and privacy of the catastrophic illness leave recipient.

- 14.13.1 Definition of Catastrophic Leave: The intent of this program is to permit employees to donate eligible leave credits to an employee when that employee or a member of his or her family suffers from a catastrophic illness or injury. For purposes of this Article a catastrophic illness or injury is defined as one which is expected to incapacitate the employee or a member of his/her family for an extended period of at least forty-five (45) or more calendar days or is, according to competent medical evidence catastrophic, likely to incapacitate the employee or family member or be characterized as terminal.

A catastrophic leave donation request may be initiated immediately, using the process defined below, at the moment the need is known. However, Catastrophic Leave will not begin until all leaves have been exhausted as defined in this Article.

For purposes of this Section, "family" means the mother, father, grandmother, grandfather, or a grandchild of the employee or of the spouse/registered domestic partner of the employee, and the spouse/registered domestic partner, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister, sister-in-law of the employee, or any relative living in the immediate household of the employee.

#### **14.13.2 Recipient Requirements**

The recipient

- (a) Is a regular, non-probationary bargaining unit member who has exhausted all accrued paid leave credits, including sick leave, vacation and comp time.
- (b) Is incapacitated/absent for an extended period of time no less than 45 calendar days
- (c) Is incapacitated during assigned time. For example in the case of 10 or 11-month employee only assigned time will be considered.
- (d) May use donated time in partial day increments.
- (e) May initially request not more than sixty (60) days. A unit member may request an additional sixty (60) days by filing an additional request.
- (f) Requests for donated leave credits in writing to Human Resources. A fellow employee, supervisor, family member, Human Resources, or the Recipient's medical provider may request Catastrophic Leave benefits on behalf of the Recipient.
- (g) Must include with the request, a written statement from the medical provider, which verifies catastrophic illness or injury of the Recipient or the Recipient's immediate family member as defined in 14.12.1.
- (h) Must use all donated leave within a twelve (12) consecutive month period following the donations. If the Recipient returns to work and has a reoccurrence of the same or related catastrophic injury or illness, after using any accrued vacation or sick leave, previously donated leave days may be used if time remains available, within the same twelve (12) month period.

The Vice Chancellor of Human Resources or designee shall evaluate all requests for catastrophic leave and shall have authority for granting leave in accordance with this Article. Pledged donated leaves can be used only for the specified catastrophic injury or illness. A different catastrophic injury or illness must be handled as a separate second incident. If the District has reasonable cause to believe there is abuse of the catastrophic

leave policy by an employee, the District may require additional medical verification from a physician selected by the District at District expense.

Human Resources will notify District employees in writing of the need for donations of catastrophic leave credits and collect all signed pledge forms. Human Resources will notify Payroll of donated hours. Payroll will deduct donated hours from the donor and credit donated hours to the recipient. Human Resources and Payroll will keep a record of all donated leave credits.

If Recipient's request for catastrophic leave is denied, the Recipient or Recipient's agent or Association may request a review of the reason(s) for denial. If the denial is upheld the employee or Association may appeal the decision to the Chancellor. If the denial is upheld at the Chancellor level, the decision is not subject to the grievance process.

The maximum amount of time in which donated leave credits may be used shall be twelve (12) consecutive months.

#### **14.13.3 Donor Requirements**

Unit members may donate leave credits to an eligible classified, confidential, management or academic employee under the following conditions:

- (a) Donors may volunteer no more than 50% of their accrued sick and/or vacation and/or comp time. Donors must have accrued no less than 120 hours of leave credits prior to donation.
- (b) Employees wishing to donate catastrophic leave credits must donate credits in writing on a signed, District authorized pledge form, distributed by Human Resources
- (c) The minimum amount of donated leave credits shall be eight (8) hours initially, and in one-hour increments thereafter.
- (d) The donor understands that donation of catastrophic leave credits is voluntary.
- (e) Donations may be made by eligible classified, confidential, management or academic employees.
- (f) Leave donations are irrevocable. Once you donate, it is gone forever. Unused leave credits will not be credited back to the donor.
- (g) Donated leave is charged on an hour-for-hour basis.
- (h) Employees voluntarily participating in this program shall hold the District and CSEA harmless for any and all disputes arising out of this provision.

#### **14.13.4 Termination of Catastrophic Illness Leave**

Catastrophic leave ends when:

- (a) The need for leave no longer exists, due to change in health status.
- (b) The 12-month eligibility period expires.
- (c) The recipient terminates employment with the District.

## ARTICLE 19: VACATIONS

- 19.1 **ACCUMULATION:** Unit members shall accrue annual vacation at the regular rate of pay earned at the time the vacation is commenced as follows:
- 19.1.1 The first day of the month following the date of initial employment is considered the day and month in determining vacation entitlement.
- 19.1.2 Full time unit members shall earn vacation at the rate of eight (8) hours per month during the first four (4) years of employment, at the rate of ten (10) hours per month beginning with the fifth year through the tenth year, at the rate of twelve (12) hours per month beginning with the eleventh year through the fifteenth year, and at the rate of fourteen (14) hours per month beginning with the sixteenth year of employment. Unit members working less than full-time shall earn vacation on a pro rata basis of the above. (See 19.1O for calculation.)
- A total of one (1) additional vacation day will be earned effective with the 20<sup>th</sup> year of service.  
A total of one (1) additional vacation day will be earned effective with the 25<sup>th</sup> year of service.
- 19.2 **PARTIAL MONTHS.** Vacation earned by full time unit members for partial months worked will be prorated. Except for partial month of initial employment, vacation earned by full time unit members for a partial month worked will be prorated as follows:
- |                   |                               |
|-------------------|-------------------------------|
| Less than 1 week  | 25% of a month's entitlement  |
| 1 week to 2 weeks | 50% of a month's entitlement  |
| More than 2 weeks | 100% of a month's entitlement |
- 19.3 **INITIAL SIX MONTHS:** Earned vacation shall not become a vested right and available to be taken until completion of the initial six (6) months of employment.
- 19.4 **RESIGNATION AND RETIREMENT** Upon termination, a unit member shall be entitled to all unused vacation pay earned and accumulated up to the time of termination. A full time unit member who has worked a full year but resigns effective June 30 must take earned vacation time during the last working days in June.
- 19.5 **CONSECUTIVE FISCAL YEAR.** Vacations earned in two (2) different fiscal years may be combined and taken at one time if it does not exceed the maximum vacation entitlement of the most recent complete fiscal year. There must be a period of at least two (2) months of actual performance on the job between vacations that were earned in two (2) fiscal years, unless otherwise approved by the DISTRICT.
- 19.6 **VACATION SCHEDULING.** All earned vacation must be taken prior to December 31 of the year following the fiscal year in which it was earned.
- 19.7 **PRIOR APPROVAL.** All vacations must be approved in advance by the unit member's immediate supervisor and shall be taken at a time which is least disruptive of DISTRICT operations. A unit member's request for vacation must be responded to and answered by the immediate supervisor within ten (10) days of its receipt. If the request is denied, a reason for denial in writing shall be provided to the unit member. This decision shall not be arbitrary or capricious and every effort will be made by the District to accommodate a unit member's request to take vacation.
- 19.8 **UNAUTHORIZED ABSENCE** Any unit member absent without being on approved vacation leave shall have deducted from his/her salary the appropriate amount covering such period. The

DISTRICT reserves the right to take any appropriate disciplinary action against such unit member, including termination.

19.9 **VACATION INTERRUPTION.** A permanent unit member may interrupt or terminate his regular vacation leave in case of illness, and use sick leave before continuing regular leave or returning to work, subject to the following requirements:

19.9.1 The unit member must notify the DISTRICT Human Resources Office and/or his/her supervisor of the interruption or termination of his/her vacation prior to use of sick leave.

19.9.2 The DISTRICT Human Resources Office and/or the supervisor shall notify the unit member if he/she may continue his/her vacation leave, after use of sick leave, or if he/she must report to his/her normally assigned work.

19.9.3 Upon returning to the regularly assigned work, the unit member must furnish a doctor's medical certificate verifying the illness or injury which interrupted or terminated his/her vacation.

19.10 **VACATION ACCRUAL FORMULA.** Vacation for unit members shall be computed on an hourly basis, 173 hours being equal to one (1) full-month of employment.

Months Worked	0-4 Years	5-10 Years	11-15 Years	16-19 Years	20 Years	25 Yrs & Over
173 Hours	8 hrs	10 hrs	12 hrs	14 hrs	142/3	151/3
346	16	20	24	28	291/3	302/3
519	24	30	36	42	44	46
692	32	40	48	56	582/3	611/3
865	40	50	60	70	731/3	762/3
1038	48	60	72	84	88	92
1211	56	70	84	98	1022/3	1071/3
1384	64	80	96	112	1171/3	1222/3
1557	72	90	108	126	132	136
1730	80	100	120	140	1462/3	1531/3
1903	88	110	132	154	1611/3	1682/3
2076	96	120	144	168	176	184

19.10.1 Vacations earned for partial months shall be as follows:

Less than 40 hours	25% of a month's entitlement
40 hours to 80 hours	50% of a month's entitlement
80 hours or more	100% of a month's entitlement

19.10.2 Vacation benefits earned must be taken before December 31 of the fiscal year following that in which they were earned.

19.11 **VACATION PAY.** Vacation pay shall be based upon the unit member's salary at the time the vacation is taken.

19.12 **VACATION PAY UPON TERMINATION.** Upon termination a unit member shall be entitled to all unused vacation pay earned and accumulated up to the time of termination.

19.13 **STATUS REPORT ON VACATION.** All unit members will be issued an individual status report of vacation entitlement quarterly.

**SAN BERNARDINO COMMUNITY COLLEGE DISTRICT  
BOARD POLICY 7420**

**AUTHORIZED DRIVERS**

The San Bernardino Community College District is enrolled in the California Department of Motor Vehicle (Ca OMV) Government Employer Pull Notice (EPN). This was established as a means of promoting driver safety through an ongoing review of driver records and minimizing the District's liability.

Employees who possess the appropriate valid driver's license issued by the State of California and fulfill the District's specific requirements as outlined in the administrative procedures will be authorized drivers. All employees, who drive (1) District owned or rented/leased vehicles, and/or (2) their personal vehicle for any purpose related to events, functions or attendance at meetings, conferences or workshops, must be on the District's Approved Driver's List under the terms and conditions as outlined in the administrative procedures.

Student Workers and District approved Volunteers who meet the specific requirements and conditions as outlined in the administrative procedures shall be authorized to drive.

Exceptions to this policy are authorized on a case-by-case basis and upon authorization of the Chancellor.

Board Approved: 6/16/11



## ARTICLE 8: EMPLOYEE EXPENSES AND MATERIALS

- 8.1 **UNIFORMS.** The DISTRICT shall pay the full cost of the purchase, lease, or rental of uniforms, equipment, identification badges, emblems, and cards required by the DISTRICT to be worn or used by unit members.
- 8.2 **PHYSICAL EXAMINATIONS.** The DISTRICT shall reimburse unit members for the cost, if any, of a physical examination required as a condition of continued employment under Section 88021 of the Education Code.

**SAN BERNARDINO COMMUNITY COLLEGE DISTRICT  
BOARD POLICY 3570**

**SMOKING**

- A. Smoking of any form of tobacco or non-tobacco products is prohibited on District grounds, in all District vehicles, at any activity or athletic event and on all property owned, leased or rented by or from the District, unless a tobacco use area has been designated.
- B. This policy allows for the establishment of procedures to comply with California Code of Regulations Government Code Section §7597.
- C. This policy and these regulations apply to employees, students, visitors and other persons who use the facilities on the campuses or centers that are part of San Bernardino Community College District.

Reference:  
Government Code Section 7597

**SAN BERNARDINO COMMUNITY COLLEGE DISTRICT  
BOARD POLICY 6330**

**PURCHASING**

The Chancellor is delegated the authority to purchase supplies, materials, apparatus, equipment and services as necessary to the efficient operation of the District. No such purchase shall exceed the amounts specified by Section 20651 of the California Public Contract Code as amended from time to time.

All such transactions shall be reviewed by the Board every 60 days.

**SAN BERNARDINO COMMUNITY COLLEGE DISTRICT  
BOARD POLICY 7365**

**DISCIPLINE AND DISMISSAL, CLASSIFIED EMPLOYEES**

The Chancellor shall enact procedures for the disciplinary proceedings applicable to permanent classified employees of the District. Such procedures shall conform to the requirements of the Education Code.

The Board's determination of the sufficiency of the cause for disciplinary action of a classified employee shall be conclusive.

No disciplinary action shall be taken for any cause that arose prior to the employee becoming permanent, or for any cause that arise more than two years preceding the date of the filing of any charge against the employee, unless the cause was concealed or not disclosed by the employee when it could be reasonably assumed that the employee should have disclosed the facts to the District.

A permanent member of the classified service shall be subject to disciplinary action, including, but not limited to, oral reprimand, written reprimand, reduction in pay, demotion, suspension, or discharge, for any of the following grounds:

- Fraud in securing employment or making a false statement on an application for employment.
- Incompetence, i.e., inability to comply with the minimum standard of an employee's position for a significant period of time.
- Inefficiency or inexcusable neglect of duty, i.e., failure to perform duties required of an employee in the position.
- Willful disobedience and insubordination, a willful failure to submit to duly appointed and acting supervision, conform to duly established orders or directions of, or insulting or demeaning the authority of a supervisor or manager.
- Dishonesty involving employment.
- Being impaired by or under the influence of alcohol or illegal drugs or narcotics while on duty, which could impact the ability to do the job.
- Excessive absenteeism.
- Unexcused absence without leave.
- Abuse or misuse of sick leave.
- The conviction of either a misdemeanor or a felony involving moral turpitude shall constitute grounds for dismissal of any employee. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred. A plea or verdict of guilty, or a conviction showing a plea of nolo contendere made to charge a felony or any offense involving moral turpitude, is deemed to be a conviction within the meaning of this Section.
- Discourteous treatment of the public or other employees.
- Improper or unauthorized use of District property.
- Refusal to subscribe to any oath or affirmation that is required by law in connection with District employment.
- Any willful act of conduct undertaken in bad faith, either during or outside of duty hours which is of such a nature that it causes discredit to the District, the employee's department or division.

- Inattention to duty, tardiness, indolence, carelessness or negligence in the care and handling of District property.
- Mental or physical impairment that renders the employee unable to perform the essential functions of the job without reasonable accommodation or without presenting a direct threat to the health and safety of self or others.
- Acceptance from any source of a reward, gift, or other form of remuneration in addition to regular compensation to an employee for the performance of his or her official duties.
- The refusal of any officer or employee of the District to testify under oath before any court, grand jury, or administrative officer having jurisdiction over any then pending cause of inquiry in which the District is involved. Violation of this provision may constitute of itself sufficient ground for the immediate discharge of such officer or employee.
- Willful violation of policies, procedures and other rules that may be prescribed by the District, 60 college(s) or departments.
- Working overtime without authorization.

Reference:  
Education Code Section 88013  
Approved: 6/10/04

148.6. (a) (1) Every person who files any allegation of misconduct against any peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, knowing the allegation to be false, is guilty of a misdemeanor.

(2) Any law enforcement agency accepting an allegation of misconduct against a peace officer shall require the complainant to read and sign the following advisory, all in boldface type:  
YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER FOR ANY IMPROPER POLICE CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CITIZENS ' COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CITIZEN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.  
IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING THAT IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE.

I have read and understood the above statement.

---

Complainant

(3) The advisory shall be available in multiple languages.

(b) Every person who files a civil claim against a peace officer or a lien against his or her property, knowing the claim or lien to be false and with the intent to harass or dissuade the officer from carrying out his or her official duties, is guilty of a misdemeanor. This section applies only to claims pertaining to actions that arise in the course and scope of the peace officer's duties.

# WELFARE AND INSTITUTIONS CODE

## SECTION 5150-5157

5150. (a) When any person, as a result of mental disorder, is a danger to others, or to himself or herself, or gravely disabled, a peace officer, member of the attending staff, as defined by regulation, of an evaluation facility designated by the county, or other professional person designated by the county may, upon probable cause, take, or cause to be taken, the person into custody and place him or her in a facility designated by the county and approved by the State Department of Health Care Services as a facility for 72-hour treatment and evaluation.

(b) The facility shall require an application in writing stating the circumstances under which the person's condition was called to the attention of the officer, member of the attending staff, or professional person, and stating that the officer, member of the attending staff, or professional person has probable cause to believe that the person is, as a result of mental disorder, a danger to others, or to himself or herself, or gravely disabled. If the probable cause is based on the statement of a person other than the officer, member of the attending staff, or professional person, the person shall be liable in a civil action for intentionally giving a statement which he or she knows to be false.

5150.05. (a) When determining if probable cause exists to take a person into custody, or cause a person to be taken into custody, pursuant to Section 5150, any person who is authorized to take that person, or cause that person to be taken, into custody pursuant to that section shall consider available relevant information about the historical course of the person's mental disorder if the authorized person determines that the information has a reasonable bearing on the determination as to whether the person is a danger to others, or to himself or herself, or is gravely disabled as a result of the mental disorder.

(b) For purposes of this section, "information about the historical course of the person's mental disorder" includes evidence presented by the person who has provided or is providing mental health or related support services to the person subject to a determination described in subdivision (a), evidence presented by one or more members of the family of that person, and evidence presented by the person subject to a determination described in subdivision (a) or anyone designated by that person.

(c) If the probable cause in subdivision (a) is based on the statement of a person other than the one authorized to take the person into custody pursuant to Section 5150, a member of the attending staff, or a professional person, the person making the statement shall be liable in a civil action for intentionally giving any statement that he or she knows to be false.

(d) This section shall not be applied to limit the application of Section 5328.

5150.1. No peace officer seeking to transport, or having transported, a person to a designated facility for assessment under Section 5150, shall be instructed by mental health personnel to take the person to, or keep the person at, a jail solely because of the unavailability of an acute bed, nor shall the peace officer be forbidden to transport the person directly to the designated facility. No mental health employee from any county, state, city, or any private agency providing Short-Doyle psychiatric emergency services shall interfere with a peace officer performing duties under Section 5150 by preventing the peace officer from entering a designated facility with the person to be assessed, nor shall any employee of such an agency require the peace officer to remove the person without assessment as a condition of allowing the peace officer to depart.

"Peace officer" for the purposes of this section also means a jailer seeking to transport or transporting a person in custody to a designated facility for assessment consistent with Section 4011.6 or 4011.8 of the Penal Code and Section 5150.

5150.2. In each county whenever a peace officer has transported a person to a designated facility for assessment under Section 5150, that officer shall be detained no longer than the time necessary to complete documentation of the factual basis of the detention under Section 5150 and a safe and orderly transfer of physical custody of the person. The documentation shall include detailed information regarding the factual circumstances and observations constituting probable cause for the peace officer to believe that the individual required psychiatric evaluation under the standards of Section 5105.

Each county shall establish disposition procedures and guidelines with local law enforcement agencies as necessary to relate to persons not admitted for evaluation and treatment and who decline alternative mental health services and to relate to the safe and orderly transfer of physical custody of persons under Section 5150, including those who have a criminal detention pending.

5150.3. Whenever any person presented for evaluation at a facility designated under Section 5150 is found to be in need of mental health services, but is not admitted to the facility, all available alternative services provided for pursuant to Section 5151 shall be offered as determined by the county mental health director.

5150.4. "Assessment" for the purposes of this article, means the determination of whether a person shall be evaluated and treated pursuant to Section 5150.



# ALLIED AGENCY PURSUIT REPORT

CHP 187A (Rev. 3-11) OPI 051

SUPERVISOR'S INITIALS

VEHICLE PURSUIT NUMBER  
(For your agency's use only, if applicable)

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

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

1. AGENCY NCIC	2. AGENCY NAME (Specify district, i.e., LAPO Newton)	3. DATE VEHICLE PURSUIT WAS INITIATED	4. TIME VEHICLE PURSUIT WAS INITIATED (24 hr., e.g., 1430)
5. PURSUED VEHICLE LICENSE PLATE NUMBER	6. STATE	7. VIN NUMBER (Complete only if 'cold plated' or no license plate available)	8. TIME YOUR AGENCY BECAME INVOLVED IN VEHICLE PURSUIT (24 hr., e.g., 1430)
9. CHECK THE CATEGORY THAT BEST DESCRIBES THE VEHICLE TYPE			
<input type="checkbox"/> Passenger Vehicle (Car, SUV, Mini-Van) <input type="checkbox"/> Passenger Vehicle (Car, SUV, Mini-Van) with Trailer <input type="checkbox"/> Motorcycle, Motor Driven Cycle, Motor Scooter <input type="checkbox"/> Pickup Truck <input type="checkbox"/> Pickup Truck with Trailer <input type="checkbox"/> Truck Tractor <input type="checkbox"/> Truck Tractor with Trailer <input type="checkbox"/> School Bus <input type="checkbox"/> Other Bus <input type="checkbox"/> Emergency Vehicle <input type="checkbox"/> Other			
10. TOTAL TIME YOUR AGENCY WAS INVOLVED IN VEHICLE PURSUIT (Minutes)	11. TOTAL DISTANCE YOUR AGENCY WAS INVOLVED IN VEHICLE PURSUIT (Miles)	12. COUNTY WHERE YOUR AREA INVOLVEMENT BEGAN	
13. AGENCY INITIATING VEHICLE PURSUIT	14. DID YOUR AGENCY TURN THE PURSUIT OVER? (If yes, indicate agency below) <input type="checkbox"/> No <input type="checkbox"/> Yes:	15. DID YOUR AGENCY CONCLUDE VEHICLE PURSUIT? <input type="checkbox"/> No <input type="checkbox"/> Yes (complete SECTION II)	
16. LIST 1-10 NUMBERS OF YOUR AGENCY'S OFFICERS INVOLVED IN VEHICLE PURSUIT (Do not list names)			
17. HIGHEST NUMBER OF INVOLVED UNITS AT ONE TIME IN YOUR AREA	18. CHECK ONE CONDITION THAT BEST DESCRIBES WEATHER DURING THE PURSUIT <input type="checkbox"/> Clear <input type="checkbox"/> Cloudy <input type="checkbox"/> Raining <input type="checkbox"/> Snowing <input type="checkbox"/> Fog <input type="checkbox"/> Windy <input type="checkbox"/> Other (Specify):		19. MAXIMUM SPEEDS ATTAINED Freeway:    Surface Streets:
20. INDICATE ATTEMPTED FORCIBLE STOP(S) AND NUMBER OF TIMES ATTEMPTED Spike Strip:    PIT:    Other Ramming:    Boxed In:		21. INDICATE THE NUMBER OF COLLISIONS THAT OCCURRED IN YOUR AREA Property Damage Only:	
22. ORIGINAL VIOLATION OBSERVED BY AGENCY INITIATING THE VEHICLE PURSUIT (Leave blank if your agency did not initiate pursuit)			
Section & Code: <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Infraction <input type="checkbox"/> BO L / Warrant / Wanted <input type="checkbox"/> Other (Specify):			

**If injuries were incurred as a result of collision during your agency's involvement in the vehicle pursuit and your agency did not conclude the pursuit, complete only item 23 in Section II below.**

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

23. WERE INJURIES INCURRED AS A RESULT OF A COLLISION? <input type="checkbox"/> No <input type="checkbox"/> Yes (If yes, indicate number of each type below)				24. WERE INJURIES INCURRED AFTER THE VEHICLE PURSUIT? <input type="checkbox"/> No <input type="checkbox"/> Yes (If yes, indicate the number of each type below)					
	Police Officer(s)	Suspect Driver	Suspect Passenger(s)	Uninvolved 3rd Party	Police Officer(s)	Suspect Driver	Self-Inflicted	Uninvolved 3rd Party	
Fatal Injury					Fatal Injury				
Severe Injury					Severe Injury				
Other Visible Injury					Other Visible Injury				
Complaint of Injury					Complaint of Injury				
25. SUSPECT WAS NOT APPREHENDED. WHICH OF THE FOLLOWING MOST NEARLY DESCRIBES THE EVENT CONCLUDING THE VEHICLE PURSUIT?									
<input type="checkbox"/> Suspect vehicle voluntarily stopped			<input type="checkbox"/> Pursuit aborted by law enforcement agency			<input type="checkbox"/> Suspect vehicle escaped patrol vehicle			
<input type="checkbox"/> Forcible stop			<input type="checkbox"/> Suspect vehicle and patrol vehicle collided			<input type="checkbox"/> Suspect abandoned vehicle and fled on foot			
<input type="checkbox"/> Suspect vehicle became disabled			<input type="checkbox"/> Suspect vehicle became involved in a collision			<input type="checkbox"/> Other (Specify):			
<input type="checkbox"/> Patrol vehicle became disabled			<input type="checkbox"/> Patrol vehicle became involved in a collision						
26. VIOLATION(S) SUSPECT(S) CHARGED WITH UPON CONCLUSION OF VEHICLE PURSUIT (List most serious offense //SI followed by additional charges)									
Section / Code	Felony	Misdemeanor	Infraction	BOL / Warrant / Wanted	Other (Specify)				
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
27. 0.0.B. OF PERSON PURSUED	28. GENDER <input type="checkbox"/> Male <input type="checkbox"/> Female		29. DRIVING UNDER THE INFLUENCE? <input type="checkbox"/> No <input type="checkbox"/> Yes (Specify):			<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Combination of both			
30. ETHNICITY									
<input type="checkbox"/> White	<input type="checkbox"/> Vietnamese	<input type="checkbox"/> Cambodian	<input type="checkbox"/> Other Asian	<input type="checkbox"/> Guamanian	<input type="checkbox"/> Asian Indian	<input type="checkbox"/> Other Not listed			
<input type="checkbox"/> Black	<input type="checkbox"/> Japanese	<input type="checkbox"/> Korean	<input type="checkbox"/> Filipino	<input type="checkbox"/> Hawaiian	<input type="checkbox"/> American Indian				
<input type="checkbox"/> Hispanic	<input type="checkbox"/> Chinese	<input type="checkbox"/> Laotian	<input type="checkbox"/> Samoan	<input type="checkbox"/> Other Pacific Islander	<input type="checkbox"/> Alaskan				

**ALL CALIFORNIA LAW ENFORCEMENT AGENCIES**  
**Carefully read the following information regarding completion of this form.**

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

**Vehicle Pursuit - Definition**

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

**INSTRUCTIONS - READ CAREFULLY**

**SECTION I. Mandatory for all California Law Enforcement Agencies**

1. **AGENCY NCIC** - Your agency's four-digit NCIC number.
2. **AGENCY NAME** - Your agency's name.
3. **DATE VEHICLE PURSUIT WAS INITIATED** - The date of the vehicle pursuit your agency was involved in. Use mm/dd/yyyy format.
4. **TIME VEHICLE PURSUIT WAS INITIATED** - The exact time the vehicle pursuit actually began. If your agency did not initiate the pursuit, contact the initiating agency to verify this information. Use 24 hour notation.
5. **PURSUED VEHICLE LICENSE PLATE NUMBER** - The vehicle license plate number on the suspect vehicle.
6. **STATE** - The state of the suspect vehicle license plate number (i.e., CA, NV).
7. **VIN NUMBER** - The vehicle identification number of the pursued vehicle. Complete this item if the vehicle was 'cold-plated' or no license plate number was available.
8. **TIME YOUR AGENCY BECAME INVOLVED IN VEHICLE PURSUIT** - If your agency initiated the pursuit, enter the time from item four. If your agency took over the pursuit from another agency, enter that time instead. Use 24 hour notation.
9. **CHECK THE CATEGORY THAT BEST DESCRIBES THE VEHICLE TYPE** - Of the listed categories, check the type that best describes the vehicle.
10. **TOTAL TIME YOUR AGENCY WAS INVOLVED IN VEHICLE PURSUIT** - The time, in minutes, that your agency was in the primary position for the pursuit.
11. **TOTAL DISTANCE YOUR AGENCY WAS INVOLVED IN VEHICLE PURSUIT** - Length, in miles, that your agency was in the primary position for the pursuit.
12. **COUNTY WHERE YOUR AREA INVOLVEMENT BEGAN** - The county your Agency was in when involved in the pursuit.
13. **AGENCY INITIATING VEHICLE PURSUIT** - Name of the Agency which initiated the pursuit.
14. **DID YOUR AGENCY TURN THE PURSUIT OVER?** - If your agency turned the vehicle pursuit over to another allied agency, indicate that agency's name and station or office.
15. **DID YOUR AGENCY CONCLUDE VEHICLE PURSUIT?** - Your agency concluded the pursuit if you did not turn it over to another agency.
16. **LIST 1.0. NUMBERS OF YOUR AGENCY'S OFFICERS INVOLVED IN VEHICLE PURSUIT** - Include only officers actually involved in the vehicle pursuit.
17. **HIGHEST NUMBER OF INVOLVED UNITS AT ONE TIME IN YOUR AREA** - Enter the highest number of ground enforcement vehicles (including motorcycles and sedans) as well as air units (including helicopters and airplanes) actively involved in the vehicle pursuit at one time.
18. **CHECK ONE CONDITION THAT BEST DESCRIBES WEATHER DURING THE PURSUIT** - Check the dominant condition for the majority of the pursuit.
19. **MAXIMUM SPEEDS ATTAINED** - The highest rate of speed attained during the vehicle pursuit on a freeway and/or surface streets. If the suspect did not enter the freeway OR exit to surface streets, enter O in the corresponding space.
20. **INDICATE ATTEMPTED FORCIBLE STOP(S) AND NUMBER OF TIMES ATTEMPTED** - Enter the number of attempts a forcible stop was initiated to terminate the vehicle pursuit. By definition, a forcible stop is the use or presence of a physical force to end a vehicle pursuit (e.g., roadblock, ramming, boxing-in, channelization, pursuit immobilization technique [PIT]).
21. **INDICATE THE NUMBER OF COLLISIONS THAT OCCURRED IN YOUR AREA** - Enter the number of collisions for each type (Fatal, Injury, Property Damage Only). If none, enter 0.
22. **ORIGINAL VIOLATION OBSERVED BY AGENCY INITIATING THE VEHICLE PURSUIT** - Enter the single, most serious violation which led to an enforcement stop on the vehicle and the degree of the violation, i.e., 10851(a) VC and check the felony box.

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

23. **WERE INJURIES INCURRED AS A RESULT OF A COLLISION?** - If a collision occurred during your pursuit which resulted in injuries to any person, check the 'yes' box and indicate the highest degree of injury for each person injured. Suspect driver is considered the driver of the suspect vehicle. Suspect Passengers includes any passengers which were in the suspect vehicle, regardless if any charges are filed against them. Uninvolved Third Party would include any persons not in the suspect vehicle or any peace officers.
24. **WERE INJURIES INCURRED AFTER THE VEHICLE PURSUIT?** - If any injuries were incurred by peace officers, the suspected driver, passengers in the suspect vehicle, or innocent third parties as a result of any event occurring after the vehicle pursuit (e.g., foot pursuit, arrest, shooting) while your agency was concluding the pursuit, check the "yes" box and indicate the highest degree of injury for each person injured. If the injury was self-inflicted (e.g., the suspect cut their hands while climbing a chain-link fence, self-inflicted gunshot wound), indicate in the self-inflicted field for the respective injury.
25. **SUSPECT WAS/ WAS NOT APPREHENDED** - Check if the suspect was or was not apprehended during the pursuit.
26. **VIOLATION(S) SUSPECT(S) CHARGED WITH UPON CONCLUSION OF VEHICLE PURSUIT** - List the five most serious charges and their degree of violation in descending order filed against the driver. Do not include 2800.1, 2800.2 or 2800.3 VC in any of these fields unless it is the only violation charged.
27. **0.0.B. OF PERSON PURSUED** - The date of birth of the driver of the suspect vehicle. Use mm/dd/yyyy format.
28. **GENDER** - Indicate whether the driver of the suspect vehicle was male or female.
29. **DRIVING UNDER THE INFLUENCE?** - Check if the driver was under the influence. If yes, indicate alcohol, drugs, or a combination of both.
30. **ETHNICITY** - Indicate the ethnicity that most clearly resembles the driver of the suspect vehicle.

**Questions concerning the completion of this form should be directed to the California Highway Patrol,  
Research and Planning Section, at (916) 843-3340.**



Home | Help | Disability Services | Site Map | Technical Support

1- 11

Search

Q This site  
O California

HOME OFFICES ONLINE SERVICES DRIVER LICENSE VEHICLE REGISTRATION

## V C Section 21055 Exemption of Authorized Emergency Vehicles

### Exemption of Authorized Emergency Vehicles

21055 . The driver of an authorized emergency vehicle is exempt from Chapter 2 (commencing with Section 21350), Chapter 3 (commencing with Section 21650), Chapter 4 (commencing with Section 21800), Chapter 5 (commencing with Section 21950), Chapter 6 (commencing with 22100), Chapter 7 (commencing with Section 22348), Chapter 8 (commencing with Section 22450), Chapter 9 (commencing with Section 22500), and Chapter 10 (commencing with Section 22650) of this division, and Article 3 (commencing with Section 38305) and Article 4 (commencing with Section 38312) of Chapter 5 of Division 16.5, under all of the following conditions:

(a) If the vehicle is being driven in response to an emergency call or while engaged in rescue operations or is being used in the immediate pursuit of an actual or suspected violator of the law or is responding to, but not returning from, a fire alarm, except that fire department vehicles are exempt whether directly responding to an emergency call or operated from one place to another as rendered desirable or necessary by reason of an emergency call and operated to the scene of the emergency or operated from one fire station to another or to some other location by reason of the emergency call.

(b) If the driver of the vehicle sounds a siren as may be reasonably necessary and the vehicle displays a lighted red lamp visible from the front as a warning to other drivers and pedestrians.

A siren shall not be sounded by an authorized emergency vehicle except when required under this section.

Amended Ch. 1017, Stats. 1977. Effective September 23, 1977 by terms of an urgency clause.

Home | Help | Disability Services | Site Map | Technical Support

Back to Top | Conditions of Use | Privacy Policy | Accessibility | CA.Gov

To assist you better, your DMV website session is being recorded for quality assurance.

Copyright © 2011 State of California

Adobe Reader enables you to view and print PDF files.

To incorporate the latest accessibility features download of the latest version of Adobe Reader may be required.



[Login Here](#) | [Register Here](#) | [View shopping cart](#)

[Expand](#) | [Items](#) | [i-](#) [ffl](#)

Search

This site  
 California

[HOME](#) [OFFICES](#) [ONLINE SERVICES](#) [DRIVER LICENSE](#) [VEHICLE REGISTRATION](#)

## V C Section 21056 Effect of Exemption

### Effect of Exemption

21056. Section 21055 does not relieve the driver of a vehicle from the duty to drive with due regard for the safety of all persons using the highway, nor protect him from the consequences of an arbitrary exercise of the privileges granted in that section.