



Petaluma Police Department BRIEFING TRAINING RECORD

EMPLOYEES					
Name	ID#	Name	ID#	Name	ID#

TRAINING SUMMARY			
Date of Training 5-25-20	Length of Training HRS: MIN: 45	Time of Training START: 1615 END: 1700	Location <input checked="" type="checkbox"/> Main Station <input type="checkbox"/> Other: _____
Type of Training <input checked="" type="checkbox"/> Video <input checked="" type="checkbox"/> Lecture <input checked="" type="checkbox"/> Practical Demonstration <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Other: _____			
ATTACH TRAINING MATERIALS. PowerPoint, case law, etc. Exclude department policies. TRAINING TOPIC(S): General Description of Training EXAMPLE • <u>Use of Force</u> : PPD Policy 300 – Discussion / Handouts • <u>Search & Seizure</u> : Vehicle searches, Arizona v Gant – Discussion / PowerPoint			
- POLICEONE.COM: - "SAFELY DEPLOYING TIRE DEFLATION DEVICES" BY GORDON GRAHAM - VIDEO: SEATBELT VIOLATION → PURSUIT → OIS VOLUSIA COUNTY SO - VIDEO: MAN POINTS REPLICA FIREARM → OIS LAS VEGAS PD - VIDEO: CONTROVERSIAL USE OF FORCE LAPD - VIDEO: MAN LUNGES LEG W/ SWORD → OIS LAS VEGAS PD DISCUSSED SELF-CONTROL, ACTING ON SITUATIONAL AWARENESS DEPLOYING ALTERNATIVE OPTIONS, STATE OF MIND, FORCE SCIENCE 21' RULE - DISCUSSED AND DEPLOYED STOPSTICK, RAT TRAP, AND STINGER STRIPS			

Supervisory Review			
Trainer NOVELLO	ID# 2363	Supervisor NOVELLO	ID# 2363
Lieutenant Crosby	ID# 1749	Date 5/26/20	



Petaluma Police Department BRIEFING TRAINING RECORD

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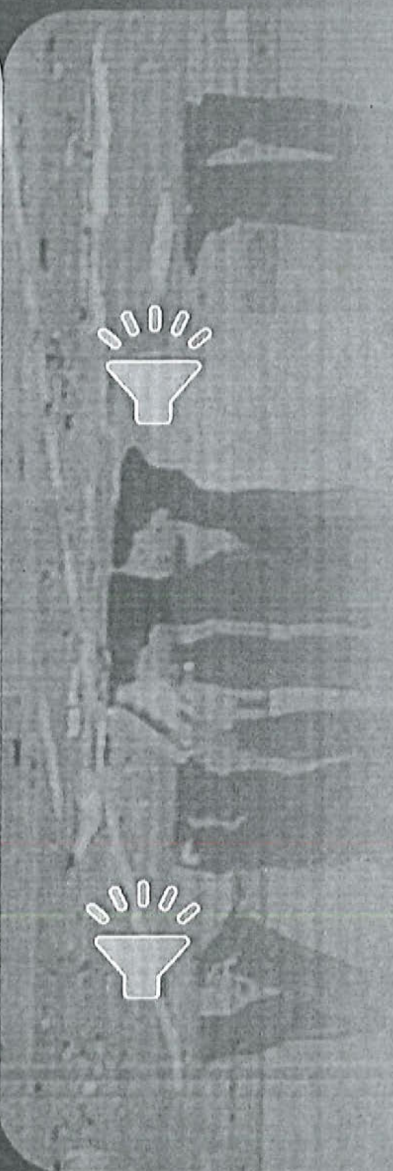
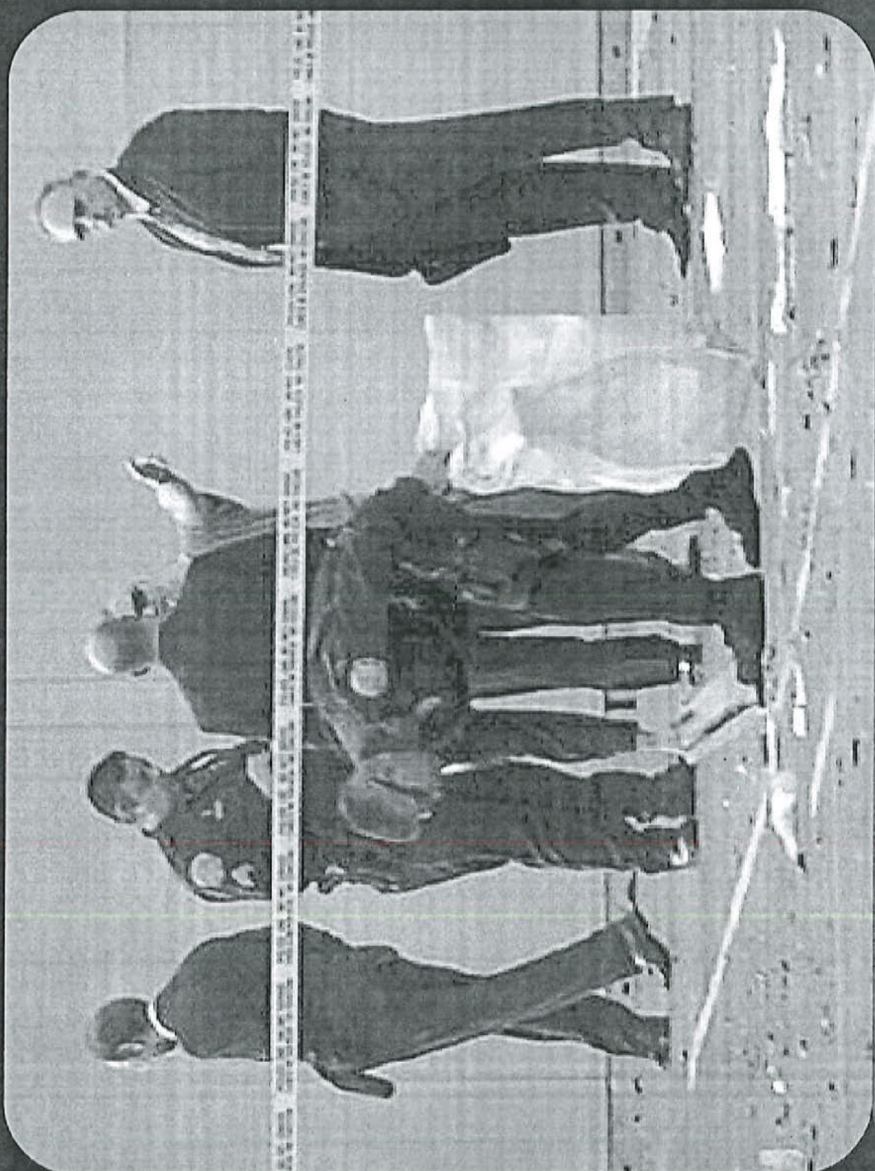
TRAINING SUMMARY			
Date of Training 3-31-20	Length of Training HRS: 1 MIN:	Time of Training START: 0045 END: 0145	Location <input checked="" type="checkbox"/> Main Station <input type="checkbox"/> Other: _____
Type of Training <input type="checkbox"/> Video <input checked="" type="checkbox"/> Lecture <input type="checkbox"/> Practical Demonstration <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Other: POWERPOINT			
ATTACH TRAINING MATERIALS. PowerPoint, case law, etc. Exclude department policies. TRAINING TOPIC(S): General Description of Training EXAMPLE • <u>Use of Force</u> : PPD Policy 300 – Discussion / Handouts • <u>Search & Seizure</u> : Vehicle searches, Arizona v Gant – Discussion / PowerPoint OIS POWERPOINT IN S-DRIVE			

Supervisory Review			
Trainer NOVELLO	ID# 2363	Supervisor NOVELLO	ID# 2363
Lieutenant CROSBY	ID# 1749	Date 5-21-20	

OFFICER INVOLVED SHOOTINGS

What you should expect





- PPD Policy 310 (OIS and Deaths)
- Policy 311 (SCLECA - Law Enforcement Employee Involved Fatal Incident Protocol)
- Government Code 3303 (POBR)
- Penal Code 835a (Reasonable Force to Arrest)
- Statistics / Notes

Fatal Incident Protocol

(PPD Policy 310)

- Definition: a specific incident involving one or more persons, in which a law enforcement employee is involved as an actor or injured person; when a fatal injury occurs
- Examples: intentional / unintentional shootings; use of dangerous or deadly weapons; assaults upon LE or employees acting within the scope of their duties

Fatal Incident Protocol

- Lead agencies: SCSO, SRPD, PPD, RPDPS, CHP (pursuit related), or SCDAO
- Employer agency generally will not directly participate in criminal investigation
- Venue agency will determine Lead agency
- If jurisdiction is in dispute, the venue agency will be the agency with the predominate involvement

Fatal Incident Protocol

- Investigators: supervisor, investigators, and evidence technicians from lead agency; DDA and DA Investigator; employer liaison to facilitate investigation only
- Lead agency will notify coroner, assign overall supervisor and at least 2 investigators to respond within 2 hours, obtains necessary assistance, responsible for documentation and evidence collection, responsible for media releases for at least 72 hours, and conduct full DA (with "right to know") briefing

Fatal Incident Protocol

- Investigator qualifications:
 - Sergeants will have supervised an Investigative Unit, and attended OIS, Homicide Investigation, and IA Investigation
 - Investigators will have at least 5 years sworn, Investigative Unit background, and attended OIS, Homicide Investigation, and I&I
 - Evidence Techs will have completed 80 hour field evidence training program

- Invocation: criminal investigation shall be immediate upon incident; *venue* agency will notify their internal personnel, DA's Office, and the *lead* agency. *The criminal portion is only to establish the presence or absence of criminal liability.*
- Scene procedure: life saving measures; secure and protect evidence; sequester involved officers w/ uninvolved; officer(s) will maintain their weapons until interview; officer(s) will be expected to provide a public safety statement

- Interview:

OFFICER(S) WILL BE TREATED AS A
WITNESS OR VICTIM

consultation w/ private counsel before
interview; employer staff will not be present
during interview; short of Miranda, Beheler
should be given

"Sleep Cycle"

POBR???

Government Code 3303

Police Officer Bill of Rights

Officer under investigation and subjected to interrogation that could lead to punitive action – the interrogation shall be conducted under the following conditions:

- A) reasonable hour
- B) informed of all persons present
- C) informed of nature of interrogation
- D) reasonable length
- E) no offensive language; threats; promises; no media w/o consent
- F) duress = not admissible
- G) may be recorded; officer to have full access to recordings, and can bring own recording device
- H) criminal = Miranda
- I) right to representation
- J) cannot be loaned or reassigned

Interview Basics

- Chemical testing may occur
- Your uniform (could) and firearm will be taken as evidence
- Should be COMPELLED statement *with counsel*
- Thought out; specific; describe state of mind
- Garrity: compelled statement cannot be used in criminal proceeding, but can be used in civil or federal case
- Lybarger: advised of your rights
- "feared for my life" – not good enough
- "state of mind" relies on reasonable belief for deadly force
- Articulate everything you knew about the subject during your statement
- REMEMBER, YOU ARE THE VICTIM
- 835a PC ALLOWS YOU TO USE REASONABLE FORCE TO EFFECT AN ARREST

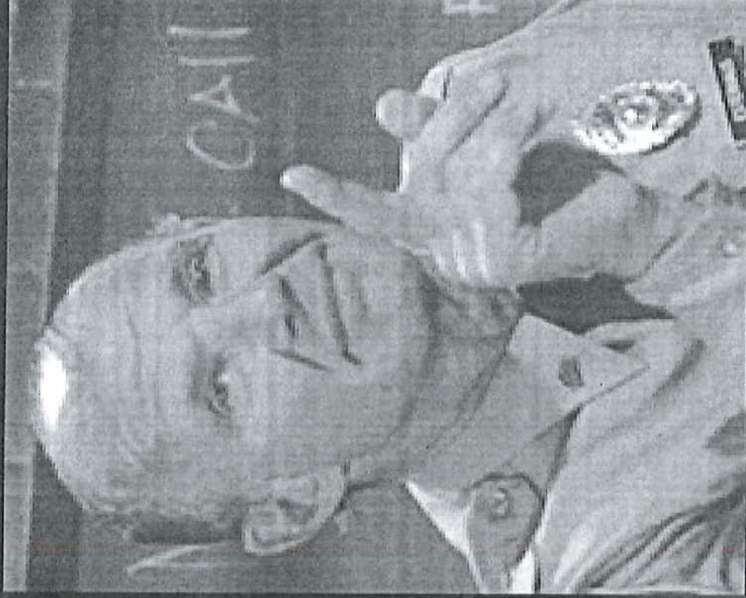
You have completed your interview,
but

- Administrative investigation (IA)
- Potential civil litigation
- Return to duty could be one week or longer, only after "fit for duty" evaluation and firearm re-qual, and is ultimately up to the officer
- 90 days for report to be submitted to DA
- DA has 90 days for final decision, usually 1 year
- Your name will be released to the media (832.7 PC / SB 1421)
- Copies to DA, Grand Jury, FBI, and Venue Agency

Notes

- Depending on source, approximately 1000 OIS/year
- 98 LEO arrested / 35 convicted since 2005
- OIS stats proposed in 1994, but began in 2016
- LAPD research revealed 45% of OIS occur in first minute; 26% in first 30 seconds
- Average of 40 to 70 officers are killed by gunfire every year

Remember



“Let’s Be Careful Out There”



Petaluma Police Department BRIEFING TRAINING RECORD

TMS

EMPLOYEES					
Name	ID#	Name	ID#	Name	ID#

TRAINING SUMMARY			
Date of Training 12-24-2019	Length of Training HRS: MIN: 30	Time of Training START: 1400 END: 1430	Location <input checked="" type="checkbox"/> Main Station <input type="checkbox"/> Other: _____
Type of Training <input type="checkbox"/> Video <input checked="" type="checkbox"/> Lecture <input type="checkbox"/> Practical Demonstration <input checked="" type="checkbox"/> Discussion <input checked="" type="checkbox"/> Other: <u>Policy 900, 902 and 322</u>			

ATTACH TRAINING MATERIALS. PowerPoint, case law, etc. Exclude department policies.

TRAINING TOPIC(S): General Description of Training

- EXAMPLE
- Use of Force: PPD Policy 300 – Discussion / Handouts
 - Search & Seizure: Vehicle searches, Arizona v Gant – Discussion / PowerPoint

Officer Cardenas presented a powerpoint and led discussion on PPD policy 900, 902 and 322.

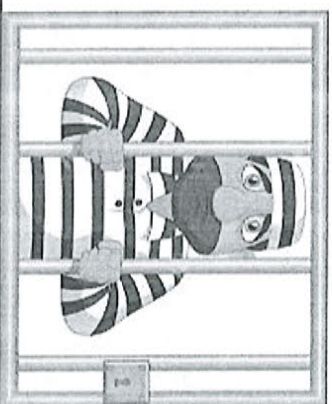
Supervisory Review			
Trainer Cardenas, Rafael	ID# 3382	Supervisor Novello, Lance	ID# 2363
Lieutenant Crosby, Edward	ID# 1749	Date 12-24-2019	

POLICY 900

JAIL OPERATIONS (ADULT AND JUVENILE PRISONERS)

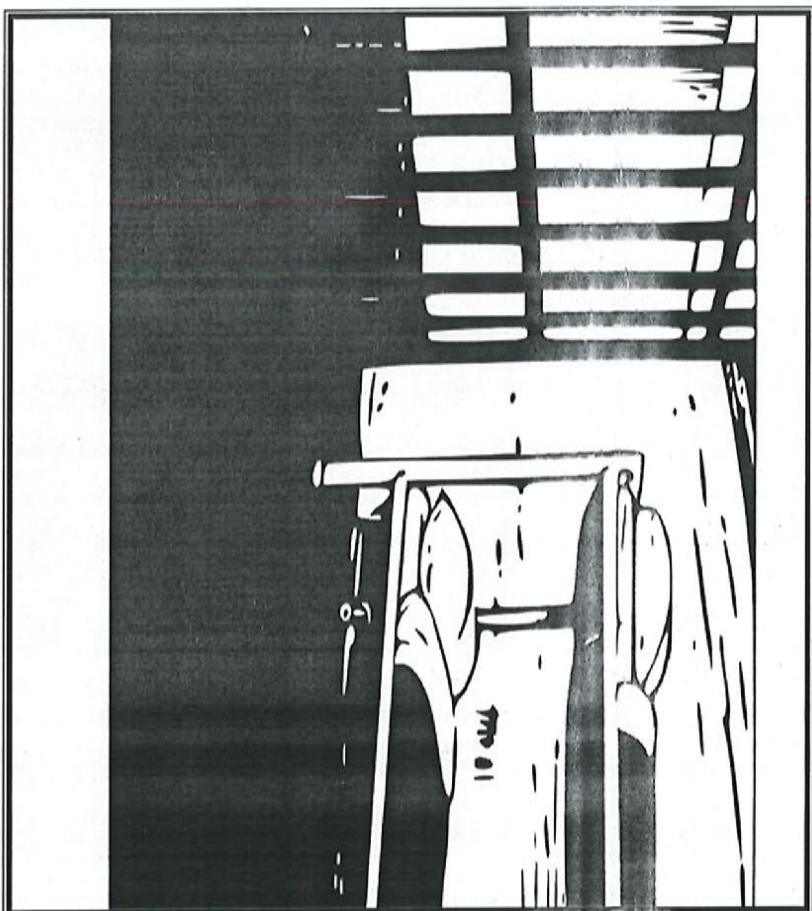
PURPOSE / SCOPE:

- THIS POLICY PROVIDES GUIDELINES TO ADDRESS THE HEALTH AND SAFETY OF ADULTS TAKEN INTO TEMPORARY CUSTODY BY MEMBERS OF THE PETALUMA POLICE DEPARTMENT FOR PROCESSING PRIOR TO BEING RELEASED OR TRANSFERRED TO A HOUSING OR OTHER TYPE OF FACILITY.
- TEMPORARY CUSTODY OF JUVENILES IS ADDRESSED IN THE TEMPORARY CUSTODY OF JUVENILES POLICY. JUVENILES WILL NOT BE PERMITTED WHERE ADULTS IN CUSTODY ARE BEING HELD.
- CUSTODIAL SEARCHES ARE ADDRESSED IN THE CUSTODIAL SEARCHES POLICY.



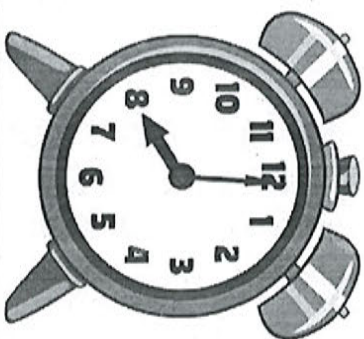
DEFINITIONS:

- **HOLDING CELL/CELL** - ANY LOCKED ENCLOSURE FOR THE CUSTODY OF AN ADULT OR ANY OTHER ENCLOSURE THAT PREVENTS THE OCCUPANTS FROM BEING DIRECTLY VISUALLY MONITORED AT ALL TIMES BY A MEMBER OF THE DEPARTMENT.
- **SAFETY CHECKS** - DIRECT, VISUAL OBSERVATION BY A MEMBER OF THIS DEPARTMENT PERFORMED AT RANDOM INTERVALS, WITHIN TIME FRAMES PRESCRIBED IN THIS POLICY, TO PROVIDE FOR THE HEALTH AND WELFARE OF ADULTS IN TEMPORARY CUSTODY.
- **TEMPORARY CUSTODY** - THE TIME PERIOD AN ADULT IS IN CUSTODY AT THE PETALUMA POLICE DEPARTMENT PRIOR TO BEING RELEASED OR TRANSPORTED TO A HOUSING OR OTHER TYPE OF FACILITY.



GENERAL CRITERIA AND SUPERVISION

- NO ADULT SHOULD BE IN TEMPORARY CUSTODY FOR LONGER THAN SIX HOURS.
- ANY INDIVIDUAL WHO IS UNCONSCIOUS OR HAS BEEN UNCONSCIOUS WHILE BEING TAKEN INTO CUSTODY OR WHILE BEING TRANSPORTED.
- ANY INDIVIDUAL WHO HAS A MEDICAL CONDITION, INCLUDING PREGNANCY, THAT MAY REQUIRE MEDICAL ATTENTION, SUPERVISION, OR MEDICATION WHILE HE/SHE IS IN TEMPORARY CUSTODY.
- ANY INDIVIDUAL WHO IS SERIOUSLY INJURED.
- INDIVIDUALS WHO ARE A SUSPECTED SUICIDE RISK
- INDIVIDUALS WHO ARE OBVIOUSLY IN CRISIS, AS DEFINED IN THE CRISIS INTERVENTION INCIDENTS POLICY.



CONTINUE...

- INDIVIDUALS WHO ARE UNDER THE INFLUENCE OF ALCOHOL, A CONTROLLED SUBSTANCE, OR ANY SUBSTANCE TO THE DEGREE THAT MAY REQUIRE MEDICAL ATTENTION, OR WHO HAVE INGESTED ANY SUBSTANCE THAT POSES A SIGNIFICANT RISK TO THEIR HEALTH, WHETHER OR NOT THEY APPEAR INTOXICATED.
- ANY INDIVIDUAL WHO HAS EXHIBITED EXTREMELY VIOLENT OR CONTINUOUSLY VIOLENT BEHAVIOR INCLUDING BEHAVIOR THAT RESULTS IN THE DESTRUCTION OF PROPERTY OR DEMONSTRATES AN INTENT TO CAUSE PHYSICAL HARM TO HIM/HERSELF OR OTHERS
- ANY INDIVIDUAL WHO CLAIMS TO HAVE, IS KNOWN TO BE AFFLICTED WITH, OR DISPLAYS SYMPTOMS OF ANY COMMUNICABLE DISEASE THAT POSES AN UNREASONABLE EXPOSURE RISK
- ANY INDIVIDUAL WITH A PROSTHETIC OR ORTHOPEDIC DEVICE WHERE REMOVAL OF THE DEVICE WOULD BE INJURIOUS TO HIS/HER HEALTH OR SAFETY.
- ANY INDIVIDUAL WHO IS OBVIOUSLY DEVELOPMENTALLY DISABLED



CONTINUE...

- ANY INDIVIDUAL WHO APPEARS TO BE A DANGER TO HIM/HERSELF OR OTHERS DUE TO A MENTAL DISORDER OR WHO APPEARS GRAVELY DISABLED
- ANY INDIVIDUAL WHO NEEDS RESTRAINT BEYOND THE USE OF HANDCUFFS OR SHACKLES FOR SECURITY REASONS
- ANY INDIVIDUAL OBVIOUSLY SUFFERING FROM DRUG OR ALCOHOL WITHDRAWAL

OFFICERS TAKING CUSTODY OF A PERSON WHO EXHIBITS ANY OF THE ABOVE CONDITIONS SHOULD NOTIFY A SUPERVISOR OF THE SITUATION. THESE INDIVIDUALS SHOULD NOT BE IN TEMPORARY CUSTODY AT THE DEPARTMENT UNLESS THEY HAVE BEEN EVALUATED BY A QUALIFIED MEDICAL OR MENTAL HEALTH PROFESSIONAL, AS APPROPRIATE FOR THE CIRCUMSTANCES

SUPERVISION IN TEMPORARY CUSTODY

AN AUTHORIZED DEPARTMENT MEMBER CAPABLE OF SUPERVISING SHALL BE PRESENT AT ALL TIMES WHEN AN INDIVIDUAL IS HELD IN TEMPORARY CUSTODY. THE MEMBER RESPONSIBLE FOR SUPERVISING SHOULD NOT HAVE OTHER DUTIES THAT COULD UNREASONABLY CONFLICT WITH HIS/HER SUPERVISION. ANY INDIVIDUAL IN CUSTODY MUST BE ABLE TO SUMMON THE SUPERVISING MEMBER IF NEEDED. IF THE PERSON IN CUSTODY IS DEAF OR HARD OF HEARING OR CANNOT SPEAK, ACCOMMODATIONS SHALL BE MADE TO PROVIDE THIS ABILITY.

AT LEAST ONE FEMALE DEPARTMENT MEMBER SHOULD BE PRESENT WHEN A FEMALE ADULT IS IN TEMPORARY CUSTODY. IN THE EVENT THAT NONE IS READILY AVAILABLE, THE FEMALE IN CUSTODY SHOULD BE TRANSPORTED TO ANOTHER FACILITY OR RELEASED PURSUANT TO ANOTHER LAWFUL PROCESS. ABSENT EXIGENT CIRCUMSTANCES, SUCH AS A MEDICAL EMERGENCY OR A VIOLENT SUBJECT, MEMBERS SHOULD NOT ENTER THE CELL OF A PERSON OF THE OPPOSITE SEX UNLESS A MEMBER OF THE SAME SEX AS THE PERSON IN CUSTODY IS PRESENT.

NO INDIVIDUAL IN CUSTODY SHALL BE PERMITTED TO SUPERVISE, CONTROL OR EXERT ANY AUTHORITY OVER OTHER INDIVIDUALS IN CUSTODY.

STAFFING PLAN

- THE CHIEF OF POLICE OR THE AUTHORIZED DESIGNEE SHALL ENSURE A STAFFING PLAN IS PREPARED AND MAINTAINED, INDICATING ASSIGNED PERSONNEL AND THEIR DUTIES. THE PLAN SHOULD ENSURE THAT AT LEAST ONE MEMBER WHO MEETS THE TRAINING STANDARDS ESTABLISHED BY THE CORRECTIONS STANDARDS AUTHORITY (CSA) FOR GENERAL FIRE- AND LIFE-SAFETY AND IS TRAINED IN FIRE- AND LIFE-SAFETY PROCEDURES RELATING SPECIFICALLY TO THE FACILITY IS ON-DUTY AT ALL TIMES (15 GCR 1028).
- THE STAFFING PLAN SHALL BE AVAILABLE FOR BIENNIAL REVIEW BY CSA STAFF. THE REVIEW AND RECOMMENDATIONS OF THE CSA BIENNIAL REVIEW SHALL BE FORWARDED TO THE CITY, AS REQUIRED BY 15 GCR 1027.

ENTRY RESTRICTIONS

ENTRY INTO ANY LOCATION WHERE A PERSON IS HELD IN CUSTODY SHOULD BE RESTRICTED TO:

- AUTHORIZED MEMBERS ENTERING FOR OFFICIAL BUSINESS PURPOSES.
- EMERGENCY MEDICAL PERSONNEL WHEN NECESSARY.
- ANY OTHER PERSON AUTHORIZED BY THE WATCH COMMANDER.

WHEN PRACTICABLE, MORE THAN ONE AUTHORIZED MEMBER SHOULD BE PRESENT FOR ENTRY INTO A LOCATION WHERE A PERSON IS HELD IN CUSTODY FOR SECURITY PURPOSES AND TO WITNESS INTERACTIONS.



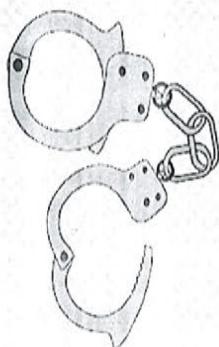
INITIATING TEMPORARY CUSTODY

THE OFFICER RESPONSIBLE FOR AN INDIVIDUAL IN TEMPORARY CUSTODY SHOULD EVALUATE THE PERSON FOR ANY APPARENT CHRONIC ILLNESS, DISABILITY, VERMIN INFESTATION, POSSIBLE COMMUNICABLE DISEASE OR ANY OTHER POTENTIAL RISK TO THE HEALTH OR SAFETY OF THE INDIVIDUAL OR OTHERS. THE OFFICER SHOULD SPECIFICALLY ASK IF THE INDIVIDUAL IS CONTEMPLATING SUICIDE AND EVALUATE HIM/HER FOR OBVIOUS SIGNS OR INDICATIONS OF SUICIDAL INTENT.

THE RECEIVING OFFICER SHOULD ASK THE ARRESTING OFFICER IF THERE IS ANY STATEMENT, INDICATION OR EVIDENCE SURROUNDING THE INDIVIDUAL'S ARREST AND TRANSPORTATION THAT WOULD REASONABLY INDICATE THE INDIVIDUAL IS AT RISK FOR SUICIDE OR CRITICAL MEDICAL CARE. IF THERE IS ANY SUSPICION THAT THE INDIVIDUAL MAY BE SUICIDAL, HE/SHE SHALL BE TRANSPORTED TO THE CITY JAIL OR THE APPROPRIATE MENTAL HEALTH FACILITY.

THE OFFICER SHOULD PROMPTLY NOTIFY THE WATCH COMMANDER OF ANY CONDITIONS THAT MAY WARRANT IMMEDIATE MEDICAL ATTENTION OR OTHER APPROPRIATE ACTION. THE WATCH COMMANDER SHALL DETERMINE WHETHER THE INDIVIDUAL WILL BE PLACED IN A CELL, IMMEDIATELY RELEASED OR TRANSPORTED TO JAIL OR OTHER FACILITY.

USE OF RESTRAINT DEVICES:



INDIVIDUALS IN CUSTODY MAY BE HANDCUFFED IN ACCORDANCE WITH THE HANDCUFFING AND RESTRAINTS POLICY, UNLESS AN INDIVIDUAL PRESENTS A HEIGHTENED RISK. HANDCUFFS SHOULD GENERALLY BE REMOVED WHEN THE PERSON IS IN A CELL.

THE USE OF RESTRAINTS, OTHER THAN HANDCUFFS OR LEG IRONS, GENERALLY SHOULD NOT BE USED FOR INDIVIDUALS IN TEMPORARY CUSTODY AT THE PETALUMA POLICE DEPARTMENT UNLESS THE PERSON PRESENTS A HEIGHTENED RISK, AND ONLY IN COMPLIANCE WITH THE HANDCUFFING AND RESTRAINTS POLICY.

INDIVIDUALS IN RESTRAINTS SHALL BE KEPT AWAY FROM OTHER UNRESTRAINED INDIVIDUALS IN CUSTODY AND MONITORED TO PROTECT THEM FROM ABUSE.

WOMEN WHO ARE KNOWN TO BE PREGNANT SHOULD BE RESTRAINED IN ACCORDANCE WITH THE HANDCUFFING AND RESTRAINTS POLICY

PERSONAL PROPERTY:

THE PERSONAL PROPERTY OF AN INDIVIDUAL IN TEMPORARY CUSTODY SHOULD BE REMOVED, INVENTORIED AND PROCESSED AS PROVIDED IN THE CUSTODIAL SEARCHES POLICY, UNLESS THE INDIVIDUAL REQUESTS A DIFFERENT DISPOSITION. FOR EXAMPLE, AN INDIVIDUAL MAY REQUEST PROPERTY (I.E., CASH, CAR OR HOUSE KEYS, MEDICATIONS) BE RELEASED TO ANOTHER PERSON. A REQUEST FOR THE RELEASE OF PROPERTY TO ANOTHER PERSON MUST BE MADE IN WRITING. RELEASE OF THE PROPERTY REQUIRES THE RECIPIENT'S SIGNATURE ON THE APPROPRIATE FORM.

UPON RELEASE OF AN INDIVIDUAL FROM TEMPORARY CUSTODY, HIS/HER ITEMS OF PERSONAL PROPERTY SHALL BE COMPARED WITH THE INVENTORY, AND HE/SHE SHALL SIGN A RECEIPT FOR THE PROPERTY'S RETURN. IF THE INDIVIDUAL IS TRANSFERRED TO ANOTHER FACILITY OR COURT, THE MEMBER TRANSPORTING THE INDIVIDUAL IS REQUIRED TO OBTAIN THE RECEIVING PERSON'S SIGNATURE AS NOTICE OF RECEIPT. THE DEPARTMENT SHALL MAINTAIN A COPY OF THE PROPERTY RECEIPT.

THE WATCH COMMANDER SHALL BE NOTIFIED WHENEVER AN INDIVIDUAL ALLEGES THAT THERE IS A SHORTAGE OR DISCREPANCY REGARDING HIS/HER PROPERTY. THE WATCH COMMANDER SHALL ATTEMPT TO PROVE OR DISPROVE THE CLAIM.

HOLDING CELLS:

A THOROUGH INSPECTION OF A CELL SHALL BE CONDUCTED BEFORE PLACING AN INDIVIDUAL INTO THE CELL TO ENSURE THERE ARE NO WEAPONS OR CONTRABAND AND THAT THE CELL IS CLEAN AND SANITARY. AN INSPECTION ALSO SHOULD BE CONDUCTED WHEN HE/SHE IS RELEASED. ANY DAMAGE NOTED TO THE CELL SHOULD BE PHOTOGRAPHED AND DOCUMENTED.

THE FOLLOWING REQUIREMENTS SHALL APPLY:

- THE INDIVIDUAL SHALL BE SEARCHED (SEE THE CUSTODIAL SEARCHES POLICY), AND ANYTHING THAT COULD CREATE A SECURITY OR SUICIDE RISK, SUCH AS CONTRABAND, HAZARDOUS ITEMS, BELTS, SHOES OR SHOELACES AND JACKETS, SHALL BE REMOVED.
- THE INDIVIDUAL SHALL CONSTANTLY BE MONITORED BY AN AUDIO/VIDEO SYSTEM DURING THE ENTIRE CUSTODY.
- THE INDIVIDUAL SHALL HAVE CONSTANT AUDITORY ACCESS TO DEPARTMENT MEMBERS.
- THE INDIVIDUAL'S INITIAL PLACEMENT INTO AND REMOVAL FROM A LOCKED ENCLOSURE SHALL BE LOGGED.

CONTINUE...

- SAFETY CHECKS BY DEPARTMENT MEMBERS SHALL OCCUR NO LESS THAN EVERY 15 MINUTES (15 CFR 1027.51).
- SAFETY CHECKS SHOULD BE AT VARYING TIMES.
- ALL SAFETY CHECKS SHALL BE LOGGED.
- THE SAFETY CHECK SHOULD INVOLVE QUESTIONING THE INDIVIDUAL AS TO HIS/HER WELL-BEING.
- INDIVIDUALS WHO ARE SLEEPING OR APPARENTLY SLEEPING SHOULD BE AWAKENED.
- REQUESTS OR CONCERNS OF THE INDIVIDUAL SHOULD BE LOGGED.



USE OF SOBERING CELL.

INMATES WHO ARE TO BE HELD IN THE TEMPORARY HOLDING FACILITY AND WHO PRESENT A THREAT TO THEIR OWN SAFETY OR THE SAFETY OF OTHERS DUE TO THEIR STATE OF INTOXICATION SHOULD BE PLACED IN A SOBERING CELL UNTIL THEIR CONDITION ALLOWS FOR CONTINUED PROCESSING. AS A GENERAL RULE, ONLY CONSCIOUS ADULTS WHO HAVE A BLOOD ALCOHOL LEVEL NO HIGHER THAN .20 AND ARE ABLE TO WALK INTO THE CELL UNASSISTED MAY BE HOUSED IN THE TEMPORARY HOLDING FACILITY OF THE PETALUMA POLICE DEPARTMENT. IF THERE ARE CIRCUMSTANCES REQUIRING A DEVIATION FROM THIS PRACTICE, THE WATCH COMMANDER MAY AUTHORIZE THE HOUSING OF AN INTOXICATED PRISONER IN THE SOBERING CELL.

THE FOLLOWING GUIDELINES APPLY WHEN PLACING ANY INMATE IN A SOBERING CELL (15 GCR 1056):

- PLACEMENT OF AN INMATE INTO THE CELL REQUIRES APPROVAL OF THE WATCH COMMANDER.
- A CELL LOG SHALL BE INITIATED EVERY TIME AN INMATE IS PLACED IN THE CELL. THE LOG SHALL BE MAINTAINED FOR THE ENTIRE TIME THE INMATE IS HOUSED IN THE CELL.
- A SAFETY CHECK CONSISTING OF DIRECT VISUAL OBSERVATION SUFFICIENT TO ASSESS THE INMATE'S WELL-BEING AND BEHAVIOR SHALL OCCUR AT LEAST ONCE EVERY 30 MINUTES. EACH SAFETY CHECK SHALL BE DOCUMENTED IN THE CELL LOG. SUPERVISORS SHALL CHECK THE LOGS FOR COMPLETENESS EVERY TWO HOURS AND DOCUMENT THIS ACTION ON THE CELL LOG.

CONTINUE....

- UNDER NO CIRCUMSTANCES SHALL AN INMATE BE HELD IN A SOBERING CELL FOR MORE THAN SIX HOURS WITHOUT BEING EVALUATED BY QUALIFIED MEDICAL PERSONNEL TO ENSURE THAT THE INMATE DOES NOT HAVE AN URGENT MEDICAL ISSUE.
- INMATES WILL BE REMOVED FROM THE CELL WHEN THEY NO LONGER POSE A THREAT TO THEIR OWN SAFETY AND THE SAFETY OF OTHERS, AND ARE ABLE TO CONTINUE PROCESSING.

SUICIDE ATTEMPT, DEATH, OR SERIOUS INJURY:

THE PATROL DIVISION COMMANDER WILL ENSURE PROCEDURES ARE IN PLACE TO ADDRESS ANY SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY OF ANY INDIVIDUAL IN TEMPORARY CUSTODY AT THE PETALUMA POLICE DEPARTMENT. THE PROCEDURES SHOULD INCLUDE THE FOLLOWING:

- IMMEDIATE REQUEST FOR EMERGENCY MEDICAL ASSISTANCE IF APPROPRIATE
- IMMEDIATE NOTIFICATION OF THE WATCH COMMANDER, CHIEF OF POLICE AND SPECIAL SERVICES DIVISION COMMANDER
- NOTIFICATION OF THE SPOUSE, NEXT OF KIN OR OTHER APPROPRIATE PERSON
- NOTIFICATION OF THE APPROPRIATE PROSECUTOR
- NOTIFICATION OF THE CITY ATTORNEY
- NOTIFICATION OF THE CORONER

CONTINUE...

- EVIDENCE PRESERVATION
- IN-CUSTODY DEATH REVIEWS (15 CCR 1046)
- NOTIFICATION TO THE ATTORNEY GENERAL WITHIN 10 DAYS OF ANY DEATH IN CUSTODY INCLUDING ANY REASONABLY KNOWN FACTS CONCERNING THE DEATH (GOVERNMENT CODE § 12525)

RELEASE AND/OR TRANSFER:

WHEN AN INDIVIDUAL IS RELEASED OR TRANSFERRED FROM CUSTODY, THE MEMBER RELEASING THE INDIVIDUAL SHOULD ENSURE THE FOLLOWING:

- **ALL PROPER REPORTS, FORMS AND LOGS HAVE BEEN COMPLETED PRIOR TO RELEASE.**
- **A CHECK HAS BEEN MADE TO ENSURE THAT THE INDIVIDUAL IS NOT REPORTED AS MISSING AND DOES NOT HAVE OUTSTANDING WARRANTS.**
- **IT HAS BEEN CONFIRMED THAT THE CORRECT INDIVIDUAL IS BEING RELEASED OR TRANSPORTED.**
- **ALL PROPERTY, EXCEPT EVIDENCE, CONTRABAND OR DANGEROUS WEAPONS, HAS BEEN RETURNED TO, OR SENT WITH, THE INDIVIDUAL.**
- **ALL PERTINENT DOCUMENTATION ACCOMPANIES THE INDIVIDUAL BEING TRANSPORTED TO ANOTHER FACILITY (E.G. COPIES OF BOOKING FORMS, MEDICAL RECORDS, AN ITEMIZED LIST OF HIS/HER PROPERTY, WARRANT COPIES).**

CONTINUE...

- THE INDIVIDUAL IS NOT PERMITTED IN ANY NONPUBLIC AREAS OF THE PETALUMA POLICE DEPARTMENT UNLESS ESCORTED BY A MEMBER OF THE DEPARTMENT.
- ANY KNOWN THREAT OR DANGER THE INDIVIDUAL MAY POSE (E.G., ESCAPE RISK, SUICIDE POTENTIAL, MEDICAL CONDITION) IS DOCUMENTED, AND THE DOCUMENTATION TRANSPORTED WITH THE INDIVIDUAL IF HE/SHE IS BEING SENT TO ANOTHER FACILITY.
 - THE DEPARTMENT MEMBER TRANSPORTING THE INDIVIDUAL SHALL ENSURE SUCH RISKS ARE COMMUNICATED TO INTAKE PERSONNEL AT THE OTHER FACILITY.
- GENERALLY, PERSONS OF THE OPPOSITE SEX, OR ADULTS AND JUVENILES, SHOULD NOT BE TRANSPORTED IN THE SAME VEHICLE UNLESS THEY ARE PHYSICALLY SEPARATED BY A SOLID BARRIER. IF SEGREGATING INDIVIDUALS IS NOT PRACTICABLE, OFFICERS SHOULD BE ALERT TO INAPPROPRIATE PHYSICAL OR VERBAL CONTACT AND TAKE APPROPRIATE ACTION AS NECESSARY.
- TRANSFERS BETWEEN FACILITIES OR OTHER ENTITIES, SUCH AS A HOSPITAL, SHOULD BE ACCOMPLISHED WITH A CUSTODIAL ESCORT OF THE SAME SEX AS THE PERSON BEING TRANSFERRED TO ASSIST WITH HIS/HER PERSONAL NEEDS AS REASONABLE.

TRAINING:

DEPARTMENT MEMBERS SHOULD BE TRAINED AND FAMILIAR WITH THIS POLICY AND ANY SUPPLEMENTAL PROCEDURES.

DEPARTMENT MEMBERS RESPONSIBLE FOR SUPERVISING ADULTS IN TEMPORARY CUSTODY SHALL COMPLETE THE CORRECTIONS OFFICER CORE COURSE OR EIGHT HOURS OF SPECIALIZED TRAINING WITHIN SIX MONTHS OF ASSIGNMENT. SUCH TRAINING SHALL INCLUDE BUT NOT BE LIMITED TO THE FOLLOWING (15 CCR 1024):

- APPLICABLE MINIMUM JAIL STANDARDS
- JAIL OPERATIONS LIABILITY
- INMATE SEGREGATION
- EMERGENCY PROCEDURES AND PLANNING, FIRE SAFETY, AND LIFE SAFETY.
- SUICIDE PREVENTION

EIGHT HOURS OF REFRESHER TRAINING SHALL BE COMPLETED ONCE EVERY TWO YEARS (15 CCR 1024).



POLICY 322

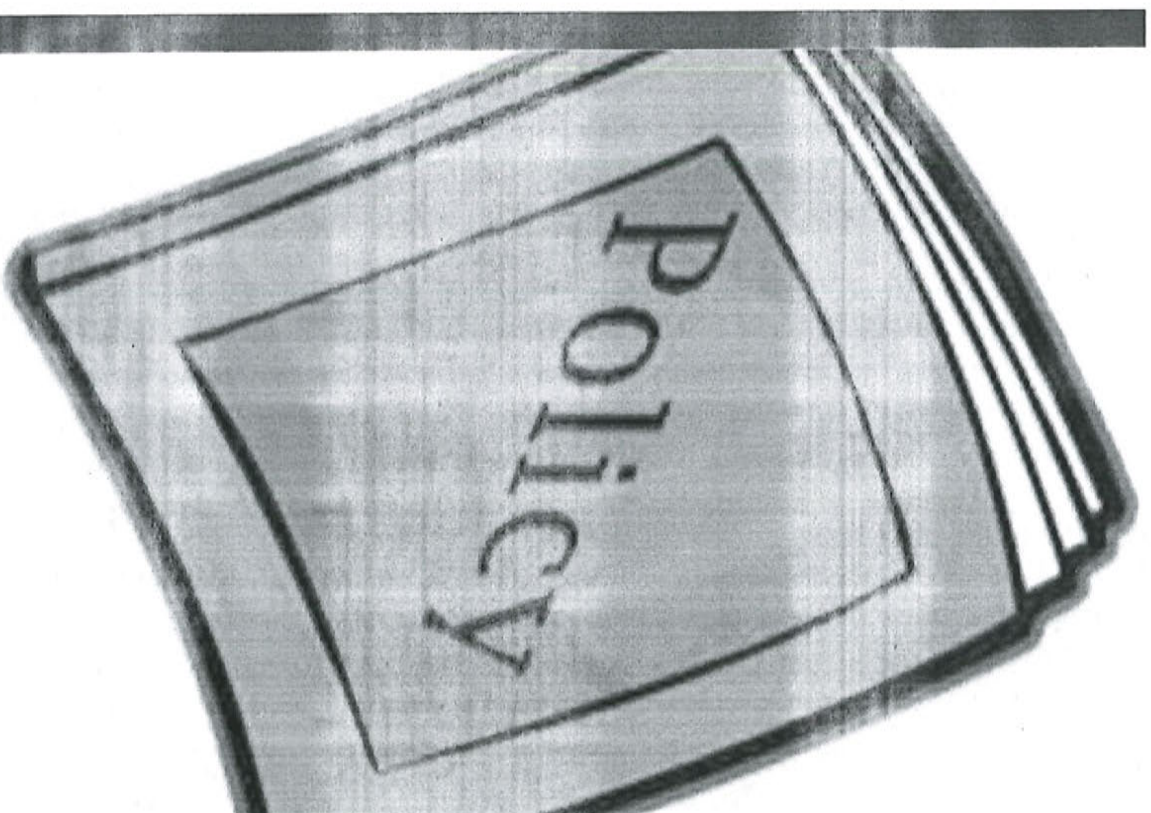
SEARCH AND SEIZURE



POLICY:

It is the policy of the Petaluma Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to officers as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.



SEARCHES:

The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Vehicle searches under certain circumstances
- Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property, and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

SEARCH PROTOCOL:

Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

- Members of this department will strive to conduct searches with dignity and courtesy.
- Officers should explain to the person being searched the reason for the search and how the search will be conducted.
- Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.
- In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.
- When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:
 - Another officer or a supervisor should witness the search.
 - The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

DOCUMENTATION:

Officers are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

- Reason for the search
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
- What, if any, injuries or damage occurred
- All steps taken to secure property
- The results of the search, including a description of any property or contraband seized
- If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witness officer

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.



POLICY 902

CUSTODIAL SEARCHES





PURPOSE AND SCOPE:

This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants or weapons into the Petaluma Police Department facility. Such items can pose a serious risk to the safety and security of department members, individuals in custody, contractors and the public.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

DEFINITIONS:

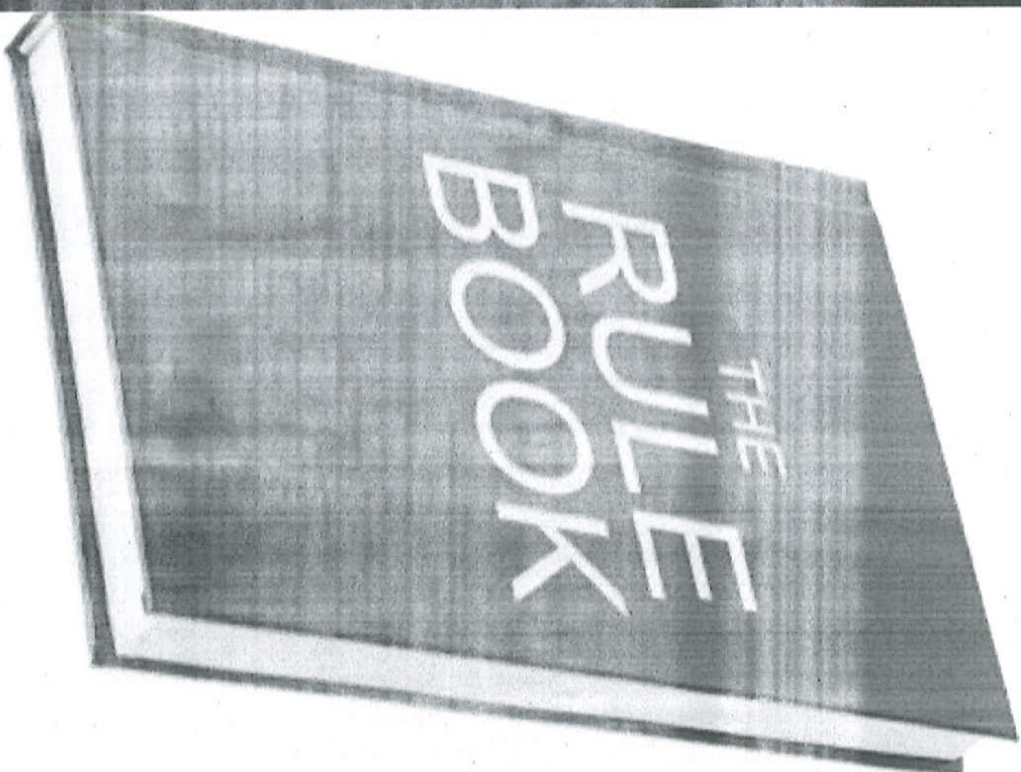
Custody search - An in-custody search of an individual and of his/her property, shoes and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

Physical body cavity search - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of an individual, and the vagina of a female person.

Strip search - A search that requires an individual to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia. This includes monitoring an individual who is changing clothes, where his/her underclothing, buttocks, genitalia or female breasts are visible.

POLICY:

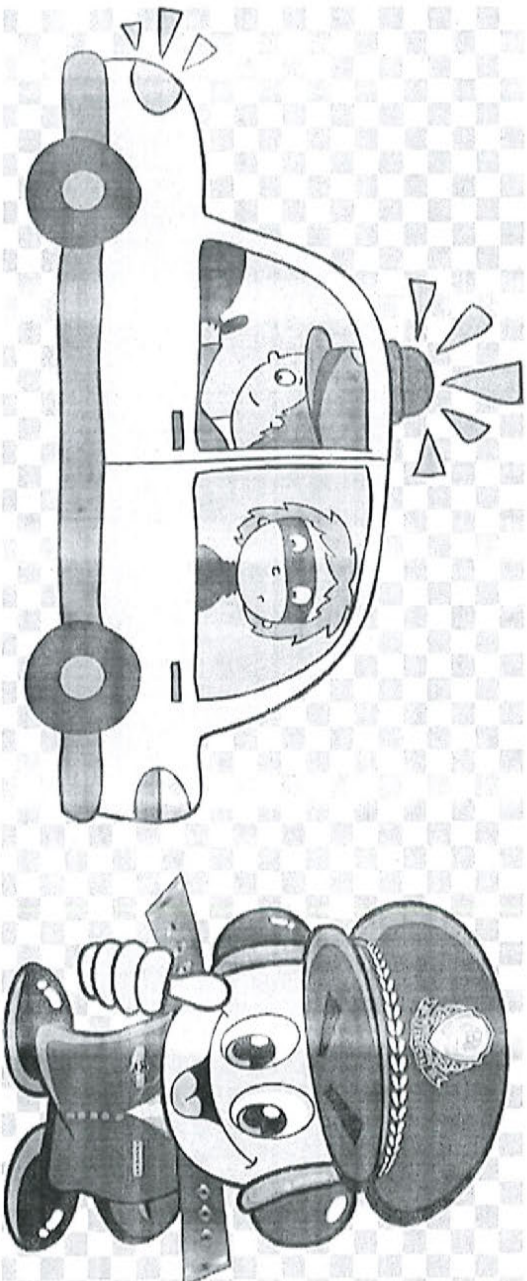
- All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.
- Searches shall not be used for intimidation, harassment, punishment or retaliation.



FIELD AND TRANSPORTATION SEARCHES:

An officer should conduct a custody search of an individual immediately after his/her arrest, when receiving an individual from the custody of another, and before transporting a person who is in custody in any department vehicle.

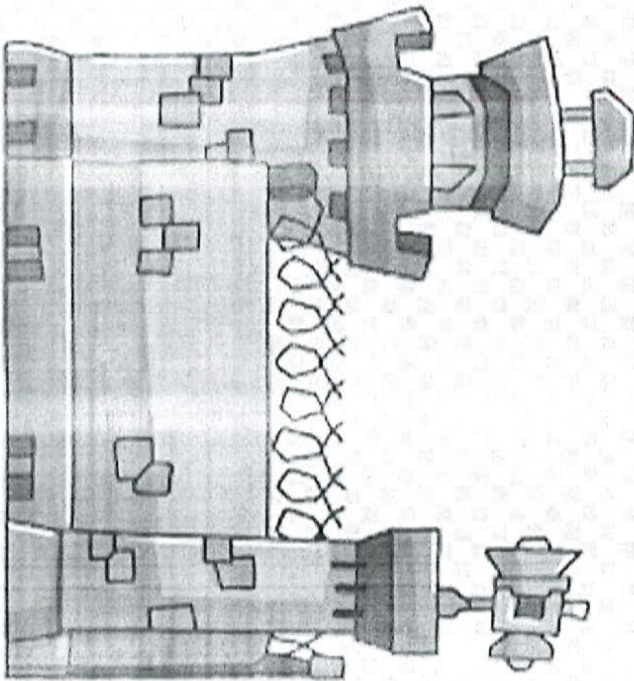
Whenever practicable, a custody search should be conducted by an officer of the same sex as the person being searched. If an officer of the same sex is not reasonably available, a witnessing officer should be present during the search.



SEARCHES AT POLICE FACILITIES:

Custody searches shall be conducted on all individuals in custody, upon entry to the Petaluma Police Department facilities. Except in exigent circumstances, the search should be conducted by a member of the same sex as the individual being searched. If a member of the same sex is not available, a witnessing member must be present during the search.

Custody searches should also be conducted any time an individual in custody enters or re-enters a secure area, or any time it is reasonably believed that a search is necessary to maintain the safety and security of the facility.

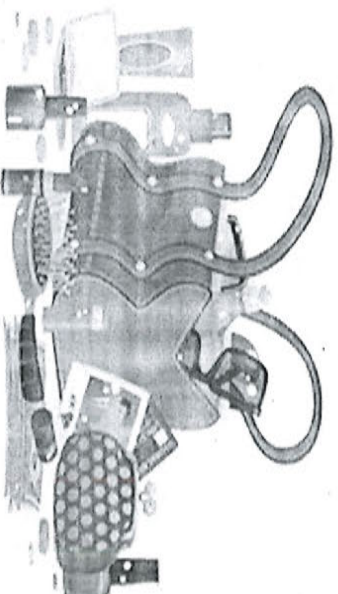


PROPERTY:

Members shall take reasonable care in handling the property of an individual in custody to avoid discrepancies or losses. Property retained for safekeeping shall be kept in a secure location until the individual is released or transferred.

Some property may not be accepted by a facility or agency that is taking custody of an individual from this department, such as weapons or large items. These items should be retained for safekeeping in accordance with the Property and Evidence Policy.

All property shall be inventoried by objective description (this does not include an estimated value). The individual from whom it was taken shall be required to sign the completed inventory. If the individual's signature cannot be obtained, the inventory shall be witnessed by another department member. The inventory should include the case number, date, time, member's Petaluma Police Department identification number and information regarding how and when the property may be released.



VERIFICATION OF MONEY:

All money shall be counted in front of the individual from whom it was received. When possible, the individual shall initial the dollar amount on the inventory. Additionally, all money should be placed in a separate envelope and sealed. Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated but not added to the cash total. All envelopes should clearly indicate the contents on the front. The department member sealing it should place his/her initials across the sealed flap. Should any money be withdrawn or added, the member making such change shall enter the amount below the original entry and initial it. The amount of money in the envelope should always be totalled and written on the outside of the envelope.



STRIP SEARCHES:

No individual in temporary custody at any Petaluma Police Department facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the individual has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include, but are not limited to:

- The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.
- Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.
 - A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
- Custody history (e.g., past possession of contraband while in custody, assaults on department members, escape attempts).
- The individual's actions or demeanor.
- Criminal history (i.e., level of experience in a custody setting).
- No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual's genital status. If the individual's genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

STRIP SEARCH PROCEDURES:

Strip searches at Petaluma Police Department facilities shall be conducted as follows (28 CFR 115.115; Penal Code § 4030):

- Written authorization from the Watch Commander shall be obtained prior to the strip search.
- All members involved with the strip search shall be of the same sex as the individual being searched, unless the search is conducted by a medical practitioner.
- All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that it cannot be observed by those not participating in the search. The search shall not be reproduced through a visual or sound recording.
- Whenever possible, a second member of the same sex should also be present during the search, for security and as a witness to the finding of evidence.
- Members conducting a strip search shall not touch the breasts, buttocks or genitalia of the individual being searched.

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- The primary member conducting the search shall prepare a written report to include:
 - The facts that led to the decision to perform a strip search.
 - The reasons less intrusive methods of searching were not used or were insufficient.
 - The written authorization for the search, obtained from the Watch Commander.
 - The name of the individual who was searched.
 - The name and sex of the members who conducted the search.
 - The name, sex and role of any person present during the search.
 - The time and date of the search.
 - The place at which the search was conducted.
 - A list of the items, if any, that were recovered.
 - The facts upon which the member based his/her belief that the individual was concealing a weapon or contraband.

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- No member should view an individual's private underclothing, buttocks, genitalia or female breasts while that individual is showering, performing bodily functions or changing clothes, unless he/she otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect his/her privacy and dignity.
- If the individual has been arrested for a misdemeanor or infraction offense, the written authorization from the Watch Commander shall include specific and articulable facts and circumstances upon which the reasonable suspicion determination for the search was made.
- A copy of the written authorization shall be retained and made available upon request to the individual or the individual's authorized representative. A record of the time, date, place of the search, the name and sex of the person conducting the search, and a statement of the results of the search shall also be retained and made available upon request to the individual or the individual's authorized representative.

SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES:

- A strip search may be conducted in the field only with Watch Commander authorization and only in exceptional circumstances, such as when:
 - There is probable cause to believe that the individual is concealing a weapon or other dangerous item that cannot be recovered by a more limited search.
 - There is probable cause to believe that the individual is concealing controlled substances or evidence that cannot be recovered by a more limited search, and there is no reasonable alternative to ensure the individual cannot destroy or ingest the substance during transportation.
- These special-circumstance field strip searches shall only be authorized and conducted under the same restrictions as the strip search procedures in this policy, except that the Watch Commander authorization does not need to be in writing.

PHYSICAL BODY CAVITY SEARCH:

Physical body cavity searches shall be subject to the following (Penal Code § 4030):

- No individual shall be subjected to a physical body cavity search without written approval of the Watch Commander and only upon a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).
- Only a physician, nurse practitioner, registered nurse, licensed vocational nurse or Emergency Medical Technician Level II licensed to practice in California may conduct a physical body cavity search.
- Except for the physician or licensed medical personnel conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary department members needed to maintain the safety and security of the medical personnel shall be present.
- Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.

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- All such searches shall be documented, including:
 - The facts that led to the decision to perform a physical body cavity search of the individual.
 - The reasons less intrusive methods of searching were not used or were insufficient.
 - The Watch Commander's approval.
 - A copy of the search warrant.
 - The time, date and location of the search.
 - The medical personnel present.
 - The names, sex and roles of any department members present.
 - Any contraband or weapons discovered by the search.
- Copies of the written authorization and search warrant shall be retained and shall be provided to the individual who was searched or other authorized representative upon request. A record of the time, date, place of the search, the name and sex of the person conducting the search and a statement of the results of the search shall also be retained and made available upon request to the individual or the individual's authorized representative.

TRAINING:

TRAININGCustodial searchesThe Training Manager shall ensure members have training that includes (28 CFR 115.115):

- Conducting searches of cross-gender individuals.
- Conducting searches of transgender and intersex individuals.
- Conducting searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.