# TABLE OF CONTENTS

MISSION STATEMENT ..................................................................................................................3

CHAPTER 1: CODE OF ETHICS AND GENERAL RULES ................................................................................................... 3

LAW ENFORCEMENT CODE OF ETHICS .......................................................................................................................... 4
  SECTION 1: Individual Duties and Responsibilities 5  
  SECTION 2: Conduct 8  
  SECTION 3: General Responsibilities 18

CHAPTER 2: ADMINISTRATION AND SUPERVISION ..................................................................................................... 20
  SECTION 1: Crime Scene 21  
  SECTION 2: Court Appearance and Legal Action 24  
  SECTION 3: Correspondence 26  
  SECTION 4: Radio Communications Executive Order #9-2011 28  
  SECTION 5: Mobile Data Computers 32  
  SECTION 6: Light Duty, Records of Exposure and Medical Records 36  
  SECTION 7: 290 and Gang Registration 39  
  SECTION 8: News Media 42  
  SECTION 9: Social Media, Speech and Expression-Executive Order #01-2016 45  
  SECTION 10: Mobile Video Recording Equipment 49  
  SECTION 11: Call Out 52

CHAPTER 3: APPEARANCE AND EQUIPMENT .............................................................................................................. 54
  SECTION 1: Vehicles 55  
  SECTION 2: Uniforms (Executive Order # 2008-4) 58  
  SECTION 3: Uniform Specifications (Executive Order #02-2011), (Executive Order #5-2012) 62

CHAPTER 4: DEFENSIVE WEAPONS AND USE OF FORCE ............................................................................................ 80
  SECTION 1: Weapons (Executive Order #09-2011, Executive Order #4-2012) 81
  SECTION 2: Firearms Training  
  SECTION 3: Firearms Policy 90  
  SECTION 4: Use of Force 94  
  SECTION 5: Pepperball and Taser Deployment 101  
  SECTION 6: Less Lethal Kinetic Energy Impact Projectiles 107

CHAPTER 5: OPERATIONAL RESPONSE ..................................................................................................................... 109
  SECTION 1: Emergency Response 110  
  SECTION 2: Vehicle Pursuit Policy 112  
  SECTION 3: Hollow Spike Strips 119  
  SECTION 4: Felony Traffic Stops 121  
  SECTION 5: Disturbance/Loud Party Calls 122  
  SECTION 6: Homicide Investigation Protocol (Executive Order #002-2009) 125  
  SECTION 7: Juveniles 138  
  SECTION 8: Amber/C.A.R.E. Alert (Executive Order 02-2014, Effective 1/23/14) 144  
  SECTION 9: Megan’s Law 147

*RED - IMPORTANT TO KNOW  
*BLUE - NEED TO KNOW  
*GREEN - SHOULD KNOW  
*BLACK - GOOD TO BE FAMILIAR WITH
SECTION 10: Critical Reach (TRAK System) .......................................................... 149
SECTION 11: Domestic Violence ................................................................. 150
SECTION 12: Citizen Arrest Procedures ...................................................... 164
SECTION 13: Chemical Testing/Controlled Substance Procedures .............. 166
SECTION 14: Hate Crimes ........................................................................... 175
SECTION 15: Bomb Threats ....................................................................... 178
SECTION 16: Response to Bomb Threats, Suspicious Objects and Found Explosives or Explosive Material by Sheriff’s Office Personnel (Executive Order #3-2013 Rev. 3-13) Error! Bookmark not defined.
SECTION 17: Tow Procedures (Executive Order #8-2011) ............................. 180
SECTION 18: Digital Media Executive Orders #1-2011, #02-2011 ................. 182
SECTION 19: Digital Forensic High-Technology Policy (Executive Order# 05-2014) ......................................................... 187
SECTION 20: Active Shooter ...................................................................... 191
SECTION 21: Service Dog ............................................................................ 192
SECTION 22: Gang Investigations (Executive Order #4-2014) ..................... 198
SECTION 23: Automated License Plate Reader Program ............................ 200

CHAPTER 6: REPORTING PROCEDURES ................................................................. 201
SECTION 1: Fraudulent Document (NSF CHECK) Procedure ....................... 202
SECTION 2: Investigation .............................................................................. 204
SECTION 3: Restitution ............................................................................... 205
SECTION 4: Forms ....................................................................................... 206
SECTION 5: Gunshot Wound Reporting ....................................................... 207
SECTION 6: Processing of Work Related Injuries ......................................... 208

CHAPTER 7: TRAFFIC INVESTIGATION ................................................................. 210
SECTION 1: Traffic Accident Reporting ....................................................... 211

CHAPTER 8: SPECIALIZED UNITS ................................................................. 214
SECTION 1: Office Make-Up ........................................................................ 215

CHAPTER 9: CORONER RESPONSIBILITIES ......................................................... 216
SECTION 1: Sheriff-Coroner Authority and Responsibility (Executive Order #03-2015) ................................................................. 217
SECTION 2: Coroner Operational and Procedural Protocol ............................ 218
SECTION 3: Coroner Training ..................................................................... 221
SECTION 4: In-Custody Deaths .................................................................. 222
SECTION 5: Death Notification to Next of Kin ............................................. 223
SECTION 6: Non-Coroner Hospice and Terminally Ill Investigations ........... 224
SECTION 7: Coroner’s Disaster Plan ............................................................. 225
SECTION 8: Morgue ..................................................................................... 226
SECTION 9: Standard Operation Procedures .............................................. 227
SECTION 10: Removal of Remains ............................................................... 228
SECTION 11: Release of Information ............................................................ 229
SECTION 12: Contamination ..................................................................... 230
SECTION 13: Resources .............................................................................. 231
SECTION 14: Organ and Tissue Donation Policy ........................................ 232
MOTTO:
Serving and Protecting Your Community

VALUES:
For our community:
Treat all with candor, empathy and respect
Be accountable to the public trust
Develop strength through partnerships and collaboration

For our duties:
Lead through exemplary conduct, demeanor and appearance
Maintain order and custody of inmates in a safe, professional fashion
Encourage excellence through self-improvement, education and training
Recognize our actions today will have everlasting effects on those we serve

For our fellow employees:
Treat each other with respect, courtesy and fairness
Appreciate and accept our differences
Ensure positive recognition and encouragement of all employees
Work as a team to accomplish our goals

MISSION STATEMENT:
The Sutter County Sheriff’s Office will strive to enhance public safety while remaining loyal to the principles of the Constitution of the United States of America and the State of California. We will champion the civil liberties afforded to our citizens. We will celebrate our diversity and strive to improve the quality of life of those we protect and serve.
Chapter 1: Code of Ethics and General Rules
Law Enforcement Code of Ethics

As a Law Enforcement Officer, my fundamental duty is to serve mankind; to protect the innocent against deception, the weak against oppression or 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 or 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 Office. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and the 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 the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession.....law enforcement.
SECTION 1: Individual Duties and Responsibilities

1). Introduction and Purpose
This directive is intended to define the duties and responsibilities of Office members, in both general and specific terms. It is hoped this will help each member have a better understanding of their responsibilities between the different levels of command and provide members with a basic knowledge and realization of the importance of their roles in the Office.

2). Chain-of-command
In the absence of the Sheriff and unless otherwise designated, the chain-of-command shall be:
   a. Undersheriff
   b. Division Commanders by division commanded.
   c. On Call Commander
   d. On-duty watch commander.

3). Duties and Responsibilities of All Members
It shall be the duty and responsibility of all members to fulfill, to the greatest extent possible, the functions of the Office, division, section, unit or position to which they are assigned.
   a. Adherence to Law: Uphold the provisions of the Constitution and the laws of the United States, the Constitution and laws of the State of California, and the appropriate ordinances of the County of Sutter.
   b. Obeying Orders: Obey and carry out all lawful orders of superior officers whether written or oral.
   c. Respect for Superiors and Associates: All employees should treat each other with respect and courtesy. Negative comments should not be made toward any employee of the Office in public or to another employee.
   d. Conduct in Public: Conduct of Sheriff’s personnel with the public is expected and required to be commensurate with the high level of trust the public places on law enforcement. Personnel should conduct themselves in a manner that strives not to bring discredit on the Office or the County of Sutter.

4). Duties and Responsibilities of Command Officers and Supervisors
Command Officer/Supervisors: Are charged with performing additional duties beyond what is expected of all employees. Those duties may include but are not limited to the following:
   a. Responsibility for Office Objectives: They shall administer, supervise and hold subordinates accountable for Office objectives and policies.
   b. Responsibility for Actions: Assume the responsibility for the supervision of all members of their assigned division, watch, or detail, who are subordinate to them. They shall be held accountable for the proper execution of all orders and the conduct of subordinates under their immediate supervision.
   c. Providing Supervision: By act, manner and attitude, promote the understanding of procedures essential for effective organizational control and the accomplishment of Office objectives. They shall take all reasonable steps to assure that members under their supervision perform their duties completely, promptly and comply with provisions of the manual. The principal responsibility for a member’s conformance with provisions of the manual is vested in the command officer or supervisor at the level of immediate supervision.
   d. Subordinate Performance Evaluation: Be responsible for the appraisal and analysis of the accomplishments of subordinates coming within the scope of their supervision. Such analysis or evaluation shall be based on continuous observation and inspection,
considering personal traits, as well as duty requirements. The command officers and supervisors shall analyze and evaluate the personality, temperament traits and capabilities of subordinates in order to realize, from all members, the maximum degree of service commensurate with their abilities and limitations.

e. Maintaining Morale: Strive to create and maintain high morale among members by constantly evaluating the quality and quantity of supervision exercised by subordinate ranking members. Command officers and supervisors shall take a personal interest in job related problems of subordinates. They shall make themselves available, to members seeking advice and personal instructions for the development of administrative and supervisory skills

f. Training Subordinates: Training shall be considered the process of aiding members to gain effectiveness in their present or future assignments through the development of appropriate habits of thought, action, skills, knowledge and attitude. Emphasis shall be placed on respect for the personality and human dignity of all members in order that maximum development of their natural capacity can be obtained.

g. Laxity of Duty Performance: The Command Officer or Supervisor will investigate all reports of laxity of duty performance or violations of this manual, involving subordinates within their sphere of supervision.

h. Recognition of Accomplishments: Command Officers and Supervisors should be aware that recognition of good work is an indispensable need in the member’s relationship with the Office. Meritorious acts and accomplishments are to be rewarded by personal encouragement, praise or by formal commendation.

i. Delegation of Responsibilities: Command Officers and Supervisors may delegate to their subordinates, portions of their responsibilities, including the equivalent authority to complete the task. This does not release the Supervisor from his/her overall responsibility for results or accountability. When such delegation is made, the power or duty shall be exercised in accordance with this manual or other directive from the Sheriff.

j. Exercise of Authority: Command Officers and Supervisors shall exercise the authority of their position in the best interests of the Office and in accordance with the procedures outlined in this manual. Supervisors will exercise this authority when conditions require the use of such authority. The use of authority shall be exercised with firmness, impartiality, and under no circumstances shall personal attitudes influence decisions. Command Officers and Supervisors shall not avoid exercising authority and responsibility at the scene of an emergency. This authority and responsibility will be retained until relieved by the Command Officer having responsibility for the specific situation.

k. Giving Orders: Command Officers and Supervisors shall use tact when giving orders and in constructively correcting mistakes by subordinates. The manner in which the orders are given should inspire confidence and industriousness in the subordinate. The Supervisor should test the understanding of their instructions with care so those subordinates know in detail what they are to do and how they are to do it.

l. Command: Command Officers and Supervisors must frequently command the actions of subordinates by order and direction in an effort to carry out proper law enforcement functions. This must be done firmly and effectively, and is essential to the control of critical law enforcement situations. Command Officers and Supervisors should make use of appropriate disciplinary techniques to promote satisfactory supervisor-subordinate relationships. Command Officers and Supervisors shall adopt an attitude of guiding by sound logic, rather than arbitrary orders and commands. The desired effect shall be a willing and cooperative response from the subordinate.
Chapter 1: Code of Ethics and General Rules

m. Responsibility for Discipline: Command Officers and Supervisors shall be responsible for the discipline of their subordinates, both directly and indirectly. Supervisors should avoid disciplining a subordinate in the presence of others. The negative disciplinary shall only be used after determining that correction by positive disciplinary means is not reasonable. They shall not avoid recommending or taking the necessary disciplinary action when all other means of correction have failed or when the circumstances preclude lesser action.

n. Administration of Discipline: All discipline shall be administered in accordance with provisions of this manual and the personnel rules of the County of Sutter.

o. Functional Supervision: Command Officers and Supervisors may be called upon to provide supervision and command to members of other units, in the absence of the members assigned unit commander, or when not being directly supervised.

p. Use of Office Property: Command Officers and Supervisors are responsible for the proper maintenance, economical use and operation of equipment, supplies and materials assigned to their unit.

q. Initiating Administrative Action: When necessary, Command Officers and Supervisors are to provide prompt initiation of administrative action when necessary to fulfill a functional responsibility of the Office or division, when such action is otherwise not being taken.

r. Continuation of Command: To provide for continuation of command and/or supervision in the absence of the Command Officer or Supervisor.

5). Duties and Responsibilities of Individual Deputies

“See Personnel Classification"

Position: Alternative Sentencing Coordinator

Education and Experience: One year of experience which would demonstrate the possession of knowledge and ability to supervise inmates in a work release program.

Duties: Under general supervision, coordinates and assists in the planning, scheduling, and directing the Sutter County Sheriff’s Work Release Program. The Coordinator is responsible for the care, custody and control of all inmates, equipment and vehicles assigned to the program during working hours, coordinates all aspects of the inmate work release program with Office staff, evaluates the work performance and enforces all rules and conditions related to the work release program, screens, determines eligibility and recommends inmates for participation in the program, schedules, arranges and assists in the selection of work project sites, coordinates transportation, equipment and supplies required by the program, prepares program reports/correspondence, maintains files and records of the program using personal computers or typewriters, and performs other functions as they may be assigned.
SECTION 2: Conduct

1. Conduct: Introduction and Purpose
Deputies of the Sheriff’s Office are empowered as peace officers and accountable to the public they serve. Rules and regulations are formulated to chart a course within the scope of that authority and provide a measure of counsel in its use. Members must observe and obey these, as well as the accepted rules of conduct, which govern the behavior of all. They are trusted public employees and must be ever mindful of that trust.

   a. Honesty and Efficiency: Are the basic fundamental rules of conduct for every Deputy Sheriff. Their appointment is not for their own purpose nor do they act for themselves, but instead for the public. The entire law regulating their functions hinges upon this principal. They are required not to have feelings, but zeal to do what the law commands and should not allow passion to urge them to brutality, fear, favoritism, or sympathy to cause them to grant illegal leniency.

   b. Off-Duty: In the eyes of the public, Deputy Sheriffs are never off-duty. Their every act may be subject to scrutiny, interpretation and comment. Regulations must be based upon Office welfare, while individual desires must often, of necessity, be subject to the best interest of the organization as a whole.

2. Professional Conduct and Responsibilities
The following sections describe Office standards of professional conduct and responsibility of members, whether on or off-duty.

   a. Standards of Conduct: Members shall conduct their private and professional lives in such a manner as to avoid bringing the Office into disrepute, and in compliance with provisions of the county personnel rules.

   b. Duty Responsibility: Members are always subject to duty, although periodically they may be relieved of its routine performance. They shall respond to the lawful orders of a superior officer and other proper authorities. Proper police action must be taken whenever required. The delegation of the enforcement of certain laws and ordinances by particular units of the Office does not relieve members of other units from the responsibility of taking prompt, effective action when the occasion so requires. Members assigned to special duties are not relieved from taking proper action outside the scope of their specialized assignment when necessary.

      1. Deputies, off-duty, shall perform necessary police action within the county whenever they are aware of a felony offense or a present threat to life and are capable of performing such action. Otherwise, it will be their duty to notify the Office immediately.

      2. After being notified, members shall report for duty immediately and comply with the instructions given at the time of notification.

   c. Loyalty: Members shall maintain loyalty to the Office consistent with law, personal ethics, and duties.

   d. Actions Unbecoming a Deputy: Members who commit or omit any act that reflects or brings discredit on the Office, while on or off duty, shall be subject to disciplinary action.

   e. Criticism of the Office and/or Members: Members shall not perform any acts or make any statements, oral or written, for publication or otherwise, which tend to bring the Office, its supervisory deputy’s or fellow members into disrepute or ridicule. These acts or statements shall not destructively criticize the Office, its supervisory deputies, or fellow members in the performance of their official duties. In addition, these acts or
Chapter 1: Code of Ethics and General Rules

statements shall not disrupt or impair the performance of official duties with or subvert the reasonable supervision or proper discipline of deputies of the Office.

f. Information Dissemination: No member shall disseminate any information concerning the operation or administration of the Sutter County Sheriff's Office except as follows:
   All requests for public appearances, speeches, or demonstrations, will be directed to the Undersheriff through the chain-of-command during business hours, for approval and processing.

g. Dissemination of Office Information: Members shall treat as confidential, the official business of the Office. They shall not impart Office information not intended for the general public to any person except those for whom it is intended or as otherwise directed by a ranking deputy, or under due process of law.

h. Publicity: Members shall not seek personal publicity in the course of their employment.

i. Commercial Testimonials: Members shall not permit their names or photographs to be used to endorse any product or service which in any way is connected with official duties without permission of the Sheriff. They shall not, without permission of the Sheriff, allow their names or photographs to be used in any commercial testimonial, which alludes to their position or employment with the Office.

j. Memberships in Organizations: Although each member has the constitutional right to join any organization of their choosing, membership in an organization that advocates violence or the deprivation of any persons rights based on their individual gender, race, sexual preference, religious views, and/or disability, is incompatible with employment as a peace officer.

k. Political Activity: No member shall take an active part in any political campaign, orally, by letter, or otherwise, solicit or participate in soliciting and assessment, subscription, or contribution to any political candidate during scheduled duty hours or on the premises of any property owned or leased by the County of Sutter.

l. Personal Preferment: No member shall seek the influence or intervention of any person outside the Office for purpose of personal preferment, advantage, transfer or advancement within the Office.

m. Contact with Board of Supervisors: Board members shall be treated with the utmost respect and courtesy during any contact with Office members.

n. Political and Religious Views: While on duty, members shall not speak derogatorily of any race, nationality, religion, creed, sexual preference, or disability; nor shall any member engage in political or religious discussions that conflict with the good order and discipline of the Office, or reflect insensitivity towards others.

o. Residency Requirement: Members shall reside within a 45 minute response time to the Office, unless otherwise authorized by the Sheriff.

p. Improper Use of Office Address: Members shall not give the address of the Office as their permanent address.

q. Address and Telephone Number: Members shall record their correct residence address and telephone number with the Office. A member’s address for official record purposes shall be the location of actual residence. Members are required to have telephones in their place of residence. Changes in address or telephone number shall be reported to the Sheriff, through official channels, within 24 hours of the change, whether the member is working or on leave.

r. Release of Member’s Address and/or Telephone Number: No member shall provide the residence address or telephone number of any member without having prior approval of
Chapter 1: Code of Ethics and General Rules

said member. This section does not apply when such information is provided for official Office business.

s. Recommending Attorneys or Bondsmen: Members shall not recommend or suggest to anyone, the employment or name of any person, firm or corporation as attorney, counsel or bondsman, except that nothing herein shall be constructed as restricting the right of members in connection with the administration of their private affairs. Persons requesting recommendations will be courteously directed to a public source of information.

t. Acceptance of Gift, Gratuities, Fees, Loans, etc.: Members shall not accept, receive or solicit either directly or indirectly, any gift, gratuity, loan, fee, reward, or any other thing of value, arising from or offered because of police employment or any activity connected with said employment. Members shall not accept any gift, gratuity, loan, fee, reward, or other thing of value, the acceptance of which might tend to influence directly or indirectly the actions of said members in any matter of police business, or which might tend to cast an adverse reflection on the Office or any member thereof. Members shall not receive gratuity related to Office activity from other members, junior in rank, without the express permission of the Sheriff.

u. Solicitation of Special Privileges: Deputies shall not use their badge, uniform, identification card, or official position to solicit special privileges for themselves or others. Deputies may use their badge or other official credential to obtain admission to any public gathering when such use is in furtherance of official duty, or when permitted by manual provisions.

v. Contributions: Members shall not solicit, collect, or receive any money or other thing of value, nor shall they circulate subscription papers, sell tickets of any kind, or collect money from any person or organization for Office purposes, without the express permission of the Sheriff.

w. Disposition of Contributions and Unauthorized Gifts or Gratuities: Contributions, gifts, gratuities, loans, fees, rewards, or other things falling into any of these categories, coming into the possession of any member, shall be forwarded to the office of the Sheriff, together with a memo explaining the circumstances of how they were received.

x. Transactions with Prisoners: Members shall not conduct personal business with, or engage in any non-police related business transactions with any person, other than an immediate family member, in police custody, without the express permission of the Sheriff.

3). Personal Appearance and Grooming

Unless required because of special assignment, it shall be the duty of all members to maintain their appearance in a neat and clean condition when on duty.

a. Hair and Grooming Standards: Unless required because of special assignment:

1. Male Members: Unless prohibited by religious beliefs, male members of the Office shall have their hair cut at sufficiently frequent intervals as to present a neat appearance at all times. Hair shall not extend more than ½ inch below the top of the ear. Hair on the back of the head may not extend over the collar while in a normal upright stance and posture. Hair shall be maintained in natural human hair colors and shall not be multi-colored in a non-natural way. Sideburns will not extend past the ear lobes and will not be flared any wider at the bottom than their natural width at the top.

2. Female Members: May wear hair in any fashion as long as it is neatly groomed, is not loose on the shoulders, and does not present a safety issue. Ponytails, etc. shall
not visibly hang down below the hat when wearing the Class A uniform hat. Hair shall be maintained in natural human hair colors and shall not be multi-colored in an obviously non-natural way.

b. Mustaches: All male members shall be clean-shaven when reporting for normal duty. A mustache may be worn if maintained neat in appearance, and not to extend more than ½ inch beyond or below the corners of the mouth.

c. Beards: A beard shall not be worn unless:

1. Authorized by the Sheriff;
2. The employee has pseudofolliculitis barbae or other medical condition, documented by a physician, which prohibits the member from shaving;
3. A beard is necessary for religious observation. In this case, the beard shall be maintained in a trimmed and neat appearance.

d. Goatee: A goatee may only be worn by sworn personnel or deputies assigned to the Detective Unit wearing street clothes.

1. Permission for any individual or the Detective Unit as a whole to wear a goatee may be withdrawn by the Sheriff at any time should they fail to maintain it in the appropriate manner.
   a. The goatee will be conservative in appearance and neatly trimmed to no more than ¼ inch beyond the corner of the mouth toward the jaw area. Additionally, the goatee will not exceed more than ½ inch beyond the bottom of the chin area toward the neck.

e. Cosmetics: Cosmetics worn by an employee shall be in good taste and not excessively gaudy in appearance. Excessively odorous perfume and after-shave lotions shall not be worn while on duty.

f. Fingernails: Fingernails shall be clean, trimmed, and shall not extend beyond the tips of the fingers. If fingernail polish is worn, female members shall wear only colors compatible with their attire and in good taste, and male members shall wear only clear polish.

g. Tattoos: While on duty or representing the Sheriff’s Office in any official capacity, all visible tattoos shall meet the following criteria:

1. Definition: For this policy, a tattoo is defined as a picture, design, or markings made on the skin or other areas of the body, by staining the skin with imperishable ink, or by any other method including pictures, design, or markings which would only be detectable under special circumstances (such as invisible ink or ultraviolet light). Skin branding or stigmatizing is defined as the process by which a picture, design, or marking is burned into the skin resulting in a permanent scar.

   Sexually discriminative tattoos/brands/body markings are defined as those that advocate a philosophy that degrades an individual based on gender.

   Racially discriminative tattoos/brands/body markings are defined as those that advocate a philosophy that degrades a person based on race, ethnicity, or national origin.

2. Tattoo Locations: Tattoos/brands/body markings shall not be on the hands (except for one ring tattoo on the ring finger on the left hand), head, neck (anything visible above the open collar uniform), face (excluding cosmetic), tongue, lips (excluding cosmetic), and scalp.

   Personnel with tattoos on the hand prior to this policy being implemented will be grandfathered in so long as the tattoo is deemed appropriate. Grandfathered tattoos shall
be documented in the employees permanent personnel file to ensure no further tattooing of the hand occurs.

There is no limitation on size, color, or placement on tattoos, if they are in accordance with this policy.

3. **Authorized Tattoos**: Tattoos are authorized on the chest and back (below the open collar uniform) arms, legs, and a single ring tattoo on the ring finger of the left hand. Ring tattoos are limited to a single band of no more than $\frac{1}{2}$ inch in width, below the middle knuckle and above the finger joint closest to the palm.

4. **Unauthorized Tattoos**: Tattoos/brands/body markings anywhere on the body that are commonly associated with gangs, extremist groups, supremacist organizations or that advocate sexually, racial, ethnic, or religious discrimination shall not be displayed on or off duty.

Skin Branding or stigmatizing shall not be visible at any time while on duty or while representing the Sheriff’s Office.

5. **Cosmetic Tattoos**: Cosmetic tattoos are authorized when directed by licensed, qualified, medical personnel to correct a medical condition, illness, or injury both for men and women. When not medical directed, cosmetic tattooing is permitted for women if done to apply permanent facial makeup (eyebrows, eyeliner); the cosmetic tattooing must have a natural appearance and must be conservative, moderate, within reasonable limits, not excessive or extreme, not contrast with their complexion, and in good taste.

6. **Sheriff’s Directive**: At any time, the Sheriff or authorized designee by request may visually inspect a deputy’s visible tattoos/brands/body markings to ensure they are within the specifications of this policy. Additionally, the Sheriff or authorized designee may be stricter or less strict when allowing deviations from this policy. The Sheriff may authorize that all tattoos/brands/body markings be covered during specialized events. Each decision is a case by case basis. The decision of the Sheriff is final and may not be challenged.

4). **Conduct on Duty**

The following sections shall guide and regulate member’s conduct while on duty.

a. **Required Duty**: While on duty, members shall devote their entire time and energies to the duties and responsibilities of the rank, grade, or position to which they are assigned. Deputies are required to discharge their duties in a firm and competent manner.

b. **Courtesy**: Members shall conform to normal courtesy standards and address sworn members by rank, especially in view of the public.

c. **Cooperation**: For efficient operation, it is essential for there to be cooperation between the ranks and units of the Office. All members are responsible for establishing and maintaining a high spirit of cooperation.

d. **Conduct Toward Other Members**: Members shall treat superior officers, subordinates, and fellow members with respect. They shall be courteous and civil at all times in their relationship with one another.

e. **Untruthfulness**: Members shall not knowingly make any false statements while serving in an official capacity as an employee of the County of Sutter.

f. **Conformity to Rules and Regulations**: It shall be the duty of every member to thoroughly familiarize themselves with the provisions of the personnel rules of the county, the Office
Chapter 1: Code of Ethics and General Rules

manual, and assigned training material. They shall conform to and abide by all rules and regulations, observe the laws and ordinances, and render their services to the County of Sutter with enthusiasm, courage, discretion and loyalty. All lawful duties required or directed by competent authority, shall be performed promptly as directed, notwithstanding the general assignment of duties and responsibilities.

g. **Incompetence:** Members who display reluctance to properly perform officially assigned duties, or whose actions bring discredit upon themselves or the Office, or who fail to assume responsibility or exercise diligence, intelligence and interest in the pursuit of their duties, may be deemed incompetent.

h. **Cause for Disciplinary Action:** Members shall be subject to disciplinary action for acts of improper conduct. Improper conduct is defined in the county personnel rules, to include but not limited to the following:

A commission of a criminal offense, a violation of the provisions of the manual, insubordination, neglect of duty, incompetence or conduct which reflects unfavorably upon the member or the Office. The severity of disciplinary action shall be based upon the degree of improper conduct involved.

i. **Right of Appeal:** All members, other than probationary members, who are suspended, demoted, or dismissed, may appeal as outlined in the county personnel rules.

5). **Duty Assignment:**

a. **Duty Presence:** Members shall report for duty as scheduled, unless absence is authorized by a supervisor.

b. **Questions Regarding Assignment:** Members in doubt as to the nature or detail of their assignment shall seek such information from their supervisor.

c. **Office or Duty Schedule:** On a routine basis, members will check both the shift schedule, e-mail and their individual mailboxes for current information regarding assignments and supervision of units or details.

d. **Hours of Duty:** Members shall have regular hours assigned to them for active duty. Other than authorized overtime, all other time will be considered off-duty time. Deputies shall always be subject to being called to active duty.

e. **Punctuality:** Members shall be punctual in reporting for duty. Members who report late for duty may be subject to disciplinary action.

If notified by a member at least thirty (30) minutes before the beginning of the shift, supervisors or commanding deputies may, at their discretion, waive the above rule. However, habitual tardiness shall not be tolerated.

f. **Roll Call:** Unless otherwise directed, members shall report for duty to daily roll call at the Office, properly uniformed and equipped. They shall give careful attention to orders, instructions and training presented.

g. **Reporting for Duty:** Unless otherwise directed, members going on duty shall become fully acquainted with the official information on file for that purpose. Roll call briefings prior to duty will cover activities primarily for the proceeding 24-hour period. Members returning from their days off or vacation, will utilize available source of information and training material on their own so as to become familiar with activities having occurred during their absences.

h. **Sleeping on Duty:** Members shall remain awake during the time they are on duty. If unable to do so, they shall report to their supervisor, who shall determine the proper course of action. In any case, sleeping in patrol vehicles is strictly prohibited.
Chapter 1: Code of Ethics and General Rules

i. **Newspaper – Periodicals – Reading on Duty:** Members on duty shall not read newspapers, periodicals or similar material, except in connection with official duty and then, out of public view.

j. **Refreshments on Duty (Exec. Order# 6-2011):** Members shall not leave the County of Sutter for coffee or refreshments except with permission from their supervisors. Members assigned to Beat 10 may drive to the Del Paso Blvd. corridor, or the City of Wheatland under the following conditions:

1. When there is only one deputy assigned to Beat 10
2. The main office shift is unable to assign a deputy to Beat 10 to cover
3. Obtain permission from the on duty supervisor and notify dispatch by telephone on the Sheriff’s business telephone line, or send a message through the Mobile Data Browser (MDB) of the location and time out and time back in service

Deputies assigned to the Live Oak Contract Area may drive to Gridley for refreshments under the following conditions:

1. When there is only one deputy assigned to the Live Oak Contract Area
2. All eateries are closed
3. The main office shift is unable to assign a deputy to the contract area of Live Oak
4. Obtain permission from the on duty supervisor and notify dispatch by telephone on the Sheriff’s business telephone line, or send a message through the Mobile Data Browser (MDB) of the location and time out and time back in service.

k. **Food and Beverages:** The consumption of food and beverages will be allowed in authorized areas of the facility only, and never in view of the public.

l. **Training:** Members shall attend in-service training in the theory and practice of law enforcement at the discretion of the Sheriff or command officer. Such attendance is considered a duty assignment.

m. **Loitering:** Except to perform police duties or carry out an assignment, deputies shall not enter taverns, theaters, or other public places while on duty and in uniform, unless for an approved purpose. Loitering and unnecessary conversation in such locations is forbidden.

n. **Absence Without Proper Leave:** Members shall not be absent from duty without proper leave or from duty without permission, except when unable to report for duty at the prescribed time because of sickness, injury to themselves or grave emergency. The Division Commander or the Supervisor shall be notified as soon as possible. Such absences are to be investigated promptly by the member’s supervisor for the purpose of establishing the health and safety of the member, and are to be reported in writing to the respective Division Commander.

o. **Sickness:** When off-duty due to illness or other reason, the member shall report the facts immediately to their supervisor, giving the nature of the illness or circumstances relative to the absence. In the absence of the member’s supervisor, such notification shall be made to any on-duty supervisor or the communications center personnel, who will assure the proper notifications, are made.

1. While absent from duty because of illness or disability of the employee, to care for a member’s child, spouse or other family member, members shall be available for contact, in person or by telephone.
Chapter 1: Code of Ethics and General Rules

2. Sick leave, as well as leave under the California Family Rights Act and Family Medical Leave Act will be in accordance with county personnel rules.

p. Vacations: Will be granted at the discretion of the Sheriff, when they do not interfere with the proper functioning of the Office and as provided in the personnel rules.

q. Holidays: Shall be those recognized by the Sutter County personnel rules.

r. Regulations Concerning Time-Off and Time Worked: The rights and obligations of all Office employees relating to sick leave, administrative leave, compensating time off, vacations, overtime, and related matters are provided for in the latest edition of the Sutter County Rules Governing Employee Compensation, Benefits, and Working Conditions, as modified by a memorandum of understanding approved by the County and appropriate employee organization after the publication of the most recent benefits manual.

6). Orders:

a. Subordinate Obedience: Members shall strictly obey and properly execute any lawful order from any ranking officer or supervisor.

b. Acting Superiors: A member temporarily filling the position of a superior officer shall be vested with all the authority and responsibility of the superior officer.

c. Manner of Issuing Orders: Orders from superior officers to subordinate members shall be in clear and understandable language, civil in tone, and issued pursuant to Office business.

d. Written Orders: Any temporary instruction in the briefing book or posted on the bulletin board of the Office over the signature of the Sheriff, shall have the same effect and be construed, as an Office directive. Similar instructions may be issued by command officers pertaining to functions under their respective command.

e. Public Safety Dispatchers: Deputies will carry out the instructions given via radio by the communications operator, unless directed otherwise by a supervisor. Policy and procedural decisions must be made by the deputy receiving the call, based upon information available through the communications operator and the deputy’s judgment. The supervisor may be called upon for assistance when necessary. Supervision of calls and activities will be the responsibility of the watch commander. Willful failure to answer radio calls will be judged as failure to obey orders.

f. Criticism of Orders: Members shall not publicly criticize instructions or orders received by them from a superior officer or other lawful authority. Members, who wish to criticize an Office policy, procedure or directive, should do so by going through official channels within the organizational structure.

g. Insubordination: Failure or refusal of any member to obey a lawful order, given by a superior officer or supervisor, shall be insubordination. Ridiculing superior officers or supervisors or their orders, whether in or out of their presence, to the extent that such ridicule affects the operations of the Office, is also insubordination.

h. Conflicting Orders: In the event of conflicting orders, members shall respectfully call that fact to the attention of the command officer or supervisor giving the last order. Should the command officer or supervisor not change the order, it shall be obeyed and members shall not be held responsible for disobedience of the initial order.

i. Unlawful Orders: Any order which is in conflict with any federal or state law; Sutter County ordinance or municipal ordinance, where the Office contracts for law enforcement services, is deemed an unlawful order.

j. Obedience to Unlawful Orders: An unlawful order should be respectfully called to the attention of the command officer or supervisor giving the order. Should the commander
Chapter 1: Code of Ethics and General Rules

supervisor not change the order, it shall be disobeyed and the member shall not be responsible for disobedience of the unlawful order. The matter shall then be referred to a superior command officer.

k. Obedience to Unjust or Improper Orders: Members who are given orders they feel to be unjust or contrary to this manual must first obey the order to the best of their ability and then may proceed to appeal, as provided in the manual or county personnel rules.

7). Smoking, Medications and Intoxicants:

a. Smoking: Members should be discreet about tobacco product use and should not use tobacco products in prohibited areas, in homes, offices or businesses of citizens unless invited to do so. Smoking will be done in accordance with Sutter County ordinances and State law.

b. Prescription Medication/Drugs: Members under the influence of legally prescribed drugs and/or medication to the extent that their ability to perform said duty is impaired, shall not report for duty, but shall be excused from duty on sick time. Members shall not use legally prescribed drugs and/or medication while on duty to the extent that their ability to perform said duty is impaired.

c. Consumption of Intoxicants: Members shall not consume intoxicants while off-duty to the extent that consumption is apparent when reporting for duty. Members shall not consume intoxicants while on duty unless necessary in the performance of a police task, and then only with the specific permission of a command officer, and never in uniform.

d. Intoxication: Members shall not be under the influence of any intoxicant while on duty. Unless necessary in the performance of a police task, and then only with the specific permission of a command officer and never in uniform.

e. Intoxicants on Office Premises: Members shall not bring into or keep any intoxicants on Office premises or in a Sheriff’s vehicle, except when necessary in the performance of a police task.

8). Police Action: Immediately after arriving on the scene, deputies shall report and take proper action in any situation requiring police attention.

a. Assistance: Deputies are required to take immediate and appropriate action toward aiding a fellow peace officer exposed to danger, or in a situation where danger may be pending.

b. Radio Discipline: All members operating a police radio shall strictly observe regulations for such operations as set forth in provisions of this manual, and by the Federal Communications Commission.

c. Identification to Public: When on official business and requested, deputies shall identify themselves immediately by giving their name and displaying their badge or official credentials, unless such action is likely to jeopardize the successful completion of a police assignment.

9). Evidence and Property:

a. Mishandling of Evidence: No member shall fabricate, withhold, interchange, or knowingly destroy evidence of any kind without proper authority, and in the fashion prescribed by law.

b. Personal Use of Property: Members shall not appropriate to their own use or have any claims in any found property, recovered property, or property held as evidence.

10). Conduct with Public:
a. **Information to Citizens:** Information supplied to members of the public must be done carefully, courteously and accurately, avoiding any unnecessary conversation and controversy. Members should be friendly and helpful, but professional in dealing with the public, members of other governmental agencies, and members of the Office.

b. **Quoting Bail or Fines:** The quoting of bail or fines will not be allowed. The exception would be when quoting from official court documentation.

c. **Acceptance of Monies:** Members shall not accept money as bail or in payment of a fine, except as provided by established policy or procedure.

d. **Passengers in County Vehicles:** No member will permit persons other than members of the Office to ride in county vehicles, except those persons who are required to be transported in the performance of duty or are authorized by order of the Sheriff or Division Commander, who will assume responsibility.

e. **Neighborhood Disputes:** Members shall avoid becoming personally involved in any neighborhood quarrel or dispute.

11). **Notification of Sheriff**

The Sheriff shall be informed of incidences of the following types which will be designated either Class 1 or Class 2:

a. **Class 1:** All incidents of this type shall be immediately reported to the Sheriff or in his absence, the designated on-call administrator. The following will be designated as Class 1 incidents:

   1. Homicides
   2. Deputy injury-serious
   3. Deputy traffic accident with injury
   4. Robbery-commercial with injury
   5. Hostage situations
   6. Deputy involved shooting
   7. Any situation which the watch commander and/or a division commander determine should be brought to the attention of the Sheriff.
   8. The supervisor will ensure notification is made.

b. **Class 2:** All incidents designated Class 2 shall be reported on the daily shift activity report which shall be submitted to the Sheriff by 0700 hours following the end of the shift. The following are designated as Class 2 incidents:

   1. Any unusual incident
   2. All arrests
   3. Any other incident which the watch commander and/or a division commander determine should be brought to the attention of the Sheriff.
SECTION 3: General Responsibilities

It is imperative that the Office provide a twenty-four hour service to the county and to provide this service in a professional and timely manner. The following guidelines have been established to meet those demands:

1). Schedules: The standard shifts that provide twenty-four hour coverage are as follows:
   a. Day Shift – 0800 hours to 1700 hours, utilized by Administration, Detectives, Support Personnel and personnel on special assignments.
   b. Day Shift – 0600 hours to 1800 hours, utilized by Corrections and the Patrol Unit.
   c. Night Shift – 1800 hours to 0600 hours, utilized by Corrections and the Patrol Unit.
   d. Those personnel assigned to Communications will work their shifts as follows:
      - Days B, 0600-1800, Sunday, Monday, Tuesday
      - Days A, 0600-1800, Thursday, Friday, Saturday
      - Nights B, 1800-0600, Sunday, Monday, Tuesday
      - Nights A, 1800-0600, Thursday, Friday, Saturday
      - Wednesday all Communications personnel will work a four hour shift.
   e. The standard shifts may be modified by the Division Commander.
   f. Members are to report to work in uniform at start of their shift.
   g. Unless authorized by a supervisor or requested by dispatch, members will not return to the office before fifteen minutes prior to the end of their shift.
   h. Members in uniformed services will work an approved schedule.

2). In-Service: Members are expected to be in service on the hour at the start of their scheduled shift.

3). Knowledge of Beat: Deputies shall familiarize themselves thoroughly with their beat. Details of the beat should be studied and mapped in the minds of the Deputies. Deputies shall learn the streets and address system of the county and become thoroughly familiar with all places of public assembly, official buildings, and crime prone areas.

4). Responding to Calls: Deputies shall immediately respond to all calls for law enforcement assistance from citizens or other members in accordance with Office priority. Emergency and deputy-in-trouble calls take precedence; however, all calls shall be answered as soon as possible, consistent with normal safety precautions and vehicle laws. Even with red lights and sirens activated, deputies shall not endanger lives in answering any call.

5). Citizen Services: Members shall be attentive and take suitable action on reports and complaints by a citizen. Proper requests for information or assistance shall be fulfilled whenever possible and members shall aid the person in obtaining the requested information or assistance.

6). Maintaining Communications: Deputies on duty or when officially on call, shall be directly available by normal communications or keep dispatch center personnel informed of the means by which they may be reached when not immediately available.

7). Relief: All members are to remain at their assignment and on duty until properly relieved by another member, or dismissed by competent authority.

8). Duty Information: Before going off-duty, members shall turn over all available information and instructions having bearing on the assignment to the next shift and/or supervisor.

9). Patrolling of Area: After being briefed or at the direction of the Supervisor, all deputies will radio dispatch and advise they are available for service. The deputies will then proceed to their beat
without delay. They shall remain in their beat during their tour of duty and not leave it except by direction or permission of the Supervisor.

a. Requests to leave beats will be made through an immediate supervisor. Deputies may be permitted to leave their beats for purposes of taking breaks or meals. A request to leave a beat is not necessary when so detailed by the communications operator on an out-of-beat call or on an emergency incident.

b. Deputies shall patrol their beat while on duty unless on specific assignment or engaged in investigation, responding to all assigned radio calls without unnecessary delay, and obeying all traffic laws. They shall investigate crimes that occur in their beat or as may be assigned to them during their tour of duty. They shall interview any complainants or informants to the best of their ability, satisfying all parties concerned, consistent with good police practices.

c. Deputies assigned to patrol shall remain within the county except when required to leave to accomplish an enforcement purpose or after obtaining permission from their supervisor.

10). **Availability While on Duty:** members on duty shall not conceal themselves except for some police purpose. They shall be immediately and readily available to the public during duty hours.

11). **Exchange of Shifts:** There will be no changing of shifts except with the permission of the appropriate Sergeants and the Operations Division Commander.

12). **Officer-in-Charge:** The ranking, designated deputy or senior deputy present at the scene of any police incident will be in charge in the absence of a Supervisor or person assigned those duties.

13). **Public Service Reporting:** Deputies shall report any utilities found in a hazardous condition, such as leaking water mains, gas mains or sewers, street lights not burning, power or telephone lines down, traffic lights or signs in need of repair or obscured. Deputies shall report dead animals found in the street or other public places. If deputies observe anything likely to prove dangerous or inconvenient to the public, such as dangerous conditions of streets, sidewalks, or county property of any kind, they shall notify the proper agency and take immediate action to prevent any injury, unless otherwise directed by a supervisor.

14). **Juvenile’s Welfare:** Deputies shall be alert for the physical and moral welfare of the children on their beat. After taking any necessary action, the incident will be reported in writing by memo or formal report.

15). **Intoxicants – in Uniform:** No deputy off-duty and in uniform, or in any readily recognizable part of uniform dress, shall drink any alcoholic beverage in public view or in a place accessible to the public. Members on duty, whether in uniform or not, shall not have an odor of intoxicants on their breath. Uniformed members with an odor of intoxicants on their breath shall be dismissed from their duty shift, and subject to disciplinary action.
Chapter 2: Administration and Supervision
SECTION 1: Crime Scene

1). Purpose
The purpose of this chapter is to provide guidelines for personnel when encountering specific situations or functions not addressed in the general rules.

2). Investigation, Arrest and Detention
This section will provide guidelines for Office members concerning chain-of-command at the crime scene and general responsibilities during investigations.

a. Command of Scene: At the scene of any crime, accident, or other police incident, the ranking deputy present shall assume command and direction of Sheriff Personnel. This will be done when it is deemed necessary to assure the most orderly and efficient accomplishment of the police task. When two or more deputies are present and one is assigned to the investigative details that will follow-up the investigation, that deputy will be in charge unless relieved by a ranking deputy. This provision is intended to provide for the coordination of efforts of the several subordinate members who may be assigned to the incident. Therefore, it is incumbent upon the ranking deputy assuming control, to become acquainted with the facts and insure that appropriate action is taken.

b. General Responsibilities of Deputies at Crime Scene: The first deputy to arrive at the scene of a crime or other police incident is responsible for the following actions as they may apply to the situation:

1. Summoning medical assistance and administration of first aid as required to prevent further injury or loss of life.
2. Arrest violator(s) when present and sufficient probable cause exists.
3. Secure the crime scene.  
   This means to contain the crime scene to prevent evidence from being destroyed, stolen or otherwise tampered with. Searching of the crime scene should only be done at the direction of the on-scene supervisor.
4. Identify witnesses to the incident and separate them as best can be done. Witnesses to an incident should not be allowed to talk with other witnesses until after being debriefed by investigating deputies.

c. Responsibilities of Assigned Deputies at Crime Scenes: Deputies assigned to perform the preliminary investigation of an alleged crime or other police incident are responsible for the duties enumerated above as they may be necessary, and the completion of the preliminary investigation.

d. Identification as Sheriff’s Deputies: Except when impractical, or where the identity is obvious, deputies shall identify themselves by displaying the official badge or identification card before taking police action.

e. Arrests: When making arrests, deputies shall strictly observe the laws of arrest, search and seizure, and the following provisions:

1. Arresting deputies are responsible for the safety and protection of the arrested person while in their custody. They shall notify the transportation deputy of any injury, apparent illness, or other condition, which indicates the arrested person, may need special care.
2. Arresting deputies are responsible for weapon searches and searches for evidence, when it is in accordance with the law.
3. Arresting deputies are responsible for the security of personal property in the possession or under the control of the arrested person at the time of the arrest.

f. Conduct in Making Arrests or Toward Prisoners: Members shall refrain from using unnecessary force in making arrests or when handling any person in their custody. They must be firm and resolute, exercising only the necessary means to properly perform their duty. When it is necessary to use force, the facts shall be fully set forth in a report of the incident.

g. Transportation of Prisoners: Deputies transporting prisoners shall do so in accordance with the following guidelines:

1. Transporting Deputies shall perform a search for weapons prior to placing prisoners in a patrol car. 
   *Upon completion of transportation of prisoners, a search of the rear seat area for contraband will be conducted.*

2. Handcuffing of prisoners will be done by the transporting deputy.

3. Prisoners requiring immediate medical attention shall be delivered to the appropriate emergency hospital and the transporting deputies shall be responsible for the security of the prisoner, unless directed by a superior deputy. If the prisoner is to be admitted to the hospital, the jail shall be immediately advised as to the action taken by the transporting deputies in order to implement booking and transfer custodial responsibility.

4. Prisoners and their property shall be surrendered at the jail to custodial officers or as otherwise directed by competent authority.
   *The exception to this is when the arrested person was in possession of a bicycle, which will be tagged and noted as “stored” on the evidence sheet. The bicycle is to be locked into the bicycle storage rack and not left in the sally port.*

5. Transporting deputies shall not make traffic stops nor respond to calls while a prisoner is in the patrol car, excluding exigent circumstances or authorized by a supervisor.

h. Female Prisoners or Suspects: Shall be handled only as necessary in taking them into custody and determining that weapons are being concealed. This order should not be construed as to prevent male deputies from making necessary searchers of purses, luggage, packages or outer garments of female prisoners for evidence or when female deputies or matrons are not present, and appropriate steps can be taken to prevent the destruction of evidence until a thorough search can be made by a female deputy or matron.

i. Availability of Weapons by Prisoners or Suspects: Members shall not place weapons or objects adaptable for use as a weapon, and capable of inflicting serious bodily injury, or permit such weapons or objects to remain unattended, in any location in the Sheriff’s Office normally accessible to the suspect. This directive does not apply to fixtures or furnishings, which are part of the physical plant.

j. Use of Physical Force: The use of physical force shall be restricted to circumstances specified by law when necessary to accomplish a police task successfully.

k. Press Relations at Crime Scene: Members in control of a crime scene shall grant access and supply information regarding the incident to the working press. All others at the crime scene or elsewhere shall refer the press to the Undersheriff or the senior deputy at the scene for comments or questions concerning the incident.
Chapter 2: Administration and Supervision

1. **Security of Office Business:** Members shall not reveal law enforcement information outside the Office except as provided elsewhere in this manual, or as required by law or competent authority. Specifically, information contained in office records, other information ordinarily accessible only to members, and names of informants, complainants, witnesses and other persons known to the Sheriff’s Office that are considered confidential shall not be revealed. Silence shall be employed to safeguard confidential information. Violation of the security of this type of information reflects misconduct.

m. **Compromising Criminal Cases:** Deputies shall not interfere with the proper administration of criminal justice.
   1. They shall not attempt to interrupt legal process, except where a manifest injustice might otherwise occur. Members shall not participate in, or be concerned with, any activity that might interfere with the process of law.
   2. Except in the interest of justice, deputies shall not attempt to have any citation or notice to appear reduced, voided or stricken from the calendar.
   3. Any member having knowledge of such action and failing to inform a superior officer concerning the circumstances shall be subject to disciplinary action.

n. **Assisting Criminals:** Members shall not communicate in any manner, directly or indirectly, any information which might assist persons guilty of criminal or quasi-criminal acts to escape arrest or punishment, or which might enable them to dispose of or secrete evidence of unlawful activity or money, merchandise or other property unlawfully obtained.

o. **Acting as Bail Prohibited:** Deputies shall not act as bailers for any person in custody except their own relatives, and in no case, where any fee, gratuity or reward is solicited or accepted.
SECTION 2: Court Appearance and Legal Action

1). Court Appearance and Legal Action

This section will act as a guide for the deputy in areas concerning court testimony, case preparation, and civil subpoena responsibilities.

   a. Court Appearances: Attendance at a court or quasi-judicial hearing as required by subpoena, arising out of an Office employment, is an official duty assignment. Permission to omit this duty must be obtained from the prosecuting attorney handling the case, or other competent court official.

   b. Reporting for Court Appearance: Members appearing in court are to be punctual in attendance.

   c. Appropriate Attire for Court: When appearing for a judicial hearing either the official uniform or conservative civilian attire will be worn. Conservative civilian attire consists of suit or sport coat with tie for male members. For female members, appropriate civilian attire is defined as dress, skirt and blouse, or pants suit with jacket. Firearms will not be displayed unless wearing the uniform. Members shall present a neat and clean appearance avoiding any mannerism that might imply disrespect for the court.

   d. Case Preparation: All members appearing in court shall have their case and testimony properly prepared for suitable presentation in court.

   e. Testifying for the Defendant: Any member subpoenaed to testify for the defense in any trial or hearing, or against the county or Office in any hearing or trial, shall notify their supervisor upon receipt of the subpoena. They shall also notify the district attorney’s office.

   f. Civil Cases: Members shall not assist in civil cases except with the permission of the Sheriff. They shall avoid entering into civil disputes, particularly while performing their official duties, but shall prevent or abate a breach of the peace or crime in such case.

   g. Service of Civil Subpoenas: Civil subpoenas are to be processed through the Sheriff’s Civil Unit before being served on members of the Office. When a subpoena is served relating to an Office action, the involved member must notify their respective commanders regarding the subpoena. The commander will refer the member to County Counsel. Inquiries concerning service of civil subpoenas should be referred to the Civil Unit.

   h. Civil Action Interviews: Civil action interviews involving members, who arise out of Office employment, shall be conducted according to this manual or by direction of the Sheriff. Upon receipt of a civil subpoena, the member will notify his/her Division Commander. If the subpoena is as a result of Office action, the Commander may require the member to telephone County Counsel for consultation.

   i. Civil Depositions and Affidavits: Members shall confer with their Division Commander before giving a deposition or affidavit in connection with a civil case. If the case involves Sutter County, no testimony will be given before consultation with County Counsel. If the deputy is a third party in a case he should advise his Division Commander and/or the Sheriff before the deposition or affidavit is given.

   j. Civil Actions: Members shall not institute any civil action arising out of their official duties without first notifying the Sheriff. Members shall not use their positions with the Office as a means of forcing or intimidating persons with whom they are personally engaged in civil matters, to settle the case in favor of the member.
**Chapter 2: Administration and Supervision**

**k. Uniform and Equipment Damage Claims:** All claims for damage to clothing, equipment and personal property caused by performance of duty, shall be made in memo form to the appropriate Division Commander.

*Members will turn in the damaged item to their respective Commander for further action. Reimbursement will be made according to Sutter County Personnel Rules.*

**l. Compensation for other Damages Sustained on Duty:** Members shall not seek nor shall they accept from any person, money or other compensation for damages sustained or expenses incurred by them in the line of duty, without first notifying the Sheriff.

**m. Compensation for Damages Off-Duty:** Members who have received regular sick leave or injured off-duty salary from the County for illness or injury sustained off-duty, shall notify the Sheriff in writing of any intent to seek, sue, solicit or accept compensation as damages for such illness or injury. This notice shall be filed before any action is taken. It shall include the facts of the claim and the name(s) of the respondent.
SECTION 3: Correspondence

1. **Correspondence**
   This section will give the deputy some general guidelines concerning the use of Office stationary, records use and release, and destruction of records.

   a. **Use of Official Stationery:** Members shall not enter into correspondence with any person or organization concerning their official activities, except as provided by this manual, nor shall they use Office stationery or forms for any purpose other than the transaction of official Office business.

   b. **Official Correspondence:** Official letters shall be written on standard office letterhead and all such letters, except those signed by the Sheriff personally, shall be signed as follows:

       Brandon Barnes  
       Sheriff-Coroner  
       By: (name and title)

   c. **Forwarding Communications to Higher Commands:** Any member receiving a written communication directed to a higher command shall, in every case, forward such communication. A member receiving a communication, from a subordinate, directed to a higher command, shall endorse it, indicating approval, disapproval, or acknowledgment, and forward it to the higher command.

   d. **Misuse of Information:** Members shall not knowingly permit the misuse of any law enforcement information either in their own interest or that of another person.

   e. **Withholding Criminal Information:** Members receiving or possessing facts or information relative to a criminal offense or case, shall not retain such facts or information through ulterior motives, desire for personal credit, or aggrandizement, but shall report the facts or information to their supervisor for proper dissemination.

   f. **Reports and Bookings:** No member shall knowingly falsify any official report or enter or cause to be entered, any inaccurate, false or improper information on the books, records or registers of the Office.

   g. **Destruction of Records:** Members shall not destroy, modify or permanently remove any official record or information contained within the Office files, except as authorized by law and approved by the Sheriff.

   h. **Office Business Cards:** Three types of cards are used. An Office designed personalized card may be used by the following members, command deputies and other members who can justify such use. These cards are imprinted with the individual’s name and rank. The Office furnishes a utility business card for use by all other members. It contains spaces for entering the member’s name, division telephone extension. Nothing will be entered on any Office business card, which confers special consideration to the recipient in accordance with section 146 (d) of the Penal Code. Such a card shall be forwarded to the Sheriff should a member observe one or come into its possession, together with a report of how the card came to their attention. Members may provide their own business cards, however they must be approved by the Sheriff.
Chapter 2: Administration and Supervision

i. Notices: Members shall not mark, alter or deface any posted notice of the Office. Notices or announcements shall not be posted on Office bulletin boards without permission from a Division Commander. No notices of a derogatory nature will be posted at any time. A bulletin board will be designated for member’s associations, union or personal use.

1. Issuance of orders will be in accordance with the following:
2. Executive orders: written by the Sheriff as Office directives.
3. Administrative orders: written by the Sheriff or Undersheriff as informative Office information.
   a. Command orders: Written by the Sheriff, Undersheriff or Division Commanders.
   b. Memos: written by Sergeants or above.
SECTION 4: Radio Communications Executive Order #9-2011

1) Law Enforcement Radio System
The benefits derived from the law enforcement radio system are considered immeasurably vital to the success of Office goals. The overall effectiveness of the Office would diminish drastically without an efficient and reliable system of communications.

   a. Function of Operators: Regardless of its technical perfection, a radio system will not function smoothly without capable operators. An efficient operator is able to assure that the radio system is an extremely valuable asset to the Office. An incapable operator can render it as totally unsatisfactory and inadequate.

   b. Radio Procedure and Guidelines: This directive is designed to establish uniform procedures and guidelines within the confines of the Federal Communications Commission regulations. The goal is to furnish every member with the knowledge to be able to insure that the radio system is a valuable tool for law enforcement. The radio operator can be assured of an efficient radio system by following accurate and clear cut procedure at all times.

2) Office Radio System
The Office operates within the bi-counties communication network, which is intended and licensed for use and coordination of police agencies in the counties of Yuba and Sutter.

   a. Radio: The network operates on radios utilizing numerous separate channels, assigned as follows:

3) Responsibility for Operation of the Radio

   Radio Operation: All members are responsible for the operation of radio communications in compliance with FCC and the provisions of this order.

4) Dispatchers–Duties and Responsibilities

   a. Radio Operator: The radio operator, whether designated as Supervising Dispatcher or Dispatcher is the voice of the watch commander. They shall be required to be extremely level headed, utilize common sense, and possess the ability to make quick decisions. They must have an intimate knowledge of the area served by the Office.

   b. Dispatcher: Shall be responsible for the efficient operation of radio equipment to provide communications services for field radio units and shall:

      1. Maintain proper volume levels on all receivers so that radio channels, and those messages specifically addressed to it, are adequately monitored and given the proper response and in a timely manner.
      2. Re-broadcast all information received from other police agencies concerning wanted persons, vehicles, or information of value to field units.
      3. Dispatch Sheriff radio units and fire equipment as directed or necessary.
      4. Properly record Office calls dispatched or received.
      5. Transmit or receive traffic to and from other stations or agencies.
      6. Maintain records as required by the Office and the Federal Communications Commission.
      7. Serve as fire service communications center. Serve as public works communication center, after normal business hours and holidays.
      8. Never leave the radio unattended.
Chapter 2: Administration and Supervision

9. Adhere to the provisions set forth in the radio procedures of the order.

5) Mobile and/or Portable Radio Units

a. Answering Radios: Members assigned radio units shall answer all radio calls promptly.

b. Out of Service: All members assigned a radio unit shall advise the communications center by radio whenever they are to be away from their units.

   The member shall immediately notify the communications center upon returning to the unit and if available for calls.

c. Portable Radio Units: All members’ assigned portable units shall carry the unit within its carrying case and maintain personal possession of it at all times. In the event of any malfunction with the unit, the watch commander or supervisor shall be notified immediately.

d. Notification of Location: All members assigned portable radios shall notify the communications center at any time the member is not actively engaged in the duty assignment, e.g. coffee breaks, personal business, etc.

   Members assigned to mobile or radio units shall acknowledge assignments (10-97) immediately upon arrival at the scene, and (10-98) when the assignment is completed.

6) General Radio Procedures

a. Compliance with Laws: Members shall adhere to all laws, rules, and regulations of the Federal Communications Commission.

b. Compliance with Manual: All members shall familiarize themselves with the contents of the radio operating procedures section of this order and shall follow the provisions outlined.

   All members are open to censure and subject to punitive action for making unauthorized transmissions and violating the provisions of this order.

c. Official Radio Traffic: The radio shall be used strictly for official business as it relates to the Sutter County Sheriff's Office.

d. Radio Repair: No member shall attempt to repair any part of the radio equipment. All technical difficulties shall be reported as soon as possible, or practical, to that member’s supervisor who will direct the member to the appropriate radio contractor responsible for the maintenance of the equipment.

e. Confidential Information: Members shall avoid transmission of confidential information via radio, unless the “SECURE” mode is activated. When practical, a telephone should be used.

f. Radio Courtesy: Members shall practice good radio courtesy. Courtesy in radio operating procedures consist of:

   1. Good operating procedures.
   2. Brevity.
   3. Use of code signals where prescribed.
   4. All necessary information arranged in an orderly manner.
5. Avoiding words “thanks”, “thank you”, “please”, “you are welcome.” They are polite phrases, but their use is actually a discourtesy when they take up time, which might be needed, in any emergency message.

6. Voice tone and/or inflection that is absent any suggestion of anger/irritation annoyance, etc….

**g. Message Length:** Members shall transmit messages in the briefest form possible, using approved procedures in all cases.

1. OPS-1, OPS-2 or OPS-3 shall be used for all lengthy conversations and administrative messages whenever it is not possible to use the telephone. OPS-3 is a non-repeated channel for close-range communications.

2. Avoid all unnecessary radio transmissions.

**h. Phonetic Alphabet:** Members shall not use the phonetic alphabet to excess. Rather than phonetically pronouncing common words, they should depend upon proper pronunciation and enunciating.

The authorized Office phonetic alphabet shall be as follows:

<table>
<thead>
<tr>
<th>A</th>
<th>ADAM</th>
<th>H</th>
<th>HENRY</th>
<th>O</th>
<th>OCEAN</th>
<th>V</th>
<th>VICTOR</th>
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<tbody>
<tr>
<td>B</td>
<td>BOY</td>
<td>I</td>
<td>IDA</td>
<td>P</td>
<td>PAUL</td>
<td>W</td>
<td>WILLIAM</td>
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<td>C</td>
<td>CHARLES</td>
<td>J</td>
<td>JOHN</td>
<td>Q</td>
<td>QUEEN</td>
<td>X</td>
<td>X-RAY</td>
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<td>D</td>
<td>DAVID</td>
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<td>KING</td>
<td>R</td>
<td>ROBERT</td>
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<td>E</td>
<td>EDWARD</td>
<td>L</td>
<td>LINCOLN</td>
<td>S</td>
<td>SAM</td>
<td>Z</td>
<td>ZEBRA</td>
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<td>F</td>
<td>FRANK</td>
<td>M</td>
<td>MARY</td>
<td>T</td>
<td>TOM</td>
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<td>G</td>
<td>GEORGE</td>
<td>N</td>
<td>NORA</td>
<td>U</td>
<td>UNION</td>
<td></td>
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</table>

7. **Procedures for operating in the, “Secure,” mode.**

   a. When using the Motorola XTS2500 **Portable** Radio, the purple button on the side of the radio toggles the secure mode on and off. A small “AES” indicator will be displayed on the screen when enabled.

   b. When using the Motorola XTL2500 **Mobile** radio there is a button, “SEC,” which toggles the secure mode off and on. A small “AES” indicator will be displayed on the screen when enabled.

   c. If you wish to communicate in the secure mode, it is best practice to announce to dispatch and all parties you are communicating with that you are switching to the, “Secure,” mode. Participants in the same conversation (or detail) will also need to activate the secure mode in their radios (as indicated above) to make sure their own transmissions are secure as well. If one party is transmitting in the, “Secure,” mode and the other party is transmitting in the, “Clear” mode (by mistake) dispatch and units with new digital radios will still be able to hear both the secure and unsecure radio traffic even if they fail to activate the secure mode (the new digital radios receive both modes automatically). To further clarify, deputies wishing for their own traffic to be transmitted secure will need to make sure to press their “Secure” button and activate the feature.
d. The new digital radios have an audible indicator that works as follows: when you are transmitting clear/analog the radio will emit a short beep when you press the transmit button. When you are in the secure/encrypted mode the radio will **NOT** beep when you press the transmit button. This should be used to determine if you are transmitting “Clear” or “Secure” when you are not in a position to view your radio display.

e. It is important that the radio terminology used is consistent among users, therefore when transmitting the deputy will use the term, “Secure,” for transmitting in the secure/encrypted mode and, “Clear,” for transmitting in the clear/analog mode.

f. Dispatch can toggle the secure feature off and on for dispatch related radios by clicking a drop-down menu on the channel icon and select “Clear” to transmit normal and “Secure” to transmit digital with encryption. Dispatch will automatically be able to listen in either, “Clear,” or, “Secure,” regardless of the setting, so it is **critical** the dispatcher is aware that this feature only controls how they will transmit out to everyone. It is a global feature, so if one position turns it on for a channel, it will be enabled for that channel at all positions, until someone turns it back off. The channel icon will display which mode dispatch is transmitting in.

When the current type of digital encryption is used, you will literally "disappear" from the capabilities of older radios, scanner listeners and the media. It is the same encryption the military, FBI and DOJ sometimes use. Because the P25 capable radios and dispatch will automatically hear "clear" or "secure" traffic without enabling the encryption on their own radio, it is up to the radio operator or deputy to be aware of and control how their own radio is transmitting. Otherwise half the conversation may be "clear" while the other half is "secure". At this time SCSO Reserve, Spare, Jail, and Bailiff Radio’s (Motorola HT1250) do not have this capability. These older radios will not be able to listen to “secure” radio traffic.

The following local law enforcement channels have "Secure" capability:

- SCSO PRIM – Buttes Primary Repeater
- SCSO OPS1 – Buttes Secondary Repeater
- SCSO OPS3 - Tactical Car/Car
- YCPD WHITE - City Primary Repeater
- YCPD BLUE - City Secondary Repeater
- TAC1-TAC5 - Local Tactical Channels
- TAC6 – SCSO SED Tactical Channel

OPS2 has not yet been upgraded/replaced to allow this functionality on Wolf Mtn. Additionally, encryption is not currently allowed on any mutual aid or interoperability channels. The “Secure” button is programmed to be non-functional on those channels.

**9). Standard Radio Code Signals**

All new or revised radio signal codes shall be routed through the chain-of-command for approval. No codes will be used that are not approved. Authorized radio 10 codes, supplemented by 11 codes, penal code section numbers, and vehicle code section numbers, shall be used when applicable. The letter “a” following any code refers to your residence. Example: “10-21a” means telephone your home.
SECTION 5: Mobile Data Computers

1). Mobile Data Computers
The purpose of this section is to establish guidelines concerning the use of all Mobile Data Computer (MDC) hardware and software located at the Sutter County Sheriff’s Office, that is owned, purchased, leased or otherwise in control of the County. This order shall apply to all authorized users of mobile data computer hardware and software in the control of the Sutter County Sheriff’s Office

2). Regulation of MDC’s
It shall be the policy of the Sutter County Sheriff’s Office to regulate the use of all mobile data computer hardware and software located at the Sutter County Sheriff’s Office that is used, owned or leased by the Office or the County. No Sutter County Sheriff’s Office employee or any other individual or organization is authorized to utilize any county MDC hardware, software or related facilities and supplies for other than official county business without the approval of the Sheriff or his designee.

a. Resources: Those covered by this section include the Mobile Data Computer and its peripherals; data capture devices such as scanners, card readers and similar devices; communications services such as leased dialup or private line circuits used for data programs including, but not limited to compilers; utility programs; control programs; operating systems and application programs for any source.

b. Authorized Users: Sheriff’s Office employees and/or independent contractors may utilize any of the above mentioned resources only for projects approved, authorized, and scheduled by the Sheriff or his designee.

c. Prohibited Use: Demonstrations, programming activities and dissemination of data and or documentation to any individual or organization outside the County control are prohibited without prior approval from the Sheriff or his designee.

1. No devices or software of any kind may be attached or added to any MDC equipment without the authorization of the Sheriff, his designee and Sutter County Department of Information Technology (I.T).

2. The use of copyrighted software without an approved license agreement is strictly prohibited.

3. All approved software will be installed by the Sutter County Sheriff’s Office I.T. staff.

4. Computers and related equipment will be repaired and configured by the I.T. staff.

5. The computer hardware and network configurations will not be modified by anyone other than the I.T. or their designee.

6. None of the computer configurations or network settings will be given out to anyone other than I.T. staff.

7. Any portable computer related devices such as notebook computers will not be transported inside or outside the building without suitable protective cases.

8. Any computer disks or other removable media including new formatted disks will be scanned for viruses by the Sutter County Sheriff’s Office I.T. staff, before being used on the computer.

9. Only computer disks or other media provided by the County shall be used in any county computer. County disks or other media will not be used in a computer not owned by the County.

10. Employees should use extreme caution when eating or drinking at a computer workstation. In the event any liquid is spilled on the computer system, the user
Chapter 2: Administration and Supervision

should: logout immediately; turn off all power; wipe up the spill quickly and advise their supervision and I.T. staff.

11. The use of entertainment software such as games is strictly forbidden.

12. All employees at the end of their work day will logout from the MDC network and properly shut down their computers.

13. Only Office thumb drives will be used with Office computers and must have encryption ability. No other thumb drive will be permitted without the express authorization by the Sheriff and I.T. Department. Thumb drives should only be used with County computers.

2). Mobile Data Computer Use

a. Mobile Data Computers (MDC’s): Shall be used for official Office business only.

b. Mounting of MDC’s: The MDC’s have been mounted outside of the airbag zone to prevent injury to the deputy if the airbags were to deploy. For this reason, it is critical that the mount not be altered without the approval of the fleet management and the Sheriff. The swing mount will always be in the locked position before the vehicle is set in motion.

c. Use While Vehicle is in Motion: Due to safety considerations, data shall not be inputted into the MDC’s by the driver of the vehicle while the vehicle is in motion. A passenger may use the MDC as long as the docking station is in the locked position.

d. Radio Traffic: With the exception of non-hazardous calls for service, all call related information from both communications and deputies will be made by voice transmission over the radio. Deputies will use the voice radio to acknowledge the call as well as for other call related information such as requests for clarification. All traffic stops or other enforcement stops will be called out over the radio before the stop is made. This will ensure that all units are aware of the activity of the other units.

e. Terminal Messaging: The use of terminal messages or chat must be restricted. Terminal messages are designed for car-to-car, transitory information and shall not be directed to communications. Supervisors will be permitted to send administrative messages to communications.

1. On the rare occasion when a terminal message must be sent to communications, it will be addressed to the appropriate terminal ID-Dispatch, not to an individual operator.

2. Do not use a terminal message to make any type of official request for which action will need to be taken. Often the message is not read immediately, the screen has been cleared or a personnel change has taken place.

3. Requests for wreckers, prisoner transport and other services must be done by voice radio transmission or telephone.

4. Use of terminal messages may be closely monitored by supervisors who will take appropriate action to curtail inappropriate transmissions.

5. Terminal messages are not private. The messages are public records. There is no reasonable expectation of privacy afforded to any user of any communication or data in a county computer system.

6. NCIC/CLETS check for vehicle registrations, driver’s licenses and warrants may be performed via MDC. Anytime a “hit” is received, the deputy must immediately notify communications by voice radio transmission. Communications must then perform the CLETS/NCIC check again for confirmation purposes.

7. Deputies shall make NCIC check requests by voice radio transmission anytime deputy safety is an issue.
8. The screen on the MDC computer shall be closed when a prisoner or citizen is in the car or within viewing distance.
9. Any Internet access will be used for law enforcement purposes only.
10. Due to the possibility of downloading a virus or utilizing an inordinate amount of network bandwidth, no files such as executable programs, sounds or video files will be downloaded from the Internet without the authorization from the I.T. staff or Support Services Division Commander.

f. **System Security:** Computer system security is generally divided into two distinct types: physical security and logical security. Physical depends on unauthorized persons not being able to physically use the computer. Logical security involves the use of passwords and key phrases to block access to systems for which a user’s need has not been proven and authorization has not been approved. Both mainframe terminals and microcomputers use a combination of both types of security. Whenever a work area is to be left unattended, the user should logout of the terminal or workstation.

1. A password may be created or changed with a minimum of seven characters. Passwords should be selected so that they are difficult for unauthorized users to figure out.
2. Passwords will not be shared with anyone except the person’s supervisor and IT personnel who are required to have the password. Passwords and user identification names will never be given to anyone in the general public.
3. If there is a suspicion that an unauthorized user has learned of, and has been using another individual’s assigned password, a new password shall be instituted immediately and notification made to the I.T. staff.
4. When there has been a determination that an employee has been dismissed or has resigned and that employee has access to any computer system, the I.T. Systems Administrator for the Office shall be notified immediately.

**Computer Software Statement:** The Sutter County Sheriff’s Office recognizes and supports the legitimate interests of the copyright holders and prohibits its employees and contractors from violating the rights of the copyright holders. All users of commercial software products licensed to the Office are responsible for upholding the terms of the license agreements.

1. License agreements for commercial software often provide only a right to use the software. These agreements do not transfer ownership of the software to the user. In most cases, license agreements of the software prohibit copying of the software, except for archival purposes.
2. Most license agreements also prohibit use of the software on any machine other than the one for which the license was obtained. Unless the license clearly provides the right to copy the software and use it on another machine, users must assume that it is illegal to do so.
3. Before copying software or installing software on a computer other than the one for which it was originally licensed, all users must ensure that the license terms permit the copying or installation.
4. Questions regarding license agreements shall be directed to the Sheriff’s Office Information Technology staff or Support Services Division Commander.
5. Only computer software documented as authorized software may be used on any computer owned, purchased, or leased by the Sutter County Sheriff’s Office.
6. Contractors: The Sheriff or his designee will ensure that all contractors who have access in their workplace to computers owned, purchased, used or leased by the
Chapter 2: Administration and Supervision

Sheriff’s Office are advised of this policy, and will be expected to adhere to this policy and safeguards.

h. Computer Needs: Computers are designed to enhance law enforcement’s efficiency in dealing with day to day activities. Computers will aid in decreasing workloads while increasing the time available for pro-active law enforcement activities. This is accomplished as the deputy’s typing ability progresses, the time required to complete a report is drastically reduced. The implementation of computers will require guidelines concerning security, maintenance and confidentiality. These guidelines will assist our Office in achieving its long-range goals.

4). Maintenance Guidelines for Laptop Computers

1. Prohibited Activities: Eating or drinking by the Deputy or anyone else in the vehicle should be done in a manner so food and liquid spills do not get into the computer.

2. Smoking: While a computer is in the patrol unit, no smoking will be allowed.

3. Exiting Computer: Computers will be powered down in accordance with the computer’s manual.

4. Cleaning: Computers will only be cleaned in accordance with the computer’s manual.

5. Reporting of Problems: Deputies detecting a maintenance problem will initiate an Information Technology Ticket detailing the problem. If the problem is a software problem an Information Technology (I.T.) ticket will be submitted. The I.T. ticket form can be found on the Sutter County Intranet web page.
SECTION 6: Light Duty, Records of Exposure and Medical Records

1). Light Duty Policy:
   a. Purpose: To define and establish the priority, terms and circumstances under which certain Light Duty assignments may be granted in accordance with the discretion awarded to the Sheriff in the County’s “Light Duty Policy”, Section 33.1 subdivision 2 of the Sutter County Rules governing Employee Compensation, Benefits and Working Conditions (“Light Duty Policy”).
   b. Objective: To identify those who may request a Light Duty assignment. Second, to identify the circumstances that will be considered when making a Light Duty assignment and in determining those employees who are entitled to priority. Third, to establish the duration of any Light Duty assignment and the maximum period of availability. Last, this guideline will inform the employee that there will be situations where no Light Duty assignments are available.
   c. Definition: “Light Duty” for purposes of this policy guideline, means a temporary assignment to a less strenuous or hazardous position which does not require the performance of all the essential job duties of the employee’s former position or any other available position for which s/he is qualified. It is intended as a transitional assignment for the employees who are recuperating from a temporary injury or illness and are thereby temporarily unable to perform their former duties. Light Duty, as defined herein, may be assigned to those employees whose temporary medical condition or impairment may not qualify as a “disability” under the ADA/FEHA and who are not otherwise entitled to reasonable accommodation under those laws.
   d. Employees Suffering Occupational Injury or Illness: Employees who suffer occupational injury, illness, or medical impairment resulting in temporary disability will be given first priority when any Light Duty job assignment becomes available.
   e. Employees Suffering Non-Occupational Injury, Illness, or Disability: Employees who suffer non-occupational injury, illness, or medical impairment resulting in temporary disability who are otherwise eligible and request a Light Duty assignment, will be considered on a case-by-case basis depending on the unique circumstances of each request and the needs of the Office in accordance with the criteria set forth in the County’s “Light Duty Policy” and applicable law.
   f. Duration: The length and availability of any Light Duty assignment will be determined by the needs of the Office and initial and periodic review by the administration. The duration of any such Light Duty assignment will be one pay period and may be extended through any successive pay period(s) only upon prior administrative review and approval. In no event shall any such assignment be made nor extended beyond the earlier date that: (1) the employee reaches his or her maximum level of medical improvement as determined by the employee’s treating physician or, at the County’s option, by an evaluating physician selected by the County or the County’s workers’ compensation insurer, (2) Labor Code 4850 benefits, if any, terminate, or (3) twelve (12) months have elapsed from the time the employee is first temporarily unable to perform his/her regular duties.
   g. Written Request and Medical Support: Each employee requesting Light Duty as defined herein or in the County’s Light Duty Policy, will submit a written request therefore to his/her Division Commander. The request will include a statement from their attending physician outlining the nature, extent of injury, or disability and expected period of the illness or injury.
Additionally, the request will include a specific list of medical limitations or restrictions applicable to the employee’s injury. The Office may request that the employee provide an updated physician’s statement which supplies similarly detailed information and addresses the continuing nature and extent of the employee’s disability and any limitations once each pay period and prior to approving any extension of the Light Duty assignment. The Office may request that the employee submit to an examination by the County’s selected physician initially and thereafter at reasonable intervals as determined by the Office prior to any Light Duty assignment or extension thereof.

h. Criteria for Assignment: Each request for a Light Duty assignment will be evaluated on its own merits. In all cases, the needs of the Office will be considered the priority.

1. Nothing in this policy: (1) shall be construed as authorizing or requiring the transfer of temporarily disabled employees to Light Duty assignments for the duration of their disability or (2) prevents the Office from ordering an employee who is off work due to an injury or illness to report to a Light Duty assignment where medically cleared to do so. Employees must understand that there will be situations when a request for Light Duty is denied or terminated based on the needs of the Office. In no event will a Light Duty assignment be made if it is determined that such would cause undue hardship to the Office or contravene business necessity. Light Duty positions will not be created for the individual but are based solely on the actual needs in fulfilling Office functions.

2. The Office recognizes a special obligation arising out of the employment relationship in according priority in the assignment of available Light Duty positions to those who are injured or disabled in the line of duty and who as a consequence, are unable to perform their regular duties. In giving such priority, the Office intends to comply with the law and those legal decisions which have approved of such classification, including Spaziano v. Lucky Stores (1999) 69 Cal. 4th 106, Urbano v. Continental Airlines (5th Cir. 1998) 138 F. 3d 204, Hendricks-Robinson v. Excel Corp. (1997) 154 F. 3d 685 and Dalton v. Subaru-Isuzu Auto. Inc. (1998) 141 F. 3d 667. Other than providing this limited priority to its occupationally disabled, it is the intent of the Office in implementing this guideline to evaluate all applications for Light Duty equally without discrimination in the basis of age, race, sex, religion, national origin, ancestry, marital status, pregnancy, physical handicap, or medical condition.

2). Records of Exposure and Medical Records

a. Purpose: You, or your representative, can look at the records and, if you wish, copy them. The first time around, there's no charge, though we may pass on the costs of copying the records after the first time.

OSHA regulations explain just what records you can look at and copy.

b. Records: Employees will have access to the results of measurements or monitoring of a toxic substance or harmful physical agent to which you have been exposed. If such records relating specifically to you don't exist, you can have access to exposure records for other employees whose jobs or working conditions were like yours.

1. Records that indicate the amount and nature of toxic substances or harmful physical agents in the workplace or areas of the workplace to which you're being assigned or transferred.

2. Records kept by medical personnel regarding your personal health. These may include results of medical examinations, complaints, and tests.

3. Sometimes medical records are written in language that's hard to understand. Or
they may contain information that could alarm non-medical people unnecessarily. In those cases, the regulations permit a physician to suggest that you accept a summary of the key points in the records, or allow the records to be released to a physician who can explain them, or that you review and discuss the records you obtain with a physician.

c. **Review of Exposure Records:** Analysis of exposure or medical conditions that relate to your working conditions or workplace may have personal information deleted.

1. To review these records, you have to make a specific request, including the records you want to review, the time period in question, and the dates and locations where you worked during that time period. If you want to name someone else to examine the records for you, you have to submit a signed, dated written authorization that spells out what records you want, who is expected to provide them, who you are authorizing to receive them, and why.

d. **Request for Review:** When the Office receives a request to review medical or exposure records, the Office must provide the records within 15 working days. If, for some reason, that's not possible, the Office must tell you the reason for the delay and when the records may be made available.

e. **OSHA Requirements:** OSHA considers your right to these records so important that its rules even make a point of giving you a right to know about the right. OSHA requires us to tell you about it, and to tell you who in the County maintains the records and gives you access to them. Any records kept in our Office would be available through the Sheriff’s secretary. The records are kept in the employee’s file located in the Sheriff’s secretary’s office. In addition, the centralized County Personnel Department may have exposure and medical records pertaining to you. Those records would be available through the Personnel Department and you can read the details of this regulation by going to the Personnel Department at 1160 Civic Center Blvd. Yuba City.
SECTION 7: 290 and Gang Registration

1). Initial Interview & Subsequent Renewal Procedures Regarding 290 P.C. Sexual Registrants

a. Policy: The purpose of this policy is to set guidelines for initial and renewal registration of sexual registrants (290 PC) who are required to register with the Sutter County Sheriff Office.

b. Procedure: Registrants are placed into three categories, “other” (usually misdemeanor non-serious) “serious” (felony sex offense or misdemeanor child molestation) and “high risk” (the most dangerous serious with tendencies to re-offend). In all classifications the Detective Unit will handle the initial interview. The Detective will be responsible for having the registrant fill out (Department of Justice form SS 8102) completely, taking two (2) sets of fingerprints, and two digital pictures of the registrant. The initial interview will be an opportunity to assess the registrant. The Detective will identify the type of business, employer, and location where the registrant works, if applicable. The Detective will make a file folder containing the documentation, which will be kept in the Records Unit. One print card and digital photo will be retained in the file and the Records Unit will forward the second print card and photo to DOJ. The Detective will fill out a “Temporary Registration Receipt” and provide it to the registrant. The “Permanent Receipt” will be completed by Records and mailed within ten (10) days to the registrant’s physical address. Records Division will make the data entries into the AS400 and OIMS database. Records will then forward the information to dispatch for entries into CLETS & VCIN.

1. It shall be the responsibility of the Detective Unit to verify the address that the registrant provides within one week of initial registering excluding county holidays. Those registrants who show up for their annual renewal and are classified as “Others” will have their residence verified yearly, all other types (Serious & High Risk) will be within one week of completion of their renewal paper work and again within a six month period.

2. It will be the responsibility of the Records Unit to process all renewal paper work on sex registrants. This includes the filling out of the yearly (DOJ form SS 8102), taking a thumbprint, and taking of a Polaroid picture. The Records Division is responsible for the retention of all documentation, including files, print cards, and photographs, pertaining to the sex registrant. When record personnel process renewals, it will be their responsibility to forward the renewal information to the Detective Unit by the next workday for residence verification.

2). Registration of Convicted Gang Members

a. Purpose: The purpose of this policy is to comply with state law (Penal Code section 186.30) requiring law enforcement to register convicted gang members who plead guilty to, no contest to, or being found guilty of specified felony crimes as described in section 186.22 PC et seq.

b. Penal Code 186.30: States that a person convicted of 186.22 PC et seq. must register with the Chief of Police of the city in which he resides, or the Sheriff of the county if he or she resides in an unincorporated area, within ten days of release from custody; or, within ten days of his or her arrival in any city or county to establish new residence.

c. Court Admonition: At the time of sentencing in adult court, or at the time of the disposition hearing in the juvenile court, the court shall inform any person subject to Section 186.30 of his or her duty to register pursuant to that section.
Chapter 2: Administration and Supervision

d. **Parole/Probation Responsibility:** The parole deputy or the probation deputy assigned to that person shall verify that he or she has complied with the registration requirements of Section 186.30. Once the person is discharged from parole or probation, the Sheriff’s Deputy assigned Gang-Deputy shall verify that he or she has complied with registration requirements of Section 186.30 PC.

e. **SCSO Registration Schedule:**

1. Registration days: Monday through Friday, excluding holidays. Hours: 8:30 AM until 12:00AM and 1:00PM until 4:30PM.
2. Registrants falling under the jurisdiction of the Sutter County Sheriff’s Office are to be registered by personal appearance at the Sheriff’s Office where Records Unit Personnel will provide the gang registration forms: 186.30 PC REGISTRATION NOTIFICATION, 186.30 PC GANG REGISTRATION FORM, 186.30 PC REGISTRATION RECEIPT and GANG REGISTRATION FINGERPRINT CARD. The forms, photographs and fingerprints will be filed and kept in the records unit.

f. **Juvenile Requirements:** Juvenile registrants residing in Sutter County, (SCSO jurisdiction), shall contact the Records Unit of the Sutter County Sheriff’s Office to register as follows:

1. The juvenile shall appear at the Sheriff’s Office with a parent or guardian.
2. The Sheriff’s Office Criminal Records Technician shall serve the juvenile and the parent with a California Street Terrorism Enforcement and Prevention Act notification which shall include, where applicable, that the juvenile belongs to a gang whose members engage in or have engaged in a pattern of criminal gang activity as described in subdivision (e) of Section 186.22 PC. The notification form must be signed by the juvenile.
3. The juvenile, giving information that is required by the Sheriff must sign a written statement.
4. The fingerprints and current photograph of the juvenile shall be obtained and filed in the Records Unit.
5. The Gang Registrant will be provided with a permanent gang registration receipt.
6. Within ten days of changing his or her residence address any person subject to Section 186.30 shall inform, in writing, the law enforcement agency with which he or she last registered of his or her new address. If his or her new residence is located within the jurisdiction of a law enforcement agency other than the agency where he or she last registered, he or she shall register with the new law enforcement agency, in writing, within ten days of the change of residence.

g. **Adult Requirement:** Adult registrants residing in Sutter County, (SCSO jurisdiction), shall contact the Records Unit of the Sutter County Sheriff’s Office to register as follows:

1. The adult shall appear at the Sheriff’s Office.
2. The Sheriff’s Office Criminal Records Technician shall serve the adult with a California Street Terrorism Enforcement and Prevention Act notification which shall include, where applicable, that the adult belongs to a gang whose members engage in or have engaged in a pattern of criminal gang activity as described in subdivision (e) of Section 186.22 PC. The notification form must be signed by the adult.
3. The adult, giving information that is required by the Sheriff, (see appendix B, must sign a written statement.
4. The fingerprints and current photograph of the adult shall be obtained and filed in the Records Unit.
5. The Gang Registrant will be provided with a permanent gang registration receipt.

6. Within ten days of changing his or her residence address any person subject to Section 186.30 shall inform, in writing, the law enforcement agency with which he or she last registered of his or her new address. If his or her new residence is located within the jurisdiction of a law enforcement agency other than the agency where he or she last registered, he or she shall register with the new law enforcement agency, in writing, within ten days of the change of residence.

h. Termination of Registration: All registration requirements set forth in this policy shall terminate five years after the last imposition of a registration requirement pursuant to Section 186.30.

i. Release of Information: CONFIDENTIALITY AND DISSEMINATION OF GANG REGISTRANT INFORMATION, 186.32(d). The registrants information; statements, photographs and fingerprints required under this section shall not be open to inspection by any person other than a regularly employed peace or other law enforcement officer.

j. Non-Compliance: In the event a registrant is found not to be in compliance, the Sheriff’s Deputy Gang-Deputy will prepare a report and forward the information to the district attorney for prosecution.
SECTION 8: News Media

1). News Media Policy and Procedure
   a. Introduction and Purpose: The purpose of this general order is to define the policy and procedures regarding news media relations for the Sutter County Sheriff’s Office.
   b. Providing Information: The Office recognizes its obligation to provide accurate and timely information to the public regarding law enforcement activities conducted by the Sheriff’s Office.
   c. Procedure: The policy of this Office shall be to permit free access by recognized news media representatives to all public areas under the control of Sheriff’s personnel whenever possible. News media representatives are those persons who identify themselves as such through the use of press credentials or other documentation, which establish their primary purpose to be gathering news.
   d. Photographing Scene: Commanders, Supervisors or other deputies in charge of an operation shall permit members of the news media access to the scene and shall not prevent the photographing of the scene, Sheriff’s personnel, or the operation.

2). Restriction of the News Media
   a. Restriction to Access: The media may be controlled and/or restricted during the conduct of Office operations when the media may be expected to cause:
      1. Contamination of the crime scene.
      2. Injury or death to another person (this restriction shall not apply to authorized press personnel who have been advised of potential danger to themselves, and whose presence does not increase the danger to others).
      3. Interference with essential movements or actions of law enforcement or other emergency personnel.
   b. Identity of the Press: The presence and identity of news media representative may be recorded and/or they may be escorted at the discretion of the scene commander where it appears reasonably necessary to maintain the site/area/situation security and/or protect the property of another.

3). Responsibilities
   a. Public Information Officer: Public information and communication is a basic responsibility of management personnel under the direction of the Undersheriff. The Undersheriff is the designated Public Information Officer for the Sheriff’s Office.
      1. In the absence of the Undersheriff, the following is the designated progression of personnel to respond to media inquiries:
         a. Sheriff and/or designated Public Information Officer
         b. Division Commanders of affected division
         c. Patrol Supervisor/Jail Supervisor
         d. Communications Supervisor.
   b. Delegation: The authority to respond to a media inquiry may be delegated directly by the Undersheriff or operationally within the division through the chain-of-command.
   c. Familiarity: The Office member, rank notwithstanding, who is most familiar with an investigation, crime, or incident should be designated to respond to media inquiries and shall advise the Undersheriff. When this is not practical, the immediate supervisor or superior should respond after being fully informed by knowledgeable subordinates.
Chapter 2: Administration and Supervision

d. **Responses to Media**: Under no circumstances will any employee be compelled to respond to the media. Each employee or Supervisor shall assess the particular inquiry and direct the reporter to the appropriate individual.

e. **Information Restrictions**: In situations where a media inquiry has been received and it is not connected to an immediate and ongoing situation in the field, response to the media representative may be made only after clearance from the Undersheriff, his/her designee, or the Division Commander. This section does not preclude advance delegation of authority to spokespersons.

f. **Internal Affairs**: Comments to the media regarding any investigation being conducted by the Internal Affairs Investigation Unit, litigation involving Office employees, and investigations conducted by other agencies regarding Office employees is prohibited. Only the Sheriff, Undersheriff, or a designated representative may provide such information to the media.

g. **Press Release**: Any employee, unit or division wishing to make a press release or secure media coverage of a particular event shall coordinate the announcement or notification through the Undersheriff.

h. **Case Confidentiality**: No comments shall be made regarding any case that has been referred to the District Attorney’s Office for prosecution/evaluation. No comments shall be made regarding cases actively investigated by other police agencies. Official comments shall be the exclusive purview of the lead agency having responsibility for the conduct/prosecution of the case.

i. **Difficulties with Media Personnel**: Problems with news media personnel shall be reported through the chain-of-command to the Undersheriff.

4). **Notification: Major Incidents**

a. **Responsibilities**: In major incidents the on-duty patrol Supervisor shall direct and ensure that the on-duty Communications Unit Supervisor notifies the Sheriff, Undersheriff and the Operations Commander. A major incident is a potential or actual disaster, a situation requiring the commitment of a large number of deputies, the arrest of a known public official or celebrity, or any other event likely to attract news media either at that time or during the following day.

b. **Liaison**: The Undersheriff or his designee shall respond to the scene and assist the on-scene Commander in providing liaison with news media present. The information deputy shall prepare general press releases for other media who are not at the scene as appropriate.

c. **Notification of Undersheriff**: Personnel responding to media inquiries and/or making press releases shall advise the Undersheriff verbally or in writing by the next regular business day.

5.) **Report Access**

a. **Arrest Reports**: During business and non-business hours, the media shall have access to copies of arrest reports kept on file in the main jail classification/booking area. Copies of the arrest are not considered “on file” until completion of the entire booking process.

b. **Offense Reports**: Face sheet copies of offense reports (CR#1) shall be made available by the dispatch section for media review at the public reception window of the Sheriff’s Office. Sensitive information protected by law shall be obliterated.

c. **Other Reports**: Contents of other reports generated by Office members shall not be released to the media except through the Sheriff, Undersheriff or his designee.
Chapter 2: Administration and Supervision

6). **Guidelines for the Release of Information**

When authorized to provide information to the news media, the following guidelines shall apply to any information that is released to the media.

a. **Authorized Information**: The criteria for release of information will be:

1. Facts and Circumstances of the arrest:
   a. Time and place.
   b. Resistance put up by the suspect.
   c. Pursuit necessary to apprehend.
   d. Use of weapons by deputy or suspect.
   e. Name, age, residence, occupation and family status of suspect.
   f. Identification of investigating and arresting deputies and length of investigation.
   g. Exception: When identification of deputies interferes with their ability to conduct ongoing undercover operations.

2. Limited description of evidence seized (do not make any reference to confessions, admissions, or statements).

3. Disclose the nature, substance, text of charge (can include brief description of the offense charged).

4. Quote from or refer to public records of the court in the case without personal comment.

5. Schedule or result of any stage of the judicial process.

6. Any request for assistance from the public to obtain evidence.

7. The identity of victim or complaint if the release of that information is not otherwise prohibited by law (no release of victim identity may be made if the crime is defined in the Penal Code and covers sections 261, 264, 264.1, 273a, 273d, 286, 288a, or 289).

b. **Prohibited Release**: As a general rule, it is in the best interest of the investigation not to release the identity of the suspect(s) or the results of investigative procedures prior to the arrest.

1. Do not release the prior criminal history, reputation, or character of a suspect(s).

2. The exception to this prohibition would be if the release:
   a. Will aid in the investigation.
   b. Assist in the apprehension of the suspect.
   c. Will warn the public of danger.

7). **Media Access to Inmates**

a. **Policy**: Media access to inmates shall be in conformance with existing jail visitation policies. No special interviews will be granted outside designate jail visitation hours.

b. **Interviews**: No inmate shall be compelled to meet with, or be interviewed by the media.

c. **Location of Interviews**: All interviews with inmates by the media shall be conducted in the jail visitation area. No direct contact between inmates and the media will be permitted.

d. **Photographs**: No photographic equipment shall be permitted within the jail, including the visitation area.
SECTION 9: Social Media, Speech and Expression-Executive Order #01-2016

1). Definitions
Social Media includes, but is not limited to, Facebook, Twitter, LinkedIn, You Tube, Nixle, Wikipedia, blogs, etc.

2). Purpose and Scope
This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balancing of employee speech and expression with the needs of the Sheriff’s Office. Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions, as well as, labor or other applicable laws. Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

3). Applicability
This policy applies to all forms of communication including, but not limited to, film, video, print media, public or private speech, use of all Internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file-sharing sites.

4). Policy
Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of the Sheriff’s Office. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this office be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Sutter County Sheriff’s Office, will carefully balance the individual employee's rights against the Office's needs and interests when exercising a reasonable degree of control over its employees' speech and expression.

5). Prohibited Speech, Expression and Conduct
To meet the Sheriff’s Office safety, performance and public-trust needs, the following are prohibited: (a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Sutter County Sheriff's Office or its employees. (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Sutter County Sheriff's Office and tends to compromise or damage the mission, function, reputation or professionalism of the Sutter County Sheriff's Office or its employees. (c) Speech or expression that could reasonably be foreseen as having a negative impact on an investigation or the credibility of the employee as a witness. (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Sheriff’s Office. (e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Sutter County Sheriff's Office. (f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible, as a result of employment with the Sheriff's Office for financial or personal gain, or any disclosure of such materials without the express authorization of the Sheriff or authorized designee. (g) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible, as a result of employment with the Sheriff’s Office, recorded on personally or Office owned personal communication device, game device or other media device without the express authorization of the Sheriff or authorized designee. (h) Accessing websites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or Office owned, for personal purposes while on-duty, except in the following circumstances: 1. When brief personal communication may be warranted by the circumstances (e.g., inform family of extended hours). 2.
Chapter 2: Administration and Supervision

During authorized breaks such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment. Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any webpage or website maintained by the employee (e.g., social or personal website).

6). Unauthorized Endorsements and Advertisements
Unless specifically authorized by the Sheriff, employees may not represent the Sutter County Sheriff's Office or identify themselves in any way, as being affiliated with the Sutter County Sheriff's Office in order to do any of the following (Government Code §§ 3206 and 3302): (a) Endorse, support, oppose or contradict any political campaign or initiative. (b) Endorse, support, oppose or contradict any social issue, cause or religion. (c) Endorse, support or oppose any product, service, company or other commercial entity. (d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or on any website. Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through some unofficial group or organization (e.g., bargaining group), is affiliated with this Office, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Sutter County Sheriff's Office. Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions on political subjects and candidates at all times while off-duty. However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

7). Privacy Expectation
Employees forfeit any expectation of privacy with regard to anything published or maintained through file-sharing software or any Internet site open to public view (e.g., Facebook, MySpace). The Office also reserves the right to access, audit and disclose, for whatever reason all messages, including attachments, and any information transmitted over any technology that is issued or maintained by the County, including the Office e-mail system, computer network or any information placed into storage on any Office system or device. All messages, pictures and attachments transmitted, accessed or received over Office networks are considered the Sheriff’s Office records and, therefore, are the property of the County. The Sheriff’s Office reserves the right to access, audit and disclose for whatever reason, all messages, including attachments, that have been transmitted, accessed or received through any Office system or device, or any such information placed into any Office storage area or device. This includes records of all key strokes or web-browsing history, made at any Office computer or over any Office network. The fact that access to a database, service or website requires a user name or password, will not create an expectation of privacy if it is accessed through an Office computer or network.

8). Official Office Presence on Social Media

1. Potential uses include, but are not limited to:
   a. Public notification of missing persons
   b. Public notification of wanted persons
   c. Advertise community programs and events
   d. Distribute crime prevention information
   e. Announce notable accomplishments of staff
   f. Solicit identification of suspects from photos
Chapter 2: Administration and Supervision

g. Distribute time-sensitive updates in emergency conditions
h. Conduct personnel recruitments

2. Sheriff’s Office-Sanctioned Social Media Use:
   A. Social media accounts and pages purporting to be from the Sutter County Sheriff’s Office, or any of its component workplaces, may only be established upon approval of the Sheriff or his/her designee.
   B. The Sheriff or his/her designee shall establish the person or persons responsible for maintaining and moderating the social media pages.
   C. Where possible, the social media pages shall clearly indicate they are maintained by the Sutter County Sheriff's Office and have contact information prominently displayed.
   D. Where possible, social media pages should state that the opinions expressed by visitors, do not reflect the opinions of the Sheriff’s Office and are subject to public disclosure.
   E. Where possible, social media pages shall indicate that posted comments will be monitored and the Office reserves the right to remove comments that are off-topic, contain obscenities, personal attacks or discriminatory language. Those repeatedly posting such comments may be banned from making further postings.
   F. Social media content shall adhere to applicable laws, regulations and policies, including policies relating to dissemination of information.
   G. Social media content is subject to public records laws. Social media content that is authored by Sheriff’s Office personnel for official or investigative purposes is subject to public record laws. Posted comments from outside sources that are connected to a Sheriff’s Office approved social media site are the sole property of the Internet Service Provider (ISP). Records retention schedules, apply only to material authored by Office personnel.

3. Sheriff’s Office personnel representing the Office on social media shall:
   i. Conduct themselves at all times as representatives of the Sheriff’s Office and adhere to all office policies and accepted standards of decorum.
   ii. Communicate in a business-like manner, avoiding abbreviations and slang terms, often used in social media settings.
   iii. Not conduct political activities or personal business.
   iv. Not make statements about the guilt or innocence of any suspect or arrestee, or comment on pending prosecutions.
   v. Not distribute information or videos relating to office training or work-related assignments, without the express permission of a supervisor from the affected unit.
   vi. Observe and abide by all copyright, trademark or service mark restrictions when posting materials to social media.

4. Labor Groups:
Labor Groups using social media, are responsible for their content and must distinguish their comments and views separate from the Sheriff’s Office.

9). Uses of Social Media for Research or Investigative Purposes
1. Potential uses include, but are not limited to:
   a. Identification of criminal suspect and their associates
   b. Gang investigations
   c. Identity theft investigations
   d. Locating cyberbullying and cyberstalking
   e. Locating missing persons or runaway juveniles
   f. Background investigation of prospective employees

2. Sheriff's Office-Sanctioned Social Media Use:
   a. Office has an obligation to include internet-based content, when conducting background investigations of job candidates.
   b. Vetting techniques shall be applied uniformly to all candidates.
   c. Reasonable efforts must be made to validate internet-based information considered during the hiring process.

10. Personal Use of Social Media

Employees are reminded that comments, photos and other postings to social media reflecting their nexus to the office, may have the effect of diminishing the public's trust and confidence in the Office. Accordingly, such postings may violate the Sheriff's Rules of Conduct.

An employee's personal use of social media should not be attributable to the County, the Sheriff's Office or to the employee's job function with the Office. Employees shall conduct their social media use in such a manner that a reasonable reader would not think that the employee is speaking for or on behalf of the County or the Sheriff’s Office, unless having been designated as such.

Personal use of social media, speech and expression must be in conformance with all laws, relevant Sheriff's Office policy, including those relating to harassment, discriminatory conduct and dissemination of information.

1. On-Duty Personal Use:
   a. Employees are prohibited from engaging in social media use while on duty, except as may be required in the performance of duty.
   b. An exception to this prohibition is during emergency conditions, when social media may be a source of timely public safety information or provide an alternative source of communication when telephones are inoperable.

Social media is a rapidly-evolving technology and there will likely be issues that arise that are not addressed in this policy. If you are uncertain about the application of this policy, or if questions arise about the appropriate use of social media, you should seek guidance before posting to social media; most information cannot be recalled.
SECTION 10: Mobile Video Recording Equipment

1). Mobile Video Recording Equipment Policy

   a. Purpose: It is the purpose of this policy to provide deputies with guidelines for the use of mobile video and audio recording equipment to provide additional documentation of citizen contacts, detentions, and arrests. This documentation will serve as supplemental documentation for criminal prosecutions, internal affairs investigations and for training deputies.

   b. Policy: Mobile Video/Audio Recording (MVAR) equipment has been demonstrated to be of value in the prosecution of many crimes, in the evaluation of deputy performance in the field and can be used to supplement and direct deputy training. In order to maximize the usefulness of this equipment, deputies shall follow the following procedures. Deputies shall record designated events and maintain the recording as evidence of documentation as described in this procedure.

   c. Program Objectives: Accurate documentation of citizen contacts and of events, actions, conditions and statements made during detentions, arrests and critical incidents so as to enhance deputy reports, collection of evidence and testimony in court.

       1. The use of the video camera will enhance the Office’s ability to review probable cause for arrest, arrest procedures, deputy reports, collection of evidence and testimony in court.

2). Operating Procedures for MVAR

   a. Deputy Responsibility: Deputies are responsible to ensure the MVAR equipment function and receive proper maintenance.

      1. At the beginning of each shift, deputies shall ensure that MVAR equipment is operational and positioned to record traffic stops and other enforcement actions. They shall ensure the settings on the equipment are accurate.

      2. Deputies shall notify their supervisor as soon as possible whenever the MVAR equipment is not functioning properly or the settings are inaccurate.

         a. Deputies are to operate and maintain the MVAR equipment according to the manufacturer’s instructions and recommendations.

         b. Deputies shall not erase, reuse or in any manner alter MVAR recordings, media or the settings on the equipment.

   b. Appropriate Video Circumstances: Listed below are the types of situations to record:

      1. Motor vehicle, pedestrian and bicycle enforcement stops.

      2. Response to in-progress crimes when a suspect is likely to be fleeing from the scene.

      3. When the vehicle’s emergency equipment (minimum front red light) has been activated by a deputy when responding to a call for service or pursuing a suspect law violator. MVAR equipment will automatically activate when the vehicle’s front red emergency light is activated. Deputies shall not deactivate the MVAR equipment except during the non-enforcement activities such as when protecting accident scenes from other vehicular traffic.

      4. Crime scenes, accident scenes or other events that audio or video documentation may prove useful in later criminal or administrative proceedings.

      5. Once activated, the MVAR equipment is not to be deactivated until the enforcement action is completed.
Chapter 2: Administration and Supervision

c. **Audio Recordings:** Deputies are reminded that audio recordings may be made even when out of the view of the video camera. The wireless microphone may also be activated to provide narration with the video recording, explaining the reason for current or planned enforcement action.

d. **Handling of Media:** Supervisors shall ensure that deputies are equipped with MVAR media of sufficient length to complete their tour of duty. It shall be the deputy’s responsibility to request MVAR media when it becomes apparent that the present media storage memory is about to reach the end.

1. All completed recordings turned in for storage shall be properly labeled and submitted with related documentation.

2. Deputies are encouraged to inform their supervisors of any videotaped sequences that may be of value for training purposes.

3. Deputies will notify the shift supervisor as soon as practicable of any taped sequences that may represent evidence. The shift supervisor shall determine at the time if the media should be removed immediately to preserve evidence and replaced with blank media storage.

4. Deputies shall only use recording media issued by this Office.

e. **Documentation of Use:** Deputies will note in their incident report, arrest or related reports of the recording number they have installed in their car when video audio recordings were made during the incident in question.

f. **Use of Video Camera:** Deputies shall not covertly tape the actions of other deputies without approval of a supervisor and only in the course of an official investigation.

3). **Tape Control and Management**

a. **Storage of Recorded Media:** All recorded MVAR recordings shall be safeguarded as other forms of evidence. Recordings will be submitted to and stored in the evidence room.

1. A property report is only needed for recordings stored as evidence.

2. Recordings will not be released to another criminal justice agency for trial purposes until the actual trial date.

3. A copy of a recording, marked as a copy, may be submitted to a criminal justice agency for any pretrial or investigative purposes.

4. Any copy of media must be returned to this Office prior to release of the original. If no copy was previously made, one must be made and kept in evidence or storage while the original is out.

5. Recordings will not be released to other than criminal justice agencies without approval of the Division Commander and in accordance with applicable State law.

4). **Supervisory Responsibility:**

a. **Oversight:** Ensure all deputies follow established procedures for the use and maintenance of MVAR equipment, handling of video/audio recordings and the completion of MVAR documentation.

1. On a monthly basis, randomly review videotapes on each deputy and recordings to assess deputy performance; determine whether MVAR equipment is being properly maintained and to identify material that may be appropriate for training. Supervisors will also maintain a log of each review which may be used for the Quality Control Program.

2. Ensure needed repairs and/or replacement of damaged or nonfunctional MVAR equipment is performed.
3. **Ensure reporting requirements are followed.**

5). **Miscellaneous Procedures**

a. **Numbering System of Tapes**: The tapes will be sequentially numbered as SCSO001, SCSO002, SCSO003, etc. and maintained under secure conditions.

b. **Video Logbook**: Tapes shall be logged out and in by the shift supervisor using the videotape logbook provided noting date and time issued and returned and the unit number.

c. **Authority to Remove Recordings**: Media will be placed in the MVAR equipment and removed only by a shift supervisor.

d. **Evidence Protocol**: Recordings that are not needed for other purposes will be forwarded to the Division Commander after one year and one month for approval to erase and re-issue.

e. **Prohibited Conduct**: Deputies using the MVAR equipment will:
   1. Not place any label over the Office applied number or otherwise obscure or deface the number.
   2. Not use the MVAR equipment to record other criminal justice agencies police actions without the approval of the on duty Watch Commander or the Operations Commander.

f. **Additional Supervisor Responsibilities**: Shift Supervisors will:
   1. Maintain the video log so that it is current.
   2. Determine whether media should be removed prior to the end of its storage capacity to preserve evidence.
   3. Put the recorded media in the Evidence Room.
   4. Personally remove and replace all media.
   5. Ensure that spare media and batteries are available in the field.
   6. Shift supervisors may not delegate any of the above responsibilities.
1) Sutter County Sheriff's Office Call-Out Policy

a. Purpose: The purpose of this policy is to provide an update to existing policy and to provide additional guidance to those people subject to this policy.

b. Procedure: The Sergeant or deputy in charge will notify the on-call detective in the following circumstances, or person designated by the Sergeant. The information will be provided to the detective who will make the decision to respond. Sufficient justification must exist before the detective declines to respond. The on-call detective will be notified under the following circumstances:
   1. All cases resulting in homicide, suicide, suspicious death, as well as cases involving multiple deaths.
   2. Any death on county property or in a county facility.
   3. Robbery, including commercial, take over or home invasion, as well as person when great bodily injury occurs.
   4. Deputy involved shootings.
   5. Hostage situations.
   6. Major burglaries when large amounts of evidence, large scene processing, or multiple number of victim/suspect statements need to be taken.
   7. Other investigations that require immediate out of county investigation.
   8. Situations involving child sexual assault or abuse, where a suspect is known or evidence needs to be obtained.
   9. In cases where uniformed deputies need to be released from the scene as soon as possible because of manpower demands.

c. Notification: The Sergeant or deputy in charge will notify the division commander of the division that is affected. The division commander will provide information or assist in the decision making to resolve the dispute. If further notification needs to be conducted, the division commander will notify any other members of the administrative staff necessary, thereby allowing the Sergeant or deputy in charge to resume active supervision of the situation. In the event the division commander cannot be contacted, the on-call commander will be notified and he/she will provide the same support as the division commander.

d. Command Staff: In incidents similar to those listed below, the command staff should be notified when the following situations occur:
   1. Major felonies such as homicide, robberies, recent rapes or child molest where evidence must be collected.
   2. High profile cases.
   3. Deputy involved incidents, such as shootings, accidents and major injury.
   4. Cases involving public officials.
   5. Critical incidents.
   6. Any case involving extensive media inquiry.

e. Sheriff Notification: Class 1 circumstances are identified as those in which the Sheriff must be notified immediately or in his absence, his designate. In general, the Undersheriff will be responsible for contacting the Sheriff and updating him of the circumstances. When the Undersheriff cannot be reached, the division
commander or on-call commander in his absence will make notification to the Sheriff of the circumstances. The class 1 circumstances have been identified as:

1. **Homicides.**
2. **Deputy involved incidents such as shootings, major accidents, or major injuries.**
3. **Robbery with injury or robbery of a commercial establishment/business.**
4. **Any situation the division commander determines should be brought to the attention of the Sheriff.**

f. **Class 2 Circumstances:** Are those incidents warranting contact with the Sheriff but allow the information to be provided to the Sheriff on the next following work day. These incidents are described as:

1. Any unusual incident.
2. All arrests.
3. Any other incident, which the watch Commander and/or Division Commander determines, should be brought to the attention of the Sheriff.
Chapter 3: Appearance and Equipment
SECTION 1: Vehicles

1). Vehicles: Care and Maintenance

a. Introduction and Purpose: Office vehicles used by members in the course of their duties shall be maintained in a manner that assures operators with safe dependable and properly equipped vehicles. The following sections identify the use and documenting procedures to be used for maintaining vehicles.

b. Vehicle Maintenance: All members with assigned vehicles are responsible for the following procedures:

1. Members shall be responsible for the scheduled maintenance of their assigned vehicles.
2. Members are responsible for inspecting and identifying any damage and/or mechanical problems with their assigned vehicle.
3. When left for service or other repair, all personal equipment to include the shotgun must be removed from the vehicle. If the vehicle is to be sent for service or repair the shotgun can be placed in the gun locker in the squad room.
4. It is the responsibility of each individual member to schedule all vehicle maintenance and repair with the county shop.
5. It is also the responsibility of each member to ensure delivery of their vehicle to the county shop for maintenance and/or repair and retrieval of their vehicle in a timely manner so as not to interfere with their normal duties.
6. It is the responsibility of each member to ensure their vehicle speedometer is calibrated regularly and delivered to the shop on the day of calibration.
7. It is the responsibility of each member to ensure their radar unit is calibrated and operating properly. The unit shall be brought in to the shop for service if the radar unit is not operating properly.
8. It is the responsibility of each member to ensure their in-car-camera is operational. If it is found to be defective, it shall be written up and taken to the shop as expediently as possible.

Their respective supervisors shall periodically check to verify the maintenance schedule is being followed and on board equipment is operating properly.

c. Vehicle Inspections: Before initially operating a patrol vehicle, the deputy shall be responsible for inspecting the vehicle for any damage and/or maintenance and lighting equipment deficiencies. Any deficiencies and/or damage discovered will be immediately reported to the deputy’s shift supervisor prior to the vehicle being operated.

1. During the deputy’s inspection, if he/she finds any damages and/or deficiencies, he/she will document them on a memo form and give the form to their shift supervisor.
2. If, due to the deficiencies, the vehicle is found to be unsafe, it will not be driven.

d. Securing Vehicles: All members with take home vehicles are responsible for the following procedures:

1. Vehicles are to be locked when not attended.
2. The fuel tank is to be full for the next workday.
3. The needed equipment is contained in the vehicle.
Chapter 3: Appearance and Equipment

e. Office Vehicles: Members operating Office vehicles other than patrol units are required to conduct their own routine maintenance inspection on the vehicles. The same requirements regarding scheduling of maintenance work with the Sutter County Shop, inspection as to any damage, and the requirement for documentation if there is any damage or suspicious circumstances applies to all vehicles operated by the members of the Sheriff’s Office.

f. Parking of Patrol Vehicles: When a member does not take his/her vehicle home and it is not in use, the doors will be locked and the vehicle will be parked in the spaces provided for Office vehicles within the appropriate parking lot of the Sheriff’s Office.

g. Out Of Area Off-Duty Parking: When a member takes a Sheriff’s Office vehicle out of the area for training or other Office related purposes the following procedures must be followed.

1. The vehicle must be parked off the street and locked at all times except when being used by the assigned deputy.
2. Any Office equipment or property assigned to the deputy will be secured in the trunk or with the deputy.

2). Vehicle Take-Home Policy (Executive Order # 2001-2)

a. Purpose: To provide clear guidelines under what circumstances Sheriff’s personnel are allowed to utilize their assigned County vehicle.

b. Procedure: Sheriff’s personnel who have successfully completed the Field Training Program and are assigned a county vehicle will be allowed to drive that vehicle to and from work, subject to the following restrictions:

1. Those employees living within the confines of Sutter County will allowed to participate in this policy. Those employees living outside of Sutter County whose primary residence is within fifteen (15) air miles of the Sutter County line are also allowed to participate in this policy. (See exceptions).
2. Eligible personnel must provide off-street parking for the vehicle. County vehicles will be locked when unattended.
3. County vehicles shall not be used for personal transportation of family members or for personal business.
4. County vehicles may be used to go to court, training, office, for the detail of vehicle maintenance, and when assigned to other official events or duties.
5. No person, other than members of this Office shall operate a county vehicle assigned to the Sheriff’s Office except during the course of repair of the vehicle.
6. Anytime a county vehicle is being driven off-duty; the operator will notify dispatch of that fact and the intended destination (i.e. S-1, Code 8 to the county shop).
7. While off-duty, any Office firearms assigned to or in the possession of the deputy will be secured in the trunk or with the deputy inside the residence. If stored in the trunk, the trunk release button must be locked or disabled so it cannot be opened from inside the vehicle without the deputy present.

c. Off-Duty Requirements: Off-duty personnel shall not respond to any call monitored on the radio, unless a request to respond is approved by the on-duty supervisor.

1. Personnel will not respond off-duty to an 11-99 call unless the deputy requesting assistance is nearby or no assistance is available.
2. Personnel will not respond off-duty, as a backup unless they are in the immediate area and no on-duty personnel are available or an incident occurs that demands an immediate response.
3. When personnel assigned a vehicle are off-duty due to vacation, comp time, or any other reason for periods of time greater than one week, the county vehicle will be brought to the office and stored in the back parking lot. Once the employee has returned to duty, the vehicle may be taken home. In the case of those deputies assigned to Live Oak, their vehicle will be parked at the substation.

d. EXCEPTIONS: Due to the specific assignment of certain personnel (Detective, Net 5, or Administration), an exception may be made concerning taking the vehicle home when the resident is out of county.
CHAPTER 3: Appearance and Equipment

SECTION 2: Uniforms (Executive Order # 2008-4)

The purpose of this chapter is to provide employees appropriate guidelines as to the accepted uniform of the Sutter County Sheriff’s Office and information regarding approved equipment, including the care and responsibility of county issued equipment.

1) Need for Uniform Regulations

The Sutter County Sheriff’s Office is constantly under scrutiny and evaluation by the public. The image each individual member presents to the public greatly affects the overall image of the Office. The wearing of the uniform and other dress attire requires that members so attired present an appearance which reflects the stature, dignity and professionalism of the Sutter County Sheriff’s Office. The uniform should be worn with pride and in a manner to promulgate respect, authority and esteem. It is the intent of this manual to establish standards and policies regarding the wearing of the uniform. To achieve maximum benefit from such standards they must receive equal application at all levels of command.

a. Public Opinion: In the past, when the public has been polled in regards to their perception of the Sheriff’s Office and its employees, three major considerations were identified as a criterion for evaluation:

1. The member’s performance and delegated duties.
2. The member’s conduct on duty.
3. The individual member’s appearance on duty.

Based on the above information, every member of the Office should be cognizant that they are being evaluated and rated by the public and should constantly strive to present a favorable impression.

b. Uniform Regulations/Specifications: The following sections regulate the wearing and specifications of the Office uniform. They are provided as guidelines and requirements for the dress of on-duty members. All members are expected to adhere to these regulations and specifications, not solely as a condition of administrative reprisal, but more as a self-imposed value of pride for our profession and Office.

2) Uniform Regulations

The following sections set forth regulations concerning the wearing of the required uniform and equipment. Whenever the term “member” is used, the section applies to all Office members.

a. Requirements: All members shall possess all articles of the uniform and the necessary equipment prescribed by the manual. Members assigned to duty wherein a uniform is not worn, shall possess and maintain a class “A” uniform. All uniforms and equipment shall meet the specifications outlined in the manual.

b. Exemptions to Wearing the Uniform: The following members are exempt from wearing the prescribed uniform on a regular basis; however, they must maintain at least one set of a complete uniform meeting the class “A” and “B” requirements.

1. Sheriff
2. Undersheriff
3. Division commanders
4. Detectives
5. Training Manager
6. Members not required by the Sheriff
7. When the wearing of the uniform is not practical because of work conditions, such as temporary assignment, certain members may be exempt from wearing the prescribed uniform by their division commander.
Chapter 3: Appearance and Equipment

c. **Maintaining the Uniform and Equipment:** Required uniforms and equipment shall be maintained at all times in a clean and serviceable condition. Articles of apparel shall be creased and pressed. It is recommended that all clothing be dry-cleaned, however, there will be no restrictions pertaining to the cleaning process utilized for these articles. Should improper washing techniques interfere with the overall appearance of the uniform garments, dry-cleaning may be a requirement in lieu of washing. Approved leather equipment and shoes/boots shall be kept dyed (black) and shined. Brass metal snaps and equipment shall be kept polished.

d. **Proper Uniform:** Members shall wear only the uniform and equipment prescribed for their particular rank, position, assignment, or as authorized by the Sheriff.

e. **Reporting for Duty:** All members shall be in full uniform when reporting for duty, except on special or plain clothes assignments.
   1. Uniforms shall be clean and pressed and shoes shined. Male members must have shaved not more than four (4) hours before reporting for duty.
   2. The division commander may set the uniform of the day based on weather conditions or exigent circumstances.

f. **Carrying Required Equipment in Uniform:** While on duty, with exception to those deputies assigned to station duties, deputies who are required to wear the prescribed uniform shall carry the following equipment as required by their position:
   1. Badge
   2. Notebook
   3. Flashlight
   4. Issued identification card
   5. Police baton and appropriate holder
   6. Firearm and ammunition
   7. Appropriate extra ammunition and case
   8. Handcuffs, case and key
   10. Writing Instrument
   11. Nameplate
   12. Valid California driver’s license

g. **Carrying Optional Equipment for Wear with the Uniform**
   1. Mace with basket weave holder
   2. Folding knife in basket weave style holder
   3. Mini style flashlight
   4. Flashlight holder
   5. Sunglasses, as approved by the division commander

h. **Manner of Wearing the Uniform:** Official uniforms shall be worn in a military manner. All buttons and zippers shall be secured at all times when in public view, unless otherwise directed. Hats and helmets shall be worn squarely upon the head.

i. **Mixed Clothing:** Members shall not wear civilian clothes with any distinguishable part of the uniform, except as provided for in the Class “H” uniform.
j. **Off-Duty Wearing of Uniforms:** Members shall not wear uniforms off-duty except when going to or from work, for funerals or other authorized occasions. Members who do not intend to go directly home from work or directly to work from home, shall wear civilian clothes and change clothes at the Office.

k. **Altering Style of the Uniform:** Uniforms shall be made of the material and in the style prescribed by this manual. The style shall not be altered or changed in any manner unless authorized by the Sheriff.

l. **Wearing of the Badge:** Members in uniform, shall wear an Office approved badge on the outermost garment, over the left breast so as to be clearly visible at all times.

m. **Badge and Credential Restriction:** Members shall not use another member’s badge or official Office credentials without permission of a superior deputy. They shall not knowingly permit any person not a member of the Office, to use an Office badge, uniform, or official credential at any time.

n. **Tribute of Mourning Accouterment:** An elasticized ribbon, black in color and 3/8-inch wide may be worn over the badge as a tribute of mourning. The ribbon shall be attached to the badge as illustrated below.

![Illustration of a badge with an elasticized ribbon]

o. **Authorized Jewelry:** Jewelry or personal ornaments, other than those authorized by this manual, shall not be affixed to any part of the member’s uniform or equipment. The following items of jewelry may be worn with the uniform:

1. Wristwatch
2. Medical identification bracelet or necklace.
3. A total of two (2) conservative rings may be worn.
4. Female members only will be allowed to wear earrings while in uniform, but must meet the following specifications:
   1. Conservative metal post or stud type earrings.
   2. Conservative in design, shape and black, silver or gold in color.
   3. Only one earring per ear and the earring shall be mounted in the earlobe.
   4. No earrings shall dangle from the ear.
p. **Inspections:** Inspection of members may be called at any time by a Commander or Supervisor of a Division or Unit. Any infraction or multiple infractions of the uniform regulations may be followed by administrative or disciplinary action.

q. **Full Dress Inspections:** The Sheriff may call for full-dress inspections for the Office. Members directed to attend such an inspection shall report in the uniform prescribed and carrying the equipment required for their position.

r. **Wearing the Campaign Hat:** Wearing of the hat is not required at all times, however it may be worn at the discretion of the individual deputy. The hat shall be worn as part of the uniform under the following conditions:
   1. When the deputy is in attendance at formal functions, such as parades, funerals, inspections and other ceremonies, unless decorum dictates its removal.
   2. When directed by a superior officer.
   3. When the hat is worn it shall be worn in a military manner, tilted slightly forward.

4). **Uniform Issuance**
   Members will be provided uniform items and equipment as provided in the county personnel rules and memorandums of understanding.

   a. **Replacement Procedures/Issue:** New uniform articles and/or repair of uniforms are provided for in the county personnel rules and memorandums of understanding. The procedure will be accomplished on a uniform survey basis, conducted by or under the directions of the appropriate Division Commander.

   b. **Uniform Survey Basis:** A regulation article of uniform shall be turned in to the appropriate Division Commander for each new article approved. Approval for replacement of articles must be made in accordance with the current memorandum of understanding.

   c. **County Property:** All uniform articles and equipment issued, and all uniform articles and equipment surveyed, are property of the County. These articles will be surrendered to the appropriate division commander upon termination of employment, or on direction of the Sheriff.
SECTION 3: Uniform Specifications (Executive Order #02-2011), (Executive Order #5-2012)

1). Manufacturing Guidelines: The following listed uniform articles and equipment shall constitute the official uniform for members of this Office. All articles of clothing shall have a uniform manufacturers tag attached the each garment.

   a. Fabric: All fabric materials, to be of good quality, pre-shrunk, and colorfast. In addition, all fabrics are to comply with specifications for the particular garment.
   b. Stitching: All stitching to be of the best quality, vat-dyed thread except as otherwise noted.
   c. Workmanship: To be of the highest quality, even to the smallest detail, to have no raw edges, defective materials or stitching, in any part of the garment.
   d. Fit: Each garment to be tailored to the satisfaction of the purchaser. The item must also meet appearance standards of the Office.
   e. Guarantee: Manufacturers, tailors, or vendors of all fabric items must guarantee the workmanship and the genuineness of the material to meet the specifications as set forth in this manual.

2). Class “A” Blazer Specifications worn by Support Services and Secretaries Only:

   a. Material: 55% polyester and 45% worsted wool.
   b. Color: Black
   c. Style for Women and Men shall be Edwards brand or equal:
      1. Traditional styled jacket.
      2. Reinforced armholes.
      3. Two front darts.
      4. Fully lined with contrasting piping
      5. Set-in pockets and flaps with two inside breast pockets.
   c. Additional Items Worn on Class “A” Jacket:
      1. Shoulder patches shall be centered on sleeve, approximately one (1) inch below the shoulder seam, on each sleeve.
      2. One service stripe for every five (5) years of full-time law enforcement services shall be worn on the left sleeve.
         a. Services stripes shall be placed three and one half (3 ½) inches above the left sleeve cuff with the complete stripe in front of the center press of the sleeve.
         b. The stripe shall be sewn at a 45 degree angle with the lower end of the stripe toward the inside seam.
      3. Nameplate: The name plate shall include the member’s first initial and last name. The metal nameplate shall be made of metal material, brass color with black inlay. It shall be centered and flush with the top portion of the right pocket flap.
      4. Badge: Seven point style, gold in color with blue lettering furnished by the Office is worn above the left breast pocket.

3). Class “A” Shirt Specifications:

   a. Patrol and Corrections:
      1. Material: Primary uniform to be all weather deluxe tropical, 65% Dacron polyester and 35% Avril rayon (perm-a-press).
      2. Color: Black.
3. Style: To be regulation uniform “Deluxe Tropical Shirt” as manufactured by “Flying Cross” or equal. Each shirt shall have five Lintrak permanent creases, (two creases in the front and three in the back) with optional front zippers.

4. Shoulder straps: To be provided with a strap of the same material as the shirt on each side. To be sewn on the shirt at the sleeves end of the shoulder and secured near the collar with a button.

5. Body: To be shaped to fit the figure of the wearer.

6. Buttons: To be of a suitable, durable material and the same color as the shirt. All buttons shall be identical.

7. Short sleeve shirts shall extend not more than ½ inch above the forearm when the arm is bent at a 90 degree angle.

8. Sleeves are to be of one piece and have a 7/8” hem.

b. Support Services and Secretaries:

1. Material: Primary uniform to be all weather deluxe tropical, 65% Dacron polyester and 35% Avril rayon (perm-a-press).


3. Style: To be regulation uniform “Deluxe Tropical Shirt” as manufactured by “Flying Cross” or equal. Each shirt shall have five Lintrak permanent creases, (two creases in the front and three in the back) with optional front zippers.

4. Shoulder straps: To be provided with a strap of the same material as the shirt on each side. To be sewn on the shirt at the sleeves end of the shoulder and secured near the collar with a button.

5. Body: To be shaped to fit the figure of the wearer.

6. Buttons: To be of a suitable, durable material and the same color as the shirt. All buttons shall be identical.

7. Short sleeve shirts shall extend not more than ½ inch above the forearm when the arm is bent at a 90 degree angle.

8. Sleeves are to be of one piece and have a 7/8” hem.

c. Additional Items Worn on Class “A” Shirt and Placement:

1. Shoulder patches shall be centered on sleeve, approximately ½ inch below the shoulder seam, on each sleeve.

2. One service stripe for every five (5) years of full-time law enforcement services shall be worn on the left sleeve.
   a. Services stripes shall be placed ¾ of an inch above the left sleeve cuff with the complete stripe in front of the center press of the sleeve.
   b. The stripe shall be sewn at a 45 degree angle with the lower end of the stripe toward the inside seam.

3. Nameplate: The name plate shall include the member’s first initial and last name. The metal nameplate shall be made of metal material, brass color with black inlay. It shall be centered and flush with the top portion of the right pocket flap.

4. Badge: Seven point style, gold in color with blue lettering furnished by the Office is worn above the left breast pocket.

5. Rank if authorized (see Insignia of Rank for proper placement).

6. Necktie/Crosstie/Tie Clasp:
   a. Material: 75% poly and 25% wool
   b. Color: Black
   c. Style: The tie shall be a clip on type not more than 3 ½ inches wide at the widest point.
d. The Crossover tie shall have an adjustable band with a black button snap.
e. The tie clasp shall be plain, gold metal, bar front, 5/16/ inch wide and 3 inches long. The tie clasp shall be affixed to the uniform shirt and tie within the area of the third and fourth button from the top of the uniform shirt.

7. Under Garments: Must be worn while on duty or when in uniform. The brassiere must be standard, with full covering cups white or skin colored.

4). **Class “A” Trousers and Skirt Specifications for all members:**
   a. **Material:** Trouser and Skirt will consist of 55 % Dacron Polyester and 45 % Wool.
   b. **Color:** Black
   c. **Trouser style for members in the Patrol Unit, Corrections Unit and Posse:** Shall be made on a uniform pattern, having a plain front quarter top pockets and two back pockets with no flaps. Club pockets are optional and shall meet the following criteria:
      1. Depth of the club pocket to be at least 8 ½ inches and 3 ½ inches wide.
      2. The club pocket shall be positioned on the right side seam, 2 ½ inches from the bottom of the front pocket.
      3. **Class “A” Belt:** Sam Brown Duty Belt shall be black and manufactured of high quality leather, 2 ½ inches wide, with a stamped basket weave pattern.
         a. Buckle shall be brass, and rectangular in shape with two buckle hooks.
   d. **Trouser Style for Support Services and Secretaries:** Shall be either plain or pleated front with 1 ½ inch belt loops. The trouser shall be Edwards Brand or equal to the same.
      1. The trouser belt worn by uniformed personnel will be top-grain cowhide, dyed black. If the trouser belt is used as the outer belt, the belt shall have a buckle.
      2. The trouser belt shall not be less than one (1) inch or more than one and one half (1 ½) inches wide.
      3. The buckle of the belt shall be plain brass colored metal buckle.
   e. **Skirt Style:** Shall be a modified “A” line skirt with shirred front, elastic side with zipper and button closure. Two panel back with kick vent and two side pockets with pressed open seams.
      1. The Class “A” skirt shall not be worn more than one (1) inch above the top of the kneecap while standing.
      2. When wearing the Class “A” Uniform with skirt, the nylons shall be a color close to or similar to skin color.
      3. The Class “A” skirt may be worn by any female member of the Office or as approved by the Division Commander.

5). **Class “A” Footwear**
Shall consist of polished, black smooth leather, plain, round-Wellington or lace up style boot or high gloss lace up shoes. Female members have the option of wearing a one inch pump as long as the shoe is polished smooth leather, black in color.

6). **Socks**
Shall be black in color when worn with low quarter shoes. Other colors are permitted when worn with the pull on or lace up style boot.
7). **Class “A” Campaign Hat Specifications worn by Patrol and Corrections:**

a. **Material:** Felt to be equal to or better than 868 Special as manufactured by Stratton Hats, 5 to 5 ½ mm width.

b. **Color:** Black

c. **Style:**
   1. The crown shall form a Montana peak traditional four-dent style 5½ inches high.
   2. The brim shall be double thickness straight flat felt, 3 inches with a minimum thickness of 3 mm with a raw edge.
   3. There shall be three black enameled metal eyelets on the crown, one each side and one in the back, 2 ½ inches above the brim. On the front of the crown, 2 ½ inches above the brim there shall be two eyelets to hold the Office hat badge.
   4. The Hat Band shall be ¾ inch wide black nylon band with finished edges extending around the bottom of the crown.
   5. The Brim Cord shall be 3/16 inch wide nylon cord gold metallic Mylar and shall lie on the brim around the bottom of the crown. Each end of the cord is to have a 1 ¼ inch double acorn with a 1 1/8-inch single slide acorn. The single slide acorn is to lie on the brim against the center-front of the crown.
   6. The Head Strap shall be 3/8 inch black leather with adjustable gold buckle. There shall be button-snapped leather loops for securing the hat through the oval eyelets and over the brim cord.

d. **Rain Cover:** may be clear or black in color.

e. **Braid and Head Strap:** Assemble instructions for the braid and head strap are shown below:
Chapter 3: Appearance and Equipment

8). Leather and Accessories (Patrol and Corrections):
All leather gear worn by members as part of their Class “A” uniform shall be black in color and have a basket weave pattern. All leather or leather type will be of high quality cowhide and be receptive to a high-gloss finish. The wearer shall maintain the leather in a serviceable condition and all hardware shall be kept clean and bright in appearance. The Division Commander has the authority to deviate from the Class “A” standards based on the needs of the division.

a. Holster: The duty holster for the Office shall be stamped with a basket weave pattern. The following type of holster is allowed:
1. Any high quality leather holster which is approved by the Sheriff or issued by the Office.
2. Exception: No cross draw holster will be allowed.

f. Proper Angle of Campaign Hat: The hat shall be worn with the front of the brim tilted slightly forward as depicted below:
c. **Handcuff Case:** The case shall be of high quality black leather basket weave cases, to be molded so as to accommodate modern, American made handcuffs. They are to have a slotted type back to fit on Sam Brown style belts.

d. **Mace Carrying Case:** The case shall be high quality black leather, basket weave.

e. **Flashlight Holder:** The case shall be black leather, basket weave, high quality leather, with optional brass snaps.

f. **Baton Holder:** The case shall be black, basket weave, leather, for those authorized to carry the expandable baton.

g. **Belt Keepers:** Shall be black, basket weave, high quality leather with brass snaps.

9). **Class “B” Shirt Specifications:**

a. **Patrol and Corrections:**

1. **Material:** Primary uniform to be all weather deluxe tropical, 65% Dacron polyester and 35% Avril rayon (perm-a-press).

2. **Color:** Black.

3. **Style:** To be regulation uniform “Deluxe Tropical Shirt” as manufactured by “Flying Cross” or equal. Each shirt shall have five Lintrak permanent creases, (two creases in the front and three in the back) with optional front zippers.

4. **Shoulder straps:** To be provided with a strap of the same material as the shirt on each side. To be sewn on the shirt at the sleeves end of the shoulder and secured near the collar with a button.

5. **Body:** To be shaped to fit the figure of the wearer.

6. **Buttons:** To be of a suitable, durable material and the same color as the shirt. All buttons shall be identical.

7. **Short sleeve shirts shall extend not more than ½ inch above the forearm when the arm is bent at a 90 degree angle.**

8. **Sleeves are to be of one piece and have a 7/8” hem.**

b. **Support Services and Secretaries:**

1. **Material:** Primary uniform to be all weather deluxe tropical, 65% Dacron polyester and 35% Avril rayon (perm-a-press).

2. **Color:** White.

3. **Style:** To be regulation uniform “Deluxe Tropical Shirt” as manufactured by “Flying Cross” or equal. Each shirt shall have five Lintrak permanent creases, (two creases in the front and three in the back) with optional front zippers.

4. **Shoulder straps:** To be provided with a strap of the same material as the shirt on each side. To be sewn on the shirt at the sleeves end of the shoulder and secured near the collar with a button.

5. **Body:** To be shaped to fit the figure of the wearer.

6. **Buttons:** To be of a suitable, durable material and the same color as the shirt. All buttons shall be identical.

7. **Short sleeve shirts shall extend not more than ½ inch above the forearm when the arm is bent at a 90 degree angle.**

8. **Sleeves are to be of one piece and have a 7/8” hem.**

c. **Additional Items Worn on Class “B” Shirt and Placement:**

1. **Shoulder patches shall be centered on sleeve, approximately ½ inch below the shoulder seam, on each sleeve.**
2. **Nameplate:**
   a. The name plate shall include the member’s first initial and last name. The metal nameplate shall be made of metal material, brass color with black inlay. It shall be centered and flush with the top portion of the right pocket flap.
   b. Name Plate Modification: In place of the metal name tag, it is permissible to have the employees name (first initial last name, i.e.: J. SMITH) embroidered directly on the shirt, gold or yellow lettering on black shirts and black lettering on white or gray shirts, approximately 3/8” san serif capital lettering. The lettering shall not extend past the width of the pocket. The past practice of having a name tag embroidered on a fabric strip and the strip sewn on the garment is no longer permissible. Current garments with this name strip are allowed until the garment is no longer serviceable.

3. **Badge:** Seven point style, gold in color with blue lettering furnished by the Office is worn above the left breast pocket.

4. **Rank if authorized (see Insignia of Rank for proper placement).**

5. **Under Garments:** Must be worn while on duty or when in uniform. The brassiere must be standard, with full covering cups white or skin colored.

6. **Optional Class “B” Polo for Support Services and Secretaries:** The Polo shall be Cornerstone Brand Tactical Polo, short or long sleeve, charcoal gray in color. The badge shall be the multi colored seven point star with the County Seal center. It shall be embroidered directly on the shirt with “SUTTER COUNTY” arched over the badge and “SHERIFF’S OFFICE” embroidered level under the badge in white, justified sans serif capital lettering of approximately 5/16 inch in size. The employee’s name shall be embroidered directly on the shirt, on the right breast side, in approximately 3/8 inch white capital sans serif letters with the first initial and last name of the employee. Communications Supervisors shall have “Supervisor” embroidered on the right breast side, in approximately 3/8 inch white capital sans serif letters, just above the first initial and last name.

10. **Class “B” Trouser and Skirt Specifications:**

   a. **Patrol and Corrections:**
   1. **Material:** Trouser or skirt may be of one blend but must consist of either, 55% Dacron polyester and 45%wool or 75%poly and 25% wool. The Skirt may consist of either 75/25 blend or 100% polyester.
   2. **Color:** Black
   3. **Style:** The trouser and skirt shall be the same as Class “A.”
   4. **When wearing the Class “B” Uniform with skirt, the nylons shall be a color close to or similar to skin color and black is permissible.**
   5. **Class “A” Belt:** Sam Brown Duty Belt shall be black and manufactured of high quality leather, 2 ½ inches wide, with a stamped basket weave pattern.
   6. **Duty Belt Modification for Class “B”:** Nylon web gear is permissible in place of the traditional leather basket weave duty belt and related duty accessories. Related duty accessories must be of matching design. The holster must be a “top draw” design, thumb snap, security type holster, threat level 2 or 3 and be primarily black nylon weave design. Examples of holsters not permitted for uniform use are breakfront style, clam shell, border patrol-style, swivel, loop, thigh supported (except the SED team while on mission) or pan cake holsters. It is advised that nylon gear has a lower service life than leather gear. Nylon gear should be
Chapter 3: Appearance and Equipment

inspected daily for serviceability. Nylon gear deemed not serviceable by a supervisor, either in function or appearance, will have to be replaced by the deputy at their own expense. The use of nylon shoulder suspenders for belt support is permissible.

b. Support Services and Secretaries:

1. Material: Trouser or skirt may be of one blend but must consist of either, 55% Dacron polyester and 45% wool or 75% poly and 25% wool. The skirt may consist of either 75/25 blend or 100% polyester.
2. Color: Black
3. Style: The trouser and skirt shall be the same as Class “A.”
4. The trouser belt worn by uniformed personnel will be top-grain cowhide, dyed black. If the trouser belt is used as the outer belt, the belt shall have a buckle.
   a. The trouser belt shall not be less than one (1) inch or more than one and one half (1 ½) inches wide.
   b. The buckle of the belt shall be plain brass colored metal buckle.
5. When wearing the Class “B” Uniform with skirt, the nylons shall be a color close to or similar to skin color and black is permissible.
6. Optional Class “B” Trouser: The 5.11 Brand Class “B” pant with side cargo pocket, reverse elasticized pleat, permanent military creased pant is permissible. This pant can be of any blend. Another Class “B” option is a business professional pant. This pant must be solid black, no jean and no Yoga style.

11). Class “B” Inclement Weather Hat Specifications worn by Operations and Corrections:

a. Class “B” Hat:
   1. Material: Knitted Cap (often woolen), but can be made from other similar material and commonly referred to as a “Beanie” or “Stocking Cap.”
   2. Color: Black
   3. Style: A head hugging, brimless hat without a visor. No brand names or other insignias will be on the hat.

b. Optional Class “B” Hat for Operations and Corrections:
   1. Material: Shall consist of 83/15/2 acrylic/wool/spandex construction which is structured with a closure that is stretch fit.
   2. Color: Black
   3. Style: A baseball style cap containing a 6 panel upper hat with a slight curve in the bill or brim of the hat. Females wearing the class “B” uniform may wear the Flexfit Cotton Twill Ponytail hat or the New Era 9Forty hat with Velcro strap in the same style.
   4. Brand: Shall be Port Authority Style C928 or similar.
   5. Lettering: The words “SUTTER COUNTY SHERIFF” shall be embroidered in justified sans serif capital lettering in yellow thread. The top line shall consist of the words “SUTTER COUNTY” and shall be 4” in width and .40” in height. The second line (bottom line) shall consist of the word “SHERIFF” and shall measure 4.25” wide and 1” in height. The overall width shall be 4.25” wide and 1.5” tall. The lettering shall be centered on the front of the hat. No other lettering or insignias shall be applied anywhere else on the hat.
   6. Wear and Use: The hat shall be worn in the spring, summer, winter and fall. When wearing the hat, it shall be worn facing forward with the center of the brim/bill in
line with the center of the employee’s nose. The hat shall not be worn in any other manner.

12). **Class “C” Uniform/Street gear Specification (Shirt and Trouser):**

   a. **Patrol:**
      1. **Material:** Shall consist of 65/35 poly/cotton construction with built-in stretch fabric. The material shall resist abrasions and fading.
      2. **Color:** Black
      3. **Shirt Style:** The shirt style shall consist of 6.5 oz cotton blend twill with a convertible sport collar, left pencil slot, badge eyelets with inner support strap, and five military creases (two in the front and three in the back) similar to Blauer Street Gear.
      4. **Trouser Style:** The trouser style shall consist of pleated thigh pockets, permanent creases, and reinforced seams and bar tacks, similar to Blauer Street Gear.
      5. **Body:** To be shaped to fit the figure of the wearer.
      6. **Buttons:** Shall be of suitable, durable material the same color as the shirt. All buttons shall be identical.
      7. **Trousers:** Shall be straight leg and hemmed to the top of the shoe.
      8. **Name Tag:** In place of the metal name tag, it is permissible to have the employees name (first initial last name, i.e.: J. SMITH) embroidered directly on the shirt, gold or yellow lettering on black shirts and black lettering on white or gray shirts, approximately 3/8” san serif capital lettering. The lettering shall not extend past the width of the pocket. The past practice of having a name tag embroidered on a fabric strip and the strip sewn the garment is no longer permissible. Current garments with this name strip are allowed until the garment is no longer serviceable.

   b. **Optional Class “B” Polo for Corrections:** The Polo shall be the 5.11 Brand, Tactical Performance Polo, short or long sleeve, black in color, 100% polyester, moisture wicking antimicrobial with mic clips, fully gusseted sleeves and pen pockets on the left sleeve. The badge shall be the multi colored seven point star with the County Seal center. It shall be embroidered directly on the shirt with “SUTTER COUNTY” arched over the badge and “SHERIFFS OFFICE” embroidered level under the badge in justified sans serif capital lettering. The lettering shall not extend past the width of the pocket. The past practice of having a name tag embroidered on a fabric strip and the strip sewn the garment is no longer permissible. Current garments with this name strip are allowed until the garment is no longer serviceable.

13). **Class “D” Uniform/Boat Patrol Uniform Specifications:**

   a. General purpose utility uniform shall consist of the standard black uniform shirt, with the appropriate placement of patches, badge, and name tag. The pants will be Class "C" uniform pants. This BDU utility uniform will be worn during the winter, spring and fall months.

   b. The summer uniform will consist of black uniform shorts, either jean or cotton/synthetic blend rip stop material. The uniform summer season polo shirt will be the Olympic Brand model CMP126 short sleeve or CMP155 long sleeve Light Gray in color with shoulder mic clip. The badge shall be the multi colored seven point star with the County Seal center. It shall be embroidered directly on the shirt with “SUTTER COUNTY”
arched over the badge and “SHERIFFS OFFICE” embroidered level under the badge in justified sans serif capital lettering of approximately 5/16 inch in size. The deputy’s name shall be embroidered directly on the shirt, on the right breast side, in approximate 3/8 inch black capital sans serif letters with the first initial and last name of the deputy with “BOAT PATROL” embroidered directly above the name. The summer shirt may only be worn in conjunction with the summer uniform.

c. Footwear with the utility uniform will be the same as the regular uniform, summer uniform and utility uniform. Black sandals or water boots will be worn while operating the personal water craft only.

d. Utility equipment belt will be of a black nylon type. There will be no leather worn except for radio cases or knife cases.

e. The standard head gear for boat patrol use will be a black baseball style hat with a Sutter County Sheriff’s Office cloth badge on the face of the hat. Plastic is acceptable for summer and a felt or wool blend for winter use.

14). Class “E” Uniform/Canine Uniform Specifications

The K-Deputies will have the option of wearing a K-9 Polo Shirt during the following circumstances:

1. During K-9 Training
2. During K-9 Competitions
3. During short notice K-9 call-outs. A short notice call-out is where the K-9 Deputy is off duty and is called to immediately respond to a call to utilize their K-9.
4. At exhibitions or other public events with the prior permission from command staff.

a. The K-9 Polo shall be the 5.11 Brand, Tactical Performance Polo, short or long sleeve, black in color, 100% polyester, moisture wicking antimicrobial with mic clips, fully gusseted sleeves and pen pockets on the left sleeve. The badge shall be the multi colored seven point star with the County Seal center. It shall be embroidered directly on the shirt with “SUTTER COUNTY” arched over the badge and “SHERIFFS OFFICE” embroidered level under the badge in justified sans serif capital lettering of approximately 5/16 inch in size. The deputy’s name shall be embroidered directly on the shirt, on the right breast side, in approximate 3/8 inch yellow or gold capital sans serif letters with the first initial and last name of the deputy with “K-9 UNIT” embroidered directly above the name. On the back of the shirt shall be silk screened “SHERIFF” with “K-9” below the Sheriff. This lettering shall be in justified capital sans serif lettering approximately 2 ¾ inch in size.

15). Class “F” Uniform/Bicycle Uniform Specifications

The authorized bicycle uniform consists of the Olympic Brand Uniform. Other brands may be substituted, if approved and if not substantially different from the following specifications.

a. Daytime shirt (CMP 126): Gray “Olympic” brand short sleeve “cool max” polo with Office patches on both sleeves. Cloth/Velcro nametag on right chest and SHERIFF, in black letters, across the back.

b. Nighttime shirt (CMP 126): Black “Olympic” brand short sleeve “cool max” polo with Office patches on both sleeves, a cloth badge on left chest, a cloth/Velcro nametag on right chest and SHERIFF, in silver reflective letters, across the back.

e. Jacket (OVP 587): Black “Olympic” brand Supplex vest with zip off bolero, with Office patches on both sleeves, a cloth/Velcro nametag on right chest and SHERIFF, in 3” silver reflective letters, across the back and 2” silver reflective letters below the nametag.
f. Shoes: Black tennis shoe or mountain bike type shoe, made from leather or nylon or a combination of both.
g. Glasses: Impact resistant eyewear as approved by the Office.
h. Gloves: Finger or finger-less cycling gloves as approved by the Office.
i. Duty belt: Uncle Mike’s nylon web/cordura duty gear, black in color.
j. Helmet: Bell or similar brand helmet, black in color with SHERIFF in white letters on both sides of the helmet.

16). Class “G” Uniform/Dive and Swift Water Rescue Uniform:

a. Shirt: White polo shirt with black around the collar and sleeves. The left front of the shirt will display a Sheriff’s badge with a diver in the middle and “Sutter County” written on the top and “Sheriff” on the bottom of the badge. On the right side of the shirt, breast level, the name of the diver will be displayed (first initial and last name). The back of the shirt will display “Swift Water rescue” (on top) and Dive Team Recovery (on bottom). Between both inscriptions a dive flag emblem will be displayed. The letters will be embroidery in black thread, the badge gold thread and the dive flag will be red thread with a white diagonal slash through the red rectangle.
b. Pants/Shorts: The shorts are the same specification as the boat patrol shorts. During the winter when weather deems necessary, a pair of green cotton sweat pants shall be worn. The hat will be similar to a baseball style hat. The hat must be a white cloth style hat. The front of the hat shall have the inscription of “Sutter County Sheriff.” The hat will have the inscription “Dive Team Recovery” on the left side of the hat and the inscription “Swift Water Rescue Tech. II” on the right side of the hat.

17). Class “H” Uniform/Utility Uniform Specifications

There will be certain authorized exceptions when the members may wear the standard boat patrol uniform for other functions. These functions include natural disasters, ATV patrol, evidence searches while off duty, and any special detail as directed by the Sheriff. As a reminder, the standard uniform will consist of:

a. Standard black uniform shirt, with appropriate placement of patches, name tag and badge. The member may choose to utilize a cloth name tag and cloth badge. The cloth badge will be provided to the member by the Patrol Unit Commander. The cloth name tag will be provided by the member and must be on a black background and gold lettering. The name tag will have the first initial and last name of the member. There must be both items present for the wearer to be authorized to wear the shirt.
b. Pants will be the authorized Class "C" uniform pant.

18). Inclement Weather Uniform

The Inclement Weather Uniform is an optional uniform available to patrol deputies to be worn during inclement weather. Examples of Inclement Weather could be; rain, cold temperatures or a combination of both.

a. Material: Ultratex which is a spun laid (continuous filament) thermal bonded polypropylene nonwoven material which is waterproof. Its isotropic fiber distribution, combined with a fine denier filament structure, gives the fabric high tensile and tear strength.
b. Color: Black
c. **Style:** Jump Suit, with a full length two way front zipper, (No flap with snaps covering the zipper) six zippered pockets, zipper in each inner leg and an outer zipper to allow access to undergarments. Velcro closures on sleeves and legs, elastic at waist with belt loops, epaulets on each shoulder and a reflective pull down patch on the back with the word “SHERIFF.”

The Inclement Weather Uniform is an optional uniform available to patrol deputies to be worn during inclement weather. Examples of Inclement Weather could be; rain, cold temperatures or a combination of both.

a. **Material:** Ultratex which is a spun laid (continuous filament) thermal bonded polypropylene nonwoven material which is waterproof. Its isotropic fiber distribution, combines with a fine denier filament structure, gives the fabric high tensile and tear strength.

b. **Color:** Black

c. **Style:** Jump Suit, with a full length two way front zipper, (No flap with snaps covering the zipper) six zippered pockets, zipper in each inner leg and an outer zipper to allow access to undergarments. Velcro closures on sleeves and legs, elastic at waist with belt loops, epaulets on each shoulder and a reflective pull down patch on the back with the word “SHERIFF.”

19. **Cadet Uniform Regulations**

The wearing of the cadet uniform will be segregated into the following classes:

1. **Class “A” Uniform/Dress Uniform:** The Class “A” Uniform also referred to as the “Dress Uniform” will consist of the following clothing and equipment:
   
a. Green, long sleeve uniform shirt, tie with plain gold tie bar, shoulder patches, rank insignia, badge, and name plate.

b. Green uniform pants, pant belt.

c. Regulation footwear.

d. Duty Belt minimally equipped with handcuff case and four belt keepers.

2. **Class “B” Uniform/Summer and Winter Uniform:** The Class “B” uniform will consist of the following clothing and equipment:

a. Green long or short sleeve uniform shirt, shoulder patches, name plate, rank insignia, and badge.

b. A black, crew neck T-shirt, may be worn under the short-sleeved uniform shirt. The sleeves of the T-shirt shall not be visible.

c. A black turtleneck, mock turtle neck or crew neck T-shirt shall be worn under the long sleeve uniform shirt.

d. Regulation pants with belt and duty belt equipped with all required equipment.

e. Regulation polished footwear and black socks.

f. OPTIONAL: Approved black foul weather jacket or windbreaker.

3. **Class “C” Training Uniform:** The Class “C” Uniform also referred to as the “Training Uniform” will consist of the following clothing and equipment:

a. Long sleeve or short sleeve polo shirt, embroidered Badge and embroidered name tag.
b. Black crewneck t-shirt, Black BDU style uniform pants of quality manufacturing.
c. Polished footwear.
d. Pant belt, duty belt equipped with all required equipment.
e. OPTIONAL: Approved black foul weather jacket or windbreaker.
   OPTIONAL: Approved black “Sutter County Sheriff” ball cap.

20). Uniform Regulation for Volunteers

The Volunteer Uniform will be segregated into the following classes:

1. Class “A” Uniform/Dress Uniform: The Class “A” Uniform also referred to as the “Dress Uniform” will consist of the following clothing and equipment:
   a. White, long sleeve uniform shirt, tie with a gold plain tie bar, name tag, badge and shoulder patches.
   b. Uniform pants.
   c. Trouser Belt
   d. Regulation footwear

2. Class “B” Uniform/Summer and Winter Uniform: The Class “B” uniform will consist of the following clothing and items:
   a. White uniform shirt, shoulder patches, nametag and badge.
      1) A white crew neck T-shirt shall be worn under the summer uniform. The sleeves of the T-shirt shall not be visible.
      2) A white turtle neck, mock turtle neck or crew neck T-shirt may be worn under the winter uniform.
   b. Uniform Trouser
   c. Trouser Belt
   d. Regulation footwear

21). Optional Uniform Specifications for Dispatch, Civil, Records, and Exec. Secretary

1. Vests: Vests may only be worn with the Class “B” uniform:
   a. Women:
      1. Fully lined and tailored
      2. Two usable welt front pockets.
      3. Full cloth back with four button front.
      4. Black in color
      5. Material shall match the trouser or skirt.
   
   b. Men:
      1. Fully lined and tailored.
      2. Two usable welt front pockets.
      3. Full cloth back with five button front.
      4. Black in color
      5. Material shall match the trousers.
   c. Tunic Vest: (Women Only)
      1. Optional only with the Class “B” Uniform.
      2. Long vest without buttons.
3. Two hip pockets.
4. Material shall be the same blend as the trousers or skirt.

2. **Lightweight Jacket for Men and Women**: Black in color, Sport-Tek brand Sport-Wick Fleece Full-Zip Jacket. The badge shall be the multi colored seven point star with the County Seal center. It shall be embroidered directly on the left front of the jacket, with “SUTTER COUNTY” arched over the badge, and “SHERIFF’S OFFICE” embroidered level under the badge in white for Support Services and Secretaries and gold embroidery for Corrections, justified sans serif capital lettering of approximately 5/16 inch in size. The employee’s name shall be embroidered directly on the jacket, on the right front, in approximately 3/8 inch white for Support Services and Secretaries and gold for Corrections capital sans serif letters with the first initial and last name of the employee. Communications Supervisors shall have “SUPERVISOR” embroidered on the right breast side, in approximately 3/8 inch white and Correctional Sergeants shall have “SERGEANT” embroidered on the right breast side, in approximately 3/8 inch gold capital sans serif letters, just above the first initial and last name. May be worn with Class “B” uniform only.

22). **Foul Weather/Lightweight Jacket and Rain Jacket Specifications**

1. **Foul Weather Jacket Specifications**: The foul weather jacket shall be black in color, standard cut body and sleeves, full cut collar, with button epaulets and two pleated pockets and constructed of a weather resistant material. The jacket should be similar to the Horace Small brand “New Generation,” model convertible jacket. It may have a removable lining. The buttons shall have a gold “S” on the pocket flaps and epaulets and may be worn with or without the fur collar. Members may sew a cloth badge in place of their regular badge and in place of the metal name tag; members may utilize the cloth name tape. Service stripes are optional.

If a foul weather jacket is worn with the Class “A” Uniform, then a metal nametag and badge shall be worn. The jacket is authorized for wear by all uniformed members.

2. **Lightweight Jacket Specifications**: The lightweight jacket shall be black in color; standard cut body and sleeves, full cut collar, with button epaulets and two pleated pockets. The jacket should be similar to the Horace Small “Recruit” or “Chill Chaser” model jackets. The buttons shall have gold “S” on the front and the buttons shall be placed on the pocket flaps and epaulets. An Office cloth badge may be sewn above the left breast pocket, centered over the heart. A name tape may be worn over the right pocket. This jacket is authorized for wear by all uniformed members.

3. **Rain Gear**: May be a coat or two pieces. Shall have a badge holder on left pocket. May be either yellow or black in color, reinforced waterproof. Length of jacket should extend below the waist.

23). **Footwear Specifications**

1. **Class “A” footwear**: Standard black leather, plain, round-toed, center lace style and may be of the soft leather or athletic style. Female members may wear any style of shoe as long as they are smooth leather, black in color. If wearing heels, the heel can be no higher than two inches. There shall be no unduly decorated shoes or unnecessary ornamentation without the approval of the Division Commander.
3. **Rain Boots or Shoes:** They will be made of black plastic, rubber, or other suitable material.

### 24. Nameplates/Name Tape Specifications

1. **Specifications:** The nameplate and name tape shall include the member’s first initial and last name.
   a. The metal nameplate shall be made of metal material, brass color with black inlay. The nameplate shall be worn on the outermost garment and (except when wearing a rain jacket) clearly visible at all times. It shall be centered and flush with the top portion of the right pocket flap.

On the Class B, C, D, E, F, G and H uniform shirts, in place of the metal name tag, it is permissible to have the employees name (First initial, last name) embroidered directly on the shirt, gold or yellow lettering on black shirts and black lettering on white or gray shirts, approximately 3/8” sans serif capital lettering. The lettering shall not extend past the width of the pocket. The past practice of having a name tag embroidered on a fabric strip and the strip sewn on the garment is no longer permissible. Current garments with this name strip are allowed until the garment is no longer serviceable.

### 25. Gloves

1. **Gloves:** Shall be leather or fabric material, black in color, with plain wrist length, style may be lined or unlined.

### 26. Carrying Identification Card/Badge Off Duty

1. **Regular Issue:** The regular issued badge of the Office shall be carried in a leather badge holder.

2. **Flat Badge:** A flat badge of the same size, markings and configuration of the duty badge and to be carried in a leather badge holder. This badge is to be carried per the approval of the Sheriff.

3. **Off Duty:** When off duty, all members shall carry or have in their immediate possession the Office identification card. Carrying of the badge shall be optional. This regulation shall not apply when members are engaged in sports or activities of such a nature as to make it impractical.

### 27. Handcuffs

Must be modern, American made type, made of metal or alloy.

### 28. Insignia of Rank

All uniformed personnel of the rank of Corporal or above shall wear the appropriate insignia of rank as specified below.

1. **Sheriff:** The insignia of rank for the Sheriff shall be four gold stars and worn on the collar or epaulet as described and shown below.
   a. **Shirt/Jacket Collar:** Four stars shall be worn in a straight line and centered on each side of the shirt collar, with the double points of the row of stars placed one-half inch (1/2”) from the front edge of the collar.
   b. **Shirt/Jacket Epaulet:** Four stars shall be worn in a line on each epaulet of the jacket or other outside garment where insignia is required. The line of stars shall be centered between the front and rear edges of the outside epaulet. If the jacket does not have epaulets, the insignia shall be worn on the collar as described above.
2. **Undersheriff:** The insignia of rank for the Undersheriff shall be two gold stars and worn on the collar and or epaulet as described and shown below.
   a. **Shirt:** Two (2) gold stars shall be worn in a straight line and centered on each side of the shirt collar, with the double points of the row of stars placed one-half inch (1/2”) from the front edge of the collar.
   b. **Duty jacket:** Two (2) gold stars shall be worn on each epaulet of the jacket or other outside garment where insignia is required. The line of stars shall be centered between the front and rear edges of the epaulet. The tip of the outermost star shall be positioned three-quarters inch (3/4”) from the outside edge of the epaulet. If the jacket does not have epaulets, the insignia shall be worn on the collar as described above.

3. **Captain:** The insignia of rank for captain shall be two gold bars and shall be worn on the collar and or epaulet as described and shown below.
   a. **Shirt:** One (1) set of two (2) gold bars shall be worn on each side of the shirt collar in a vertical position one-quarter inch (1/4) apart. The long edge of the front bar shall be one-half inch (1/2) from and parallel with the edge of the collar. The bars shall be centered between the top and bottom edge of the collar.
   b. **Duty jacket:** One (1) set of two (2) gold bars shall be worn on each epaulet of the duty jacket or other outside garments where insignia is required. The bars shall be placed so that the long edge of the outer bar is three-quarters inch (3/4”) from and parallel with the sleeve seam. If the jacket does not have epaulets, the insignia shall be worn on the collar as described above.

4. **Lieutenant:** The insignia of rank for lieutenant shall be one gold bar and shall be worn on the collar or epaulet as shown and described below.
   a. **Shirt:** One (1) gold bar shall be worn on each side of the shirt collar in a vertical position with the long edge of the bar one-half inch (1/2”) from and parallel with the front edge of the collar. The bar shall be centered between the top and bottom edge of the collar.
   b. **Duty jacket:** One (1) gold bar shall be worn on each shoulder of the duty jacket or other outside garment where insignia is required. The gold bar shall be placed so that the long edge of the bar is ¾ inch from and parallel with the sleeve seam. If the jacket or outer garment does not have epaulets, the insignia shall be worn on the collar as described above.

5. **Sergeant:** The insignia for Sergeant shall be cloth sergeant chevrons with the three inverted “V” bars.
   a. The cloth chevrons shall be gold, bordered by black on a black backing, and shall have miter edges.
   b. The chevrons shall be one single unit construction and worn on the right and left sleeves of the winter and summer shirts.
   c. The inverted v-bars shall be attached to the uniform so that the upper point is 1/8 inch below the lower point of the shoulder patch and centered on the sleeve crease.
   d. The chevrons shall be worn on the foul weather jacket and the windbreaker. They will be worn the same as described on the shirts.

29). **PROCEDURES**

It is the policy of the Sutter County Sheriff’s Office to maximize deputy safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of deputy safety procedures.
DEFINITION:
Field Activities: Duty assignments and/or tasks that place or could reasonably be expected to place deputies in situations where they would be required to act in enforcement rather than administrative or support capacities.

1. Issuance of Body Armor
   a. All body armor issued must comply with protective and related requirements prescribed under current standards of the National Institute of Justice.
   b. All deputies shall be issued agency-approved body armor.
   c. Body armor that is worn or damaged shall be replaced by the agency. Body armor that must be replaced due to misuse or abuse by the deputy shall be paid for by the deputy.

2. Use of Body Armor (Executive Order #05-2019)
   a. Deputies shall wear only agency-approved body armor.
   b. Deputies that are assigned to a uniformed function and non-uniformed sworn deputies are required to wear body armor while engaged in field activities while on duty unless exempt as follows:
      1. When an agency-approved physician determines that a deputy has a medical condition that would preclude wearing body armor.
      2. When the deputy is involved in undercover or plain clothes work that his/her supervisor determines could be compromised by wearing body armor.
      3. When the Office determines that circumstances make it inappropriate to mandate wearing body armor.
   c. Deputies are authorized to wear, at their cost, either the Elbeco or Blauer Armorskin external vest carriers or the Point Blank Guardian Uniform MOLLE carrier. Both external vest carriers must match the Sutter County Sheriff’s Office’s existing uniform shirts. The Elbeco or Blauer external carriers must have a badge and name plate eyelets, three stitched-in military creases on the back of the vest carrier and two on the front, epaulets, pleated pockets with scalloped flaps and pencil slots. The Guardian Uniform MOLLE carrier must have stitched-in military creases on the front, epaulets, pleated pockets with scalloped flaps and pencil slots and a ‘SHERIFF’ identifier on the back attached by Velcro.
   d. Deputies are authorized to wear the Sheriff’s Office approved uniform shirt under the external vest carrier or either the Elbeco or Blauer undervest shirt. The undervest shirt must have the appearance of a typical uniform shirt on the visible portions and anti-microbial fabric on the covered portions. Deputies are also approved to wear the Sheriff’s Office’s approved black polo shirt under the external vest carriers. Deputies, who choose to wear either the Elbeco or Blauer undervest shirt, shall have shoulder patches centered on each sleeve approximately ½ inch below the shoulder seam. Short sleeve shirts shall extend no more than ½ inch above the forearm when the arm is bent at a 90-degree angle. In place of the metal name tag, it is permissible to have the employee’s name (first initial last name, i.e.: J. SMITH) embroidered directly onto the external vest carrier in gold or yellow lettering. The lettering shall not extend past the width of the pocket.
e. Deputies choosing to wear the Guardian Uniform MOLLE external carrier may not affix their duty firearm to Taser (ECD) to the vest. No knives or other weapons may be displayed on the MOLLE external carrier.

f. Pouches must be of the same manufacturer, quality, color, and design of the vest. Only the following pouches may be affixed to the front of the MOLLE external carrier; flashlight, handcuff(s), radio holder, baton holder, OC/Pepper Spray, and duty handgun magazine pouch. No pouches or items shall be affixed in the back.

g. The Guardian Uniform MOLLE external carrier shall not be worn during planned, public events where the primary purpose is to interact with the public and not suppression (National Night Out, parades, community presentations, etc.).

3. Inspections of Body Armor

a. Supervisors shall be responsible for ensuring that body armor is worn and maintained as required by this policy through routine observation and periodic documented inspections.

b. Annual inspections of body armor shall be conducted for fit, cleanliness, and signs of damage, abuse and wear.

4. Care, Maintenance and Replacement of Body Armor

a. Deputies shall routinely inspect personal body armor for signs of damage and for general cleanliness.

b. As dirt and perspiration may erode ballistic panels, each deputy shall be responsible for cleaning personal body armor in accordance with the manufacturer’s instructions.

c. Deputies are responsible for the proper storage, maintenance and care of body armor in accordance with manufacturer’s instructions.

d. Deputies are responsible for reporting damage or excessive wear to the ballistic panels or cover to their supervisor and the individual responsible for the uniform supply function.

e. Body armor will be replaced in accordance with guidelines and protocols established by the National Institute of Justice.

5. Training

The training deputy shall be responsible for:

a. Monitoring technological advances in the body armor industry that may necessitate a change in body armor.

b. Assessing weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.

c. Providing training programs that demonstrate body armor’s stopping power under actual firing conditions and that emphasize its safe and proper use.

d. Maintaining statistics on incidents where armor has or has not protected deputies from harm, including traffic accidents.
Chapter 4: Defensive Weapons and Use of Force
SECTION 1: Weapons (Executive Order #09-2011, Executive Order #4-2012)

1. Authorized Duty Weapons
The following sections will outline the policy concerning acceptable duty weapons that must be authorized by the Sheriff. Members shall only use firearms that are issued or approved by the Office and have been thoroughly inspected by the Firearms Instructor. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that firearm at an authorized department range.

1. Issued Duty Weapons: The Sutter County Sheriff's Office will provide the Sig-Sauer .40 caliber, Model 226, semi-auto, as its standard issue weapon. The Office will also provide a retention holster and magazine pouch, in black basket weave leather. Those assigned to Detectives will be issued the Sig-Sauer Model 229 in .40 caliber. Appropriate leather gear will be provided.

2. Optional Duty Weapons: An alternate self-owned firearm may be carried by department members after receiving written approval from the Head Firearms Instructor, who will seek approval from the Undersheriff. Personally owned firearms will be outfitted with night sights and have a minimum of three magazines.

A. The following optional firearms are approved for duty carry:
1) Glock .9mm, models G17, G19, G34, and G35
2) Glock .40 caliber, models G22, G23, and G24
3) Sig Sauer .40 caliber, model P320
4) Sig Sauer .9mm, model P320
5) Sig Sauer .9mm, model P225 (Administration and Detectives only)
6) Sig Sauer .9mm, model P365 (Administration and Detectives only)

B. Once approved, personally owned duty firearms are subject to the following conditions:
1) The firearms shall be in good working order as determined by the Head Firearms Instructor.
2) The firearm shall be inspected by the Firearms Instructor prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
3) Prior to carrying the firearm, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.
4) Members shall provide written notice of the make, model, color, serial number, and caliber of the firearm to the Firearms Instructor, who will maintain a list of the information.
5) Members will provide their own duty holster and magazine pouch for their specific firearm.
6) Members recognize the department is not responsible for any damage or loss of personally owned equipment.

3. Authorized Holsters:
a. The Sutter County Sheriff’s Office will provide to uniformed personnel the Safariland model 070 Rogers SS III Security Holster or the Safariland Model 0705 Rogers SS III Security Holster. The finish of the holster shall be black basketweave with brass snaps.
b. The Sutter County Sheriff’s Office will provide to uniformed K-9 handlers and S.E.D. team members the Safariland 6360 ALS level II Plus with Ride UBL or the Safariland 6365 ALS Level II Plus with Drop UBL. The holster shall be configured to accommodate a rail mounted weapon light. The finish of the holster shall be black basketweave for patrol deputies, and black basketweave if worn with leather duty gear or plain black if worn with nylon duty gear, for K-9 handlers.

4. **Optional Holsters:** Optional Holsters for uniformed personnel, which may be provided by the deputy must be of a top draw design, and have a thumb strap or similar function security mechanism. The finish of the holster shall be black basketweave, and the profile shall resemble the Safariland 070 series or Safariland 6360 series.
   a. The Sutter County Sheriff’s Office will provide to plainclothes personnel the Tex Shoemaker N69 PL 4516 Holster.
   b. Optional holster for plainclothes personnel, which may be provided by the deputy must be constructed of leather, nylon, or carbon fiber and be black or brown in color. The holster shall be designed for maximum concealment and shall provide secure retention of the firearm. A thumb strap or internal retention mechanism shall secure the weapon in the holster.

5. **Authorized Magazine Pouches:**
   a. The Sutter County Sheriff’s Office will provide uniformed personnel a magazine pouch which will accommodate two handgun magazines. The finish of the pouch shall be black basketweave with brass snaps. Plainclothes personnel shall be provided a correct fitting double magazine pouch constructed of leather, nylon, or carbon fiber. K-9 Handlers may use black nylon or black basketweave leather magazine pouches.

6. **Authorized Duty Ammunition:**
   a. The Sutter County Sheriff’s Office will provide all duty ammunition. The following will be the authorized duty ammunition.
      1). .45ACP – 230 Grain +P Federal HST
      2). .40S&W – 180 Grain Federal HST
      3). .9mm – 147 Grain Federal HST
      4). .9mm – 124 Grain +P Federal HST
      5). .223 – 55 Grain Federal TRU
      6). .308 – As Required – Major Manufacturer
      7). .50 BMG – As Required – Major Manufacturer
      8). .12g Buckshot - 00 9 pellet or 000 8 pellet Federal Tactical
      9). .12g Slug – 1oz Federal

7. **Authorized Tactical Weapon Light:**
The only approved tactical lights for handgun use by Sheriff’s Office personnel is any Streamlight or Surefire product. Any other model or manufacturer variation shall have prior written approval from the Head Range Master and the Sheriff prior to deployment. A copy of the written approval shall be kept in the Deputy’s training folder.
   1. All employees of the Sutter County Sheriff’s Office choosing to carry a handgun tactical light shall attend and successfully complete an approved course of fire with the tactical light attached to their handgun prior to deployment.
   2. All employees of the Sutter County Sheriff’s Office choosing to carry a handgun tactical light shall demonstrate proficiency with the handgun tactical light on a live fire course in low light conditions.
   3. Division Commanders or the Head Range Master shall notify any employee
Chapter 4: Defensive Weapons and Use of Force

found to be in non-compliance with handgun tactical light training requirements, in writing, that they are no longer authorized to carry a handgun tactical light on-duty.

4. The handgun tactical light affords a Deputy a tactical advantage when engaged in dim-light high-risk enforcement activities. The handgun tactical light shall be considered part of the handgun weapon system. While the handgun tactical light affords a Deputy a tactical advantage, it shall not be considered as a replacement for a hand-held flashlight.

5. The handgun tactical light shall not be used simply as a source of light. At no time shall a Deputy point their handgun tactical light at a person simply as a means of illuminating them in a situation that does not warrant the presentation of that level of force.

6. Deputies shall have the light securely attached to the handgun at all times while on duty.

7. Deputies shall not use the handgun tactical light for any of the following reasons:
   i. Searching for evidence
   ii. Filling out report forms
   iii. Directing traffic
   iv. Field sobriety test
   v. Any other instance not justified by Department policy or by law to display your firearm.

2). Authorized Shotguns

1. Approved firearms: The following shotguns are authorized and provided by the Office for use:
   a. Remington 870, 12-gauge, pump action.
   b. Additional brands as provided by the Office through asset seizure or other methods. Actions may be pump style or semi-automatic.
   c. Benelli, Super 90, 12 gauge semi-automatic (SED Team).
   d. Weapons provided by members must be authorized in writing by the Sheriff prior to being used on duty.

2. Ammunition: The following ammunition will be authorized and provided by the Sheriff’s Office for use in authorized shotguns:
   a. 00 Buck Federal 12 gauge
   b. 00 Buck Winchester 12 gauge
   c. 00 Buck Remington 12 gauge
   d. Slug Rounds Federal 12 gauge (SED only)
   e. Flexible Baton Def Tec 12 gauge (SED and Supervisors only)

3. Approved Manner of Carrying Shotgun: The following procedure will be adhered to when carrying a loaded shotgun in a Sutter County patrol vehicle:
   a. Shotgun must be secured unless circumstances dictate other actions.
   b. No live rounds in the chamber unless being prepared to be fired.
3). **Authorized Long Guns (Rifles)**

Uniformed and plainclothes personnel will be allowed to carry rifles as an optional weapon. Optional rifles will be of a semi-auto type .223 caliber (5.56 mm) or 308 caliber (7.62x51mm). Deputies opting to carry a rifle will be required to attend an orientation class and pass a qualification course of fire.

1. **Types of Rifles:** Authorized rifles will be limited to major manufactured semi-auto type, chambered for the .223 caliber (5.56 mm) or 308 caliber (7.62x51mm) cartridge and subject to the Sheriff’s approval.

2. **Duty Ammunition:** Will be of major manufacturer (no reloads) and limited to soft point type bullets.

3. **Weapon Security:** Rifles carried on duty will be secured either in a locking device similar to that of the lock for the shotgun or secured in the trunk of the patrol unit or unmarked vehicle. Rifles secured in the trunk will be in some type of container to prevent accidental discharge. Rifles kept in the locked rack or in a container in the trunk will contain no live round in the chamber and with the safety in the “on” position.

4). **Primary Use of Rifles**

1. **General Guidelines:** The following should be used as a general operating procedure for the use of the rifle:
   a. Confrontations with heavily armed suspect(s).
   b. Initial perimeter containment of “SED” type situations (continued use upon arrival of the SED team and at the discretion of the team leader or SED Commander).
   c. Long range engagement of suspects armed with weapons capable of long range use.
   d. When circumstances dictate a tactical need for such weapons.

2. **Deployment of Rifles:** The initial deployment of rifles will be at the deputy’s discretion based on the circumstances of the situation. Continued deployment of rifles will be at the Supervisor’s discretion based on continued evaluation of the situation.

4.1 **Purpose and Policy:**

To provide policies and procedures regarding the use of Oleoresin Capsicum Spray by members of this Office. Refer to “Use of Force Policy” in these orders.

**Oleoresin Capsicum (OC):** For purposes of this policy, the organic inflammatory projector type non-lethal weapon issued by the Office shall hereafter be referred to as OC Spray.

A. **(OC) Spray is authorized by law for sworn and non-sworn personnel with the approval of the office. Only those personnel specifically authorized by the Office to carry OC Spray on duty may do so.**
   1) Sworn and Non-sworn personnel are required to complete a Peace Deputy Standards and Training (POST) certified course before authorization to carry OC spray on duty will be granted.

B. **All Office personnel are only authorized to carry the OC Spray provided by the Office. No other brand or type of OC Spray is authorized for use on duty.**

C. **Sutter County Sheriff’s Office will only issue OC Spray that contains a non-flammable propellant.**

1. **Use:**
   A. Spray
Chapter 4: Defensive Weapons and Use of Force

1) It is recommended OC Spray be applied to subject(s) from a distance of not less than six (6) feet or more than ten (10) feet. Use of OC Spray at close distances diminishes its effectiveness, can cause exposure to yourself and other deputies and should be performed only under extreme conditions.

2) For best results the discharge of OC Spray should be directed at the eyes and face of the subject.

3) The duration of the application of OC Spray should be one or two one-second burst(s) aimed directly at the face and eyes of the subject. Overuse of OC Spray can actually diminish its effectiveness because some propellants used to carry the primary ingredient of OC can wash the OC from the eyes. The amount of OC Spray used shall be limited to the minimum amount required to effectively control the subject.

4) Although OC Spray does not vaporize, deputies should wait a few seconds before handling suspects to prevent exposure. Deputies should avoid touching their eyes or face after handling exposed subjects.

5) OC Spray has some effectiveness on animals, but at times it only serves to further enrage the animal. Do not be solely dependent upon OC Spray to effectively ward off vicious animals.

2. Decontamination and Follow-up Procedures:
   A. OC Spray
      1) OC Spray is an organic inflammatory agent and will cause the eyes to involuntarily close. The subject will also experience an extreme burning sensation to the face and eyes. OC Spray will inflame the soft tissue in the eyes, nose and throat. This may cause a sense of difficulty in breathing and panic in the subject. The deputy should reassure the subject that the effects are temporary and attempt to calm the subject. Generally, the effects of OC Spray will last fifteen (15) to forty-five (45) minutes.

      2) Deputies will ensure that the subject receives adequate decontamination treatment as soon as possible. The most effective treatment for OC Spray exposure is washing the eyes and face with large amounts of water. If decontamination treatment fails to bring relief after a reasonable amount of time, the subject shall receive medical treatment.

      3) Infants and small children inadvertently Sprayed with OC Spray shall receive medical treatment.

      4) When booking subjects exposed to OC Spray, deputies shall notify jail staff in order to prevent contamination of jail staff or other jail occupants.

3. Reporting Procedures: The use of OC Spray requires the completion of a crime report. The crime report shall include the following information:

   A. The name(s) of the individual(s) Sprayed with OC Spray.
   B. Witness(es) to the incident.
   C. Extent of injury, if any, to subject and/or personnel.
Chapter 4: Defensive Weapons and Use of Force

D. Circumstances that led to the use of the OC Spray.
E. A complete description of how the OC Spray was used.
F. A “DOJ OC Application Report” (DLE 126) is required to be completed.
G. A “Use of Force” form shall be filled out.

4. Enforcement Action:
   A. If the deployment of OC Spray is necessary to apprehend or control a suspect then the complaint of 148 (a) (1) P.C. would usually be lodged against the individual, except in certain circumstances such as a mentally disturbed person.
   B. A failure to arrest shall be fully explained.
5. **Control and Issuance of Liquid Chemical Agent:**
   A. Office personnel are responsible for the OC Spray issued to them and are not permitted to loan or give this restricted equipment to anyone other than authorized Office personnel.
   
   B. Malfunctioning or empty canisters are to be turned in to a supervisor for safe and proper disposal. Replacement will be made upon receipt of old equipment.
   
   C. Supervisors are responsible for periodic inspections of the OC Spray possessed by personnel in their unit. On occasion deputies should shake their OC Spray canister three to five seconds to ensure the contents are fully mixed for effectiveness when deployed.
   
   D. Theft or loss of this equipment shall be reported immediately to a supervisor. Serial numbers and other marks of identification on the OC Spray canisters are required. No personnel shall remove any label or mark of identification from any such container.

5). **Mandatory Training:** Approximately two hours of instruction to include a verbal orientation of the general guidelines for the use of the rifles by patrol deputies and plainclothes members and a qualification course.

1. **Qualification Requirement:** The member will be required to successfully qualify in a 27 round course, with a minimum score of 90%. The qualification course will consist of the following:
   
   a. Initial sighting of rifle.
   
   b. Three rounds each from the prone, kneeling, and standing position from the 25 yard line, with the target area to be the head.
   
   c. Three rounds each from the prone, kneeling and standing position from the 50-yard line, with the target area to be the center-mass area of the target.
   
   d. Three rounds each from the prone, kneeling and standing position from the 100 yard line, with the target area to be the center-mass area of the target.

2. **Qualification:** Members approved to carry rifles in Office vehicles will be required to re-qualify on a bi-annual basis.

6). **Off-Duty Weapons**
The carrying of weapons by off-duty personnel is at the discretion of the member and not a requirement of the Office. Those that choose to carry off-duty weapons must qualify and demonstrate their proficiency with the particular weapon as required by Office Range Masters.

1. **Approved Weapons for Off-duty Use:** Members may be authorized to carry any of the following brands of weapons:
   
   a. Colt double action revolvers.
   
   b. Smith & Wesson double action revolvers.
   
   c. Ruger double action revolvers.
   
   d. Any semi-automatic pistol, must be of major domestic or foreign manufacturer, and be of high quality. Weapons of foreign manufacturer require approval of the Sheriff.
Chapter 4: Defensive Weapons and Use of Force

7). Carrying Second Weapons
A deputy may carry a second weapon in conjunction with his service weapon. If the second weapon is not a revolver, it must be equipped with a mechanical safety device and have an enclosed trigger guard.

1. Concealment: Deputies carrying second weapons are encouraged to carry them concealed.

2. Documentation: Deputies authorized to carry a second weapon shall forward a full and complete description of the second weapon in writing to the Sheriff.

3. Authorized Ammunition: Only major brand manufactured ammunition for .38/.357/9mm/.40/ or .45 calibers will be authorized. No reloaded ammunition will be carried on duty.

8). Weapons-General Guidelines
Members are required to document the weapons used on duty, maintain proficiency in the use of firearms carried, and be aware of restrictions associated with firearms.

1. Handgun Grips: Deputies will equip their weapons with a dark colored grip, either wood, plastic or rubber. Office owned weapons shall not be replaced without authorization from the Sheriff.

2. Change of Duty Weapons: Prior to changing duty weapons, all members must first be certified as technically proficient with the new weapon on an Office range course conducted by an Office Range Master.

3. Registration of Weapons: All firearms used in the performance of duty by a deputy shall be registered with their respective Division Commander.

4. Firearms Proficiency: Every deputy will remain technically proficient as a matter of Office policy in accordance with the following procedures. All deputies will:
   a. Be certified technically proficient within a six month period on an approved Office course.
   b. Attain a minimum proficiency level with the on-duty weapon, off-duty weapons and second weapons carried by the deputy.
      1). A minimum proficiency level will be established by the Range Master.
   c. Deputies who fail to show technical proficiency will be scheduled to appear for additional training under supervision of the Range Master.
   d. A record of the deputy’s proficiency will be filed as a permanent record with the Office Range Master.

5. Maintenance of Firearms: It shall be the responsibility of each member to maintain their firearm in a clean and proper working condition.

6. Damaged Weapons: If defects are noted the weapon should be reported to the Range Master.

7. Safe Storage: Deputies shall store firearms issued by the Office in a safe and secure area in accordance with state law (12035 P.C.).

8. Firearms Restriction: Members shall not load or unload firearms in areas of the Sheriff’s Office other than those locations specified by directive. This restriction shall not apply to firearms when loading or unloading is ordered by a superior for inspection purposes. Rifles, shotguns or other weapons, which are to be returned to the arms locker, shall be stored unloaded.

9. Special Weapons: Are described as any automatic weapon, tear gas equipment (other than supplied mace or OC spray), and rifles. No special weapons shall be used without
Chapter 4: Defensive Weapons and Use of Force

the specific authorization from a Supervisor or an OIC to serve in the Supervisor’s absence. Deputies assigned to the SED Team are authorized to use special weapons in accordance to SED policy and/or at the direction of a supervisor.
SECTION 3: Firearms Policy

1. Firearms Policy

The policy of the Sutter County Sheriff's Office will be members shall exhaust every other reasonable means of apprehension before resorting to the use of firearms.

1. Generalization of Weapons Use: Members shall be aware that all situations cannot be anticipated and generalization may become necessary. It is imperative that sound judgment, based on common sense, be combined with this policy to facilitate correct decision making in situations involving the use of firearms.

2. Protection of Life: Justifiable homicide by a public official is defined in the California Penal Code, we must also be aware the courts have narrowed the scope to the use of a firearm for the protection of life.

3. Drawing and Exhibiting Firearms: Deputies will draw and exhibit firearms under the following conditions:
   a. While at an approved firing range.
   b. During firearms inspections.
   c. When the firearm is used in conformance with this policy.
   d. When ordered to do so by a superior officer.
   e. When circumstances dictate that response is necessary to anticipate authorized use.

4. Authorized Discharge of Firearms: All members of this Office may discharge their firearms under the following conditions:
   a. On an approved firearms range or target practicing.
   b. In the necessary defense from death or serious injury of another.
   c. In the necessary defense of themselves from death or serious injury.
   d. To affect an arrest when all other means have failed of a felony suspect(s) when:
      1. The crime for which the arrest is sought involved conduct that included the use or threatened use of deadly force, and
      2. There is a substantial risk that the person whose arrest is being sought will cause death or serious bodily harm if his apprehension is delayed.

5. Unauthorized Discharge of Firearms: Members shall not discharge their firearms under any of the following conditions:
   a. As a warning shot, the exception to this would be when the deputy is fired upon or special circumstances dictate the use of firearms.
   b. Firing at automobiles during hot pursuit or at tires to prevent vehicle movement. The exception to this would be when the deputy is fired upon or special circumstances dictate the use of firearms.
   c. In a negligent manner, reasonably likely to cause injury to any innocent bystander.

6. Responsibility for Use of Firearm: The use of firearms or lethal force has the potential of resulting in a homicide. For the homicide to be justifiable, the deputy must show there was no other reasonable alternative under the circumstances. Each individual has the full responsibility of determining when he is justified in using a firearm or force likely to produce great bodily harm. Although members may be subjected to civil and/or criminal allegations if the use of force is negligent or unlawful, the deputy must not let this dissuade or restrict them in the performance of their duties. Deputies have a positive duty to use firearms when the necessity exists.
Chapter 4: Defensive Weapons and Use of Force

7. **Surrendering Weapon(s):** Deputies should not surrender their firearms under any circumstance. Surrender of a weapon rarely de-escalates a serious situation and can in fact, put the deputy and/or innocent person(s) in jeopardy.

8. **Discharging of Firearms:** When a member of this Office discharges his firearm other than at approved training, he/she shall do the following:
   a. Verbally notify the on-duty watch commander as soon as possible.
   b. The deputy discharging the weapon shall, as soon as practical, prepare a written memorandum describing the incident and actions taken. This memorandum will be provided to his/her supervisor in a timely fashion. The memorandum will be forwarded through the chain-of-command to the Sheriff.
   c. Under circumstances where the deputy discharging the firearm is incapacitated by the extent of injuries he/she received, the on-duty supervisor is responsible for preparing the memorandum with as much detail as available. The supervisor will then forward the memorandum through the chain-of-command to the Sheriff in a timely fashion.
   d. The on-duty supervisor or the person designated in his/her absence, will notify the Operations Division Commander of the circumstances.
   e. The Sheriff shall have the option to initiate an investigation of the incident and direct the designated investigating deputies to prepare a written report of their findings and forward copies to the Sheriff.

2). **Discharge of Firearms – Injury and/or Death**

When the discharge of a firearm by a deputy results in death or injury, the deputy will notify the on-duty supervisor as soon as possible.

1. **Procedure:** Any supervisor who becomes aware of an accident or intentional discharge of a firearm resulting in injury or death shall immediately notify the Patrol Unit Commander. In addition, it is the responsibility of the first arriving supervisor to control the scene and to coordinate the investigative response to the incident at the scene.

2. **Command Notification:** The Division Commander should normally notify the following people unless directed otherwise by the Sheriff:
   a. Undersheriff.
   b. Operations Commander
   c. Sutter County District Attorney’s Chief Criminal Investigator as required.
   d. On-call Detective as required.
   e. The Chief Coroner as required.
   f. Any other agency or persons that is required.

3. **Investigation of Shooting:** These separate types of investigations will be initiated immediately. Each has a different function and is conducted by a different entity.
   a. Criminal investigation conducted by the Sutter County District Attorney’s Office. This investigation focuses on the legality of the shooting.
   b. An investigation conducted by the Detective Unit focuses on the criminal conduct of the citizens.
   c. An administrative investigation is conducted by Sutter County Sheriff’s administrative personnel or those designated by the Sheriff. This is an investigation to review the events with the purpose of exploring tactical, training, policy and procedural issues associated with the incident and the deputy’s actions.
   d. Witnesses and deputies involved should first be interviewed by the Sutter County District Attorney’s personnel along with the Detective assigned the criminal
inquiry. The administrative interviews should be conducted after this and out of the presence of any criminal investigators.

e. The administrative interview should be done in compliance with California Government Code section 3303. This includes advising the involved deputy(s) of their Miranda rights as per the “Lybarger Admonition.” Due to a compelling need for a complete and thorough administrative investigation, deputies who choose to invoke their Miranda rights will be ordered under the administrative investigation umbrella to answer questions. This shall be done with the understanding that refusal to obey such an order may result in discipline, up to and including termination. It is important that the administrative interview take place as soon as possible after the criminal interview. This section does not imply that reasonable requests by the deputy to first consult with a representative before or during the interview will be denied.

4. Integrity of the Investigation: To insure the integrity of the investigation is maintained, the following steps should be taken:

a. The involved deputy should be removed from the shooting scene as soon as practical and sequestered from contact with other witnesses.

b. The deputy shall holster his weapon until surrendered to a supervisor or detective.

1. The involved deputy shall be issued an Office weapon and other necessary equipment while an examination of the deputy’s equipment is being conducted.

2. The deputy shall submit to a gunshot residue test if requested at the first available opportunity.

5. Blood Sample Requests: Samples of the involved deputy’s blood shall not be routinely requested except in one or more of the following circumstances:

a. When objective symptoms of alcohol or drug usage are present.

b. The shooting occurred at a location where alcohol was being served or consumed, and the deputy was in attendance.

c. If the request for a sample is made by the involved deputy.

6. The Deputy Entitlements: During the course of the initial investigation, the deputy shall be allowed to engage in certain activity such as:

a. The deputy(s) shall be entitled to contact legal counsel or a representative pursuant to Government Code section 3300.

b. The deputy(s) shall be entitled and encouraged to take notes about the incident while still fresh in his/her mind.

c. The deputy(s) family shall be notified upon his request.

3). Discharge of Firearms-No Injury or Death

In incidents where members of the Office are involved in non-injury and non-death discharging of weapons, the following protocol will be established.

1. Duties of Involved Deputy: In cases involving an accidental discharge of a duty weapon or where discharging the weapon in performance of duty occurs with no death or injury the deputy will notify the on-duty Supervisor as soon as possible. A written memorandum will be prepared by the involved deputy and forwarded through the chain-of-command to the Sheriff.

2. Supervisor’s Responsibility: The on-duty Supervisor or person designated in his/her absence will notify the Operations Division Commander or appropriate Division Commander, who in turn will notify the Undersheriff. An administrative investigation
will be initiated at the request of the Undersheriff. The procedure for the administrative investigation will be the same as that for a deputy involved shooting resulting in death or injury.

4). Out of Jurisdiction-Deputy Involved Shootings

This policy will act as a guide during those incidents where members of the Office are involved in the discharge of a firearm out of the jurisdictional boundaries of Sutter County.

**Supervisor Requirements:** The on-duty Supervisor will be notified at the earliest possible time. If the location is within driving distance, the Supervisor will drive to the scene of the shooting.

a. The Supervisor will notify the Operations Division Commander who will initiate an investigation into the circumstances of the incident. This in-depth investigation will be conducted immediately after the District Attorney and jurisdictional agency completes their initial investigation. The procedure for this investigation will generally be the same as that for a deputy involved shooting where injury or death has occurred within the County of Sutter, except for necessary modifications in the detective responsibilities.

b. If requested by the jurisdictional agency, any assistance or resources available will be provided to the investigation.

5). Recovery Time Off

Recognizing that every shooting incident is unique, emotionally traumatic and stressful to the deputy involved, the recovery time off may vary from one incident to another. The time off will be determined by the Division Commander.

1. **Mandatory Psychologist/Psychiatrist Visit:** Each deputy will have a mandatory visit as soon as possible with the Office or personal Psychologist/Psychiatrist. If the deputy is injured, the visit will be delayed until the attending medical physician gives clearance to do so.

2. **Referral by Division Commander:** If the incident is considered to be traumatic to the deputy the Operations Division Commander will immediately have the psychologist/psychiatrist or Chaplain respond.

3. **Clearance for Duty:** The deputy may return to full duty after clearance and recommendation of the psychologist and/or psychiatrist, unless directed otherwise by the Sheriff.
SECTION 4: Use of Force

1). Use of Force

The purpose of this section is to provide guidelines for the use of force by members of the Office and a method for review of incidents when force is used. This Policy recognizes the use of force as a continuum which needs constant evaluation, even when used at its lowest level, the use of force is a serious responsibility.

It is the policy of this Office that deputies shall use only that force which is necessary and reasonable, given the facts and circumstances known to the deputy at the time of the event, to effectively bring an incident under control. Deputies shall not use unnecessary force in making an arrest or in dealing with a prisoner or any other person. Deputies may face criminal, civil, and administrative sanctions if they use more force than is reasonable under the given circumstances.

1. Reasonableness: Defined as the use of force must be judged from the perspective of a reasonable deputy on the scene at the time of the incident.

2. California Penal Code Section 835, 835a, 836 provides that: Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use reasonable force to effect the arrest, to prevent escape or to overcome resistance. Any peace officer who makes or attempts to make an arrest need not retreat or desist from his efforts by reason of resistance or threatened resistance of the person being arrested; nor shall such officer be deemed an aggressor or lose his right to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to overcome resistance.

3. Consequences of Use of Force: Deputies must be aware that the use of force on a person has the potential for serious injury to that person. Deputies must maintain a high level of training and expertise in the various applications of physical force, and ensure that force is used judiciously and in a reasonable manner.

2). Definitions

1. Less Than Lethal Force: Less than lethal force is that force which is unlikely, when properly used, to result in grave physical injury or death.

2. Lethal Force: Lethal force is that force likely to cause grave physical injury or death.

3. Use of Force Continuum: A use of force continuum is a visual representation of force options designed to facilitate an understanding of appropriate levels of force by deputies. This is accomplished by establishing parameters which exhibit the actions of both the subject and the deputy on a comparative scale. A force continuum by design should be consistent with the approved written Use of Force Policy of the Office, and should be easily understood and readily recalled by deputies under the stress of the confrontation. It is also valuable as a training aid in preparing for situations which may require the use of force.

3) Use of Force Philosophy

The use of force by law enforcement personnel is a matter of critical concern both to the public and the law enforcement community. Daily, deputies are involved in numerous and varied human encounters, and when warranted, may use force in carrying out their duties.

1. Members Must Have Knowledge: Members must have an understanding of, and true appreciation for the force which they are authorized to use, as well as the limitations on their authority. This is particularly true with respect to overcoming resistance from those with whom they come in official contact.
2. **Respect for Human Life:** Our Office recognizes and respects the value of human life and dignity. Vesting Members with authority to use force to protect the public welfare requires a careful balancing of all human interests.

### 4). **Situation-Based Use of Force Continuum**

The attached use of force continuum (See Appendix A) is designed to provide an overview and visual representation of the force options available to deputies in this Office. It is a flexible instrument which attempts to embody the dynamics of a confrontation.

1. **Determining the Standard:** The standard for evaluating a deputy’s use of force is reasonableness under the facts and circumstances known to the deputy at the time. Therefore, it is essential to build flexibility into a deputy’s determination of the appropriate use of force. This is an affirmative stance by the Office, designed to provide additional confidence and needed support to deputies in making their decisions regarding use of force in the field.

2. **Factors for Consideration:** A number of factors are taken into consideration when a deputy selects force options, and when evaluating whether a deputy has used reasonable force. Deputies are expected to make split-second decisions and the amount of time available to evaluate and respond to a situation may impact the deputy’s decision. By establishing a policy that includes a use of force continuum the Office provides additional guidance to deputies in making those split-second decisions. Examples of factors which may affect a deputy’s force option selection include, but are not limited to:
   a. Deputy/subject factors (age, size, relative strength, skill level, injury/exhaustion, number of versus number of suspects).
   b. Influence of drugs or alcohol.
   c. Proximity to weapons.
   d. Availability of other options.
   e. Seriousness of the offense in question.
   f. Other exigent circumstances.

3. **Evaluation of Continuum:** Finally, it is important to note that a deputy need not attempt to gain control over an individual by use of the lowest level of force on the continuum when reason dictates and the deputy can articulate that a higher level of force is reasonable. Likewise, the skipping of steps may be appropriate given the resistance encountered.

4. **Overview:** This continuum should be viewed as an elevator, not a ladder. A deputy may go directly to any level of the continuum provided that the force selected is reasonable. The following category descriptions are intended to serve as illustration of actions which fall within the various levels.

### 5). **Action of Subject (Based on the deputy’s reasonable perception)**

1. **Cooperative:** Subject is cooperative and complies with verbal commands or other directions.

2. **Non-Responsive or Uncooperative:** Subject fails to respond to verbal commands or other directions. Becomes cooperative when taken into custody without offering physical resistance.

3. **Passive or Low Level Resistance:** Subject is passively or defensively resisting a deputy's authority and direction. Includes verbal or physical cues of non-compliance.

4. **Active Resistance, Aggression, Assault or Threat of Assault:** Subject is attempting to interfere with the deputy’s actions by inflicting pain or physical injury to that deputy without the use of a weapon or object. Subject assumes a fighting stance, charges a
deputy, or otherwise indicates either verbally or by physical gestures or movements, intent to commit an assault.

5. **Life Threatening Assault or Assault Likely to Cause Great Bodily Harm:** Subject commits an assault using an object, a weapon, or an empty hand assault, wherein the deputy reasonably believes that the assault will result in serious physical injury and/or death.

6. **Deputy Response Options**

1. **Professional Presence:** Includes display of authority as a peace deputy and such non-verbal means of communication as body language, demeanor, and manner of approaching.

2. **Verbalization:** Involves the directions and commands given to the subject.

3. **Restraining and Detaining:** Includes a deputy laying hands on a subject with the intention of gaining control of the subject. Examples include the use of a firm grip, escort position, or grappling types of techniques designed to hold a subject down by using the weight of a deputy’s body. Also included in this level would be the application of temporary restraining devices such as handcuffs and leg restraints.

4. **Compliance Techniques:** Includes joint manipulations, pressure point applications, take-down type techniques and the use of intermediate weapons in control type configurations.

5. **Intermediate Force Techniques:** Includes a series of force options available to a deputy. Although deputies are expected to follow the concept of an escalating scale of force, it is not intended that a deputy ever jeopardize their safety or the safety of another person in conforming to this concept.

6. **Intermediate Force Options:** These force options are arranged in order of the probability of injury to the subject. Generally, that force option which poses the least potential exposure of injury to the subject and the deputy should be utilized.
   a. Chemical Agents - Mace or oleoresin capsicum (OC).
   b. Physical Force - Includes the use of personal weapons, such as hands, feet, elbows and knees to strike a subject.
   c. Taser
   d. PepperBall
   e. Police Canine.
   f. Impact Weapons used in an impact mode.

7. **Lethal Force:** Includes the use of a firearm or any force which has a reasonable likelihood of causing death or grave physical harm.
   a. Deputies are expected to use reasonable and informed professional judgment when making decisions about the use of lethal force, remaining aware that lethal force is the last alternative.
   b. Lethal force should only be considered in situations presenting a grave threat to the public or the deputy when absolute and immediate tactics must be deployed to stop the lethal threat and secure conclusive compliance and control.
   c. The decision to use lethal force can only be justified by the facts or information known to the deputy when the decision to use lethal force is made. Facts unknown to the deputy, no matter how compelling, cannot be considered later in determining whether the use of lethal force was justified.
d. Lethal force may justifiably be used by deputies in the performance of their official duties under the following circumstances and after all other reasonable means of apprehension and control have failed, or where such other means reasonably appear to be ineffectual:

e. In the necessary defense of themselves or a third person from what they reasonably believe to be the use or imminent use of lethal force.

f. To effect the arrest, to prevent an escape, or to recapture an escapee when the deputy reasonably believes the subject has committed or attempted to commit a felony involving the use, or threatened use, of a lethal force, and when the deputy reasonably believes that a substantial risk exists that the felony suspect to be arrested will cause death or grave physical harm if apprehension is delayed.
7) Use of Force Continuum

SUTTER COUNTY SHERIFF’S OFFICE
SITUATION-BASED
USE OF FORCE CONTINUUM

In Response
To:
Cooperative
Actions of
the Suspect

Passive or Low Level Resistance
Active or Assaultive Behavior
Life Threatening Assault or Assault Likely to Cause Great Bodily Harm

Professional Presence Verification Restraining and Detaining
Compliance Techniques
Professional Presence Verification Restraining and Detaining
Compliance Techniques
Professional Presence Verification Restraining and Detaining
Compliance Techniques
Professional Presence Verification Restraining and Detaining
Lethal Force

Intermediate Force
Intermediate Force
Chapter 4: Defensive Weapons and Use of Force

8). Reporting and Reviewing Use of Force Incidents

1. Reportable Force Defined: An on-duty or off-duty incident wherein deputy’s use a level of force above the "Compliance Techniques" level of force, or any incident in which an injury occurs during the course of contact with a subject;

2. Deputy Responsibilities: Deputies using reportable force shall:
   a. Obtain medical assistance for subjects who have sustained injuries or complain of injuries, or who have been rendered unconscious;
   b. Promptly notify their supervisor;
   c. Complete a report for the incident, fully documenting the use of force;
   d. Complete a Use of Force Audit form.
   e. The report shall include the danger or threat that was presented to the deputy and all means used by deputy’s to control the suspect. The report shall also contain a description of any injuries suffered by deputies or suspects.

3. Witness Deputy Responsibilities: Office members who have observed a use of reportable force and do not believe the spirit and intent of the reporting requirements are being met shall notify their supervisor.

   Office members have a duty to intervene and to notify a supervisor when they observe what they believe is the inappropriate or excessive application of any level force.

4. Supervisor Responsibilities: When a supervisor becomes aware of the use of reportable force, or the possible inappropriate or excessive application of any level force, the supervisor shall:
   a. Ensure all reports have been completed and submitted;
   b. Review all written documentation and, if necessary, conduct further investigations to fully assess the incident; and
   c. Promptly prepare a memorandum outlining the circumstances of the use of force, including comments and statements of deputies involved and forward it through the chain-of-command to the Division Commander.

9). Office Responsibilities

1. Documentation: Every case in which a Use of Force Audit form is initiated, or the possibility of inappropriate or excessive use of force is alleged, shall be forwarded to the Sheriff who may convene an Office Use of Force Review Board.

2. Administrative Review: The Sheriff may direct additional investigation if there is indication that the amount or type of force used may have been excessive or inappropriate.

   If necessary, the Sheriff may ensure that an Internal Affairs investigation is conducted.

10). Use of Force Review Board

1. Initiation of Review Board: Whenever an Office member discharges a firearm, other than intentional discharges on a firing range, or uses any other form of lethal force, the Sheriff may direct a Use of Force Review Board be convened.

2. Causes for Review: At the discretion of the Sheriff, a Use of Force Review Board may be convened to examine any force incident if its circumstances warrant formal review. Incidents which may be reviewed by a Board include, but are not limited to:
   a. An allegation of inappropriate or excessive force by an Office member.
b. A use of force which results in serious physical injury to a suspect.
c. A use of force which gains an unusual amount of publicity in the community.
d. A use of Force which attracts the interest of a special interest or other community group.

3. **Make up of Board:** The Operations Commander will chair the Board and will select a supervisor and an Office instructor in the type of force used to sit on the Board. The Board will be convened within 14 days of the date of incident under review.

4. **Accepted Documentation for Review Board:** Police reports, Use of Force Audit Reports, memorandums, and other appropriate written documentation will be given to the Board for their review.

5. **Investigation by the Review Board:** If, after reviewing the written documentation, the Board determines the amount or type of force used may have been excessive or inappropriate, Office policies regarding the use of force may have been violated, or if the Board has additional questions concerning the incident, the Board may call witnesses to present testimony or answer questions.

6. **Government Code Guidelines:** The rights of deputies as outlined in the Public Safety Procedural Bill of Rights, Government Code Sections 3300 to 3311, are applicable to the proceedings of the Use of Force Review Boards.

7. **Review Board Conclusions:** In reviewing the incident, the Board will make findings in the following areas:
   a. The appropriateness of the amount and type of force and tactics used.
   b. Compliance with Office policies or procedures.
   c. The need for additional training.
   d. The need for revision of Office policies or procedures.

8. **Documentation and Further Review:** All written documentation concerning the incident, including the findings of the Review Board, will be forwarded to the Sheriff. He will review the personnel file of the involved deputy in order to identify trends which may indicate a developing problem.

   Possible items to be considered and monitored include citizen complaints, deputy-involved shootings, and use of force incidents, traffic accidents, and less than satisfactory performance evaluations. In recognizing such developing trends, the Office’s intention is to intervene and assist a deputy who may be having problems and redirect the deputy’s energies in a positive direction.

9. **Recommendations:** The entire package will be forwarded to the Sheriff with any recommendations for further action, including discipline. The Sheriff will notify the involved deputy of the Board's findings within 10 calendar days of the date of the Board's decision.

10. **Discipline:** The imposition of disciplinary action against any involved deputies shall be accomplished in accordance with established county, Office, and California Government rules.

11. **Maintaining Documentation:** Upon receipt of the Board's findings by the Sheriff, a Use of Force Review Board file will be opened in the Sheriff's Office. The file shall be maintained in the Sheriff's Office separate from personnel file.
SECTION 5: Pepperball and Taser Deployment

1). Deployment and use of Pepperball Compliance System (Executive Order #2000-6)

1. **Purpose:** The purpose of this policy is to provide an operational guideline for the implementation of the Pepperball System during those situations where the use of a non-lethal compliance technique is warranted.

2. **Procedures:** Pepperball Projectiles are plastic spheres that are filled with Oleoresin Capsicum (OC) powder. A high-pressure air launcher delivers the projectiles with enough force to burst the projectiles on impact, releasing the OC powder. Pepperball Projectiles subdue suspects with a combination of kinetic impact and OC powder. The sting of the impact of the Pepperball Projectiles causes a psychological impression of being shot, which is combined with the strong irritation of the OC powder to the suspect’s nose and lungs. When inhaled, the OC powder within the Pepperball Projectiles leads to coughing, shortness of breath, and in some instances vomiting. Some individuals experience eye irritation as well. Response to inhaling the OC powder in Pepperball Projectiles varies among individuals. In most cases the symptoms last between five and ten minutes. The Pepperball launching system can deliver the projectiles with enough kinetic energy to produce temporary abrasions, bruises, and/or welts.

Although classified as a less-lethal device, the potential exists for the projectiles to inflict injury when the strike the face, eyes, neck, spine and groin. Operators of the Pepperball System shall avoid intentionally striking those body areas unless a life-threatening situation exists.

The use of the Pepperball System falls within the “At Office Discretion” category of the Office Situational Use of Force Options Chart. The use of the Pepperball System should be used prior to the implementation of impact weapons when the situation allows for this. When feasible, the deputy or correctional officer shall immediately notify the field or correctional sergeant of a situation that may require implementing the Pepperball System. This system can be used before the arrival of the field sergeant when the situation dictates such use, if available. The field or correctional sergeant shall respond to all Pepperball System deployments where the suspect has been hit. In all such cases, photographs of any suspects and their injuries will be taken whether or not injuries are visible. The field or correctional sergeant shall make all notifications and reports as required by the Office Use of Force policy.

Nothing in this policy abrogates the Office Use of Force policy in the Sutter County Sheriff’s Office Manual or the established policy and procedures of the Office.

3. **Training:** Only qualified, Office-trained personnel shall be allowed to deploy and use the Pepperball System. Training will consist of lecture, video review, practical application and a written test. All phases of the training must be completed and successfully passed before receiving certification.

4. **Evaluation:** Each deployment of a Pepperball System shall be documented on the evaluation form. This includes when the launcher is only directed toward or seen by the suspect whether or not the launcher was used. Only non-incident deployments are exempt from the evaluation form requirement (e.g., training, accidental discharges, or product demonstrations).
5. **Reporting:** The use of the Pepperball System, where the suspect has been hit is considered a reportable, significant use of force. In the manual of Policy and Procedures, Use of Force Reporting and Review procedures shall be followed.

2). **Deployment and Procedure for Utilizing the Taser (Executive order # 2005-1)**

1. **Purpose:** To establish guidelines for the deployment and use of the Advanced Taser M26 and X26 manufactured by Taser International.

2. **Policy:** To deploy and use the taser to maximize the safety of all individuals involved in an incident.

3. **Definition:** ADVANCED TASER X26 and M26 - The Taser are a non-deadly device used to incapacitate subjects by discharging an electronic current into the subject via two wired probes. The Taser may also be used in a drive-stun capacity with a fired cartridge in the device or when the Taser is not loaded with a cartridge. The Office shall utilize Advanced Taser’s that are yellow in color.

3). **Procedure**

1. **Criteria for Use:**
   a. The Taser shall only be used by deputies and supervisors trained in its deployment and use. Deputies shall use the Taser in a manner that is consistent with Office orders and training guidelines and the law.
   b. The Taser shall not be displayed on calls or incidents unless the deputy has specific information about the call or incident that reasonably indicates there is potential for the Taser’s use. The circumstances of each call or incident shall dictate the reasonableness for the deployment of the Taser.
   c. No individual deputy shall simultaneously draw and hold a Taser and any firearm.
   d. The Taser shall not be used to gain compliance over subjects who the deputy reasonably believes are not presenting an immediate, credible threat to the safety of the deputy(s) or the public. The Taser shall not be used against:
      1. Passive demonstrators.
      2. Subjects detained in a police vehicle.

4). **Pre-deployment Responsibilities**

1. **Operational Readiness:** Deputies assigned a Taser are responsible for maintaining the device’s operational readiness. As such, deputies shall:
   a. Store the device and extra cartridges in the issued holster or case when not in use.
   b. Ensure that the Taser is accessible by keeping it concealed in a secured vehicle during the course of a shift or, if appropriate, carrying the device on the deputy’s person. Taser holsters shall be worn only on the opposite side of the deputy’s handgun and drawn with the weak hand. Cross drawing the taser will not be permitted.
      1. Deputies issued a Taser shall keep no more than two extra cartridges with the device.
      2. Extra cartridges should not be carried in pockets due to the risk that static electricity could cause an unintentional discharge of the cartridge.
   c. Check the Taser’s battery strength to ensure adequate battery charge.
      1. Deputies shall remove the cartridge from the Taser prior to checking battery strength or changing the batteries in the unit.
      2. Deputies may test battery strength by firing an unloaded Taser during their shift, but this test shall be before going in service at the beginning of the shift or after going out of service at the end of the shift. When testing the Taser,
Chapter 4: Defensive Weapons and Use of Force

the device will be pointed into a discharge tube and for only enough duration of spark to ensure the device is operating correctly. In the event that the unit’s battery strength is not adequate, deputies shall replace the Taser’s batteries with batteries specifically approved for use in the Taser. These batteries are supplied by the armorer and can be obtained from a supervisor. Deputies using the Taser x26 will not continue to use the Digital Power Magazine (DPM) displaying less than 20% battery strength.

3. The X26 Taser DPM will be stored in the device. The DPM will never be removed for more than 40 hours as this will cause damage to the X26 Taser.

4. When the DPM is inserted into the X26 Taser, it will not be removed until the boot-up process is completed which is indicated when the Central Information Display (CID) is no longer displaying any information. Removing the DPM during this process will damage the device.

d. Check the expiration date and condition of the Taser cartridges. Expired and/or damaged cartridges shall be turned in to the Armorer or a supervisor for replacement.

e. Ensure the rubber stopper on the M26 Taser is in the data port when the data port is not in use.

5). Tactical Use

1. Restrictions for Deployment: Deputies shall not use a Taser if they have reason to believe that:
   
a. The suspect has been exposed to flammable liquids.
   
b. The suspect has been sprayed with any OC or mace with a flammable base. If the flammability of the OC or mace is not known to the Taser operator, the Taser shall not be used.
   
c. The use would occur in a flammable or explosive environment (such as a clandestine lab or when household flammables are present such as oxygen bottles, gasoline or propane.
   
d. The suspect could fall from significant heights or into a pool, river, or other body of water.

1. The Taser should not normally be used against obviously pregnant females or elderly persons unless that person poses an immediate and credible lethal threat to a deputy or the public.

2. The Taser shall not be a substitute for lethal force. If circumstances dictate that the protection by lethal force is necessary, deputies will utilize their firearms, not the Taser.

3. When a deputy determines that the Taser should be utilized, the deputy deploying the Taser should, if possible, consider assembling a sufficient number of Deputies to assist with taking the suspect into custody. The number of additional deputies and their responsibilities is dictated by the dynamics of each incident.

4. Unless extraordinary circumstances exist, consideration should be given to designating responsibilities as follows:
   
a. One deputy to fire the Taser.
   
b. One additional deputy armed with a second Taser. If a second deputy is not available or it is not practical to have a deputy act in this capacity, the primary deputy deploying the Taser should be prepared to fire a second cartridge in the event that the initial cartridge misses the target or fails to function properly.
c. Protection deputy(s) prepared to deliver appropriate force cover option(s).

d. Custody deputy(s) who are given the responsibility to handcuff and restrain the suspect.

**NOTE:** Under exigent circumstances, nothing in this policy prohibits a deputy from deploying and firing a Taser without requesting or having the presence of additional deputies.

2. **Deployment:** When practical, prior to firing the Taser, the deputy discharging the Taser shall:
   a. Loudly announce the Taser is going to be discharged.
   b. Instruct dispatch to broadcast a Taser is going to be discharged.

3. **Responsibility After Taser Discharge:** Any use or attempted use of a Taser against a subject shall be immediately reported to the Sergeant/OIC or to the on duty watch commander if the discharge occurred when the deputy was off-duty.

4. **Deputy Responsibility:** After the Taser has been discharged and the suspect has been taken into custody, deputies who discharge the Taser and supervisors shall:
   a. Ensure the suspect’s injuries (if any) are appropriately treated (only medical personnel may remove probes that are embedded in a suspect’s skin).
   b. Complete a Sutter County Sheriff's Office Use of Force Form (see Appendix B). A Use of Force form will be completed for any Taser use including the display of the arc, drive-stun or probe deployment.
   c. Ensure any discharged cartridges, probes, and a sampling of AFID (Anti-Felon Identification) “microdots” that are discharged with the probes are collected and booked as evidence.
   d. Ensure probes are handled and booked as bio-hazardous “sharps”.
   e. Ensure the serial number of the Taser and cartridge(s) used are included in the appropriate report(s).
   f. Ensure photographs are taken of probe impact sites and any other injuries.
   g. Ensure measurements between the suspect and deploying deputy are taken.

5. **Accidental Discharge:** Any accidental discharge of a Taser cartridge shall be immediately reported to the sergeant supervising the sector where the incident occurred, or the on duty watch commander if the discharge occurred when the deputy was off duty. Additionally,
   a. The circumstances surrounding the accidental discharge of a Taser cartridge shall be documented in either a Sutter County Sheriff’s Crime or Event Report, as circumstances require.
   b. The Taser and any involved cartridge(s) shall be booked for inspection.
   c. The on duty watch commander (or designee) shall initiate an administrative investigation into the accidental discharge of the cartridge and send a copy of the findings in memorandum format through the chain-of-command to the Division Commander.
Chapter 4: Defensive Weapons and Use of Force

Sutter County Sheriff's Office
Use of Force
Report Form

Incident No. _________________________________

Date ________________ Time ________________

Location of Action _______________________________________

Suspect Name ____________________________________________
Gender (M) (F) Race __________________________

DOB _________________________________________________

Booking Number _________________________________________

Officer’s Name __________________________________________
Gender (M) (F) Race __________________________

Witnessing Officers / Citizens _______________________________

Was the suspect armed? (Y) (N)

If yes, what type of weapon:
☐ Motor Vehicle
☐ Edged Weapon (knife, machete, axe, broken bottle, etc.) ________
☐ Firearm (revolver, pistol, rifle, Derringer, etc.) _______________

Type of Force Used
☐ Impact Weapon: Type ____________________________
☐ Firearm: Display ____________________________ Use _____________
☐ Chemical Agent: Type __________________________
☐ Canine
☐ Taser Serial # ____________________________ AFID Serial # _______
   (Answer questions 1-4)
☐ Other ____________________________________________

1. Did the suspect comply when the TASER was exhibited without being fired? (Circle one) Yes ___ No ___

2. Was the inmate/suspect warned of deployment prior to the TASER use? (Y) (N)
   If no, explain: ____________________________________________

3. Number of Cartridges Fired: _____________

4. Number of Cycles Delivered: _____________

SCSO UOF rev 7-14-15 Ex Ord #5-2015
Chapter 4: Defensive Weapons and Use of Force

5. To Officer: Describe Injury & Treatment
   To Suspect: Describe Injury & Treatment

6. Photographs taken of suspect/inmate injury(s) (Y) (N)
   If no, explain

7. What were the environmental conditions?
   (Circle all that apply)
   Daytime  Dusk  Dawn  Night  Artificial Lighting
   Cold    Warm    Hot    Damp    Raining Foggy

8. Range to Suspect (in approximate feet)

9. Number of Hits on Target

10. Location of Hits on Body
    (Mark on Diagram)

11. Suspect Reaction

__________________________
Supervisor Completing Report
__________________________
Lieutenant
__________________________
Division Commander
__________________________
Undersheriff
__________________________
Sheriff

☐ Report(s) Attached
☐ Memo(s) Attached


2
SECTION 6: Less Lethal Kinetic Energy Impact Projectiles

1. **Purpose:** The purpose of Executive Order #02-2019 policy is to provide an operational guideline for the implementation of the kinetic energy impact projectile during those situations where the use of a non-lethal compliance technique is warranted.

2. **Procedures:**
   1. Less lethal kinetic energy impact projectiles will be referred to in this policy as “Less lethal projectiles”
   2. Only less lethal projectiles authorized by the office may be used.
   3. Less lethal projectiles will be used to de-escalate a dangerous or potentially deadly situation when it is unsafe for deputies to approach the offender to deploy other intermediate force options.
   4. Less lethal projectiles shall be used with discretion and care. They shall only be used in a manner set forth in less lethal projectiles training.
   5. No member shall use less lethal projectiles until successfully completing an office approved training course.
   6. The issued shotgun will be dedicated to *less lethal* projectiles, and marked in some fashion consistent with such designation (i.e. orange stock). Deputies assigned will inspect the chamber and magazine each time the weapon come under their control to ensure the total absence of lethal ammunition.

3. **Use of less lethal projectile:**
   1. Use of less lethal projectiles is proper for lawful situations requiring a degree of force greater than that which can be safely provided by conventional impact weapons but less that by resorting to the use of deadly force in circumstances where death is not the desired result.
   2. In the use of force continuum, less lethal projectiles would fall between conventional impact weapons and the use of lethal force.
   3. The number of less lethal projectiles deployed during an incident shall be limited to that number required to effectively control the suspect.

4. **Less lethal storage and loading:**
   1. The modified Remington Model 870 shotgun, or Bennelli shotgun will be carried in the shotgun rack with no rounds in the chamber. The deputy will keep his/her assigned less lethal projectiles readily accessible.
   2. Deputy assigned a less lethal shotgun will not store a standard duty shotgun in his/her patrol vehicle.
   3. Deputies will not store standard shotgun ammunition in the patrol vehicle.

5. **Target areas:**
   1. The Less lethal projectiles will be delivered to areas recognized as “green areas” on the PR-24 training chart. These include the following areas:
      a. Arms below the elbow.
      b. Legs below the knee.
      c. Legs above the knee.
      d. Lower abdomen.
      e. Buttocks.
2. Deputies are authorized to consider targets in the “yellow/red” areas if the use of force is justified, and efforts to subdue the suspect using a “green area” target is ineffective or too dangerous based on the circumstances.

3. Less lethal projectile deployments to the neck or head should be avoided unless serious injury or death is the desired result.

4. Deployment of less lethal projectiles should occur at range of at least 15 feet.

6. Handling suspects after deployment:
   1. Suspects who are struck with a less lethal projectile should be restrained and transported to a medical facility for examination.

7. Documentation:
   1. Deputies who deploy a less lethal projectile shall:
      a. Notify their supervisor.
      b. Thoroughly document the event in their report of the incident including the actions of the suspect which justified the need to use the less lethal projectile, and the results or injuries that occurred, if any.
      c. The use of the less lethal projectile is considered a reportable, significant use of force. In the manual of Policy and Procedures, Use of Force Reporting and Review procedures shall be followed.
Chapter 5: Operational Response
SECTION 1: Emergency Response

1). Emergency Responses-Introduction and Purpose
Deputy Sheriffs, although trained in high speed driving, have an increased potential for becoming involved in traffic collisions. The following will be guideline procedures for emergency response for calls for service or other police incidents requiring an emergency response.

1. Emergency Response Awareness: Experience has shown that warning devices such as red lights and sirens do not assure the right-of-way in emergency call responses. Collisions involving emergency vehicles have occurred because of many factors beyond the control of emergency vehicle drivers. The opportunity for accidents and the potential for deputy injury are directly proportional to the number of emergency units responding to a scene under emergency conditions and the distance, which they have to travel.

2. Authority for Emergency Response: The policy of the Office is based on the requirements of the California Vehicle Code and with consideration for the safety of the deputy(s) and the public.

2). Emergency Call Responses
A code 3 response, (red light and siren) should be considered only when there is belief that human life is seriously threatened and there is an urgent need for a deputy at the scene. A supervisor having more information shall also have the authority and responsibility to dispatch a unit code 3.

1. Number of Vehicles to Respond: Only one Sheriff’s vehicle shall respond to an emergency call code 3, except when more are authorized by the dispatcher, supervisor or based on the circumstances.

2. Response Route: The deputy responding code 3 shall consider the quickest, safest and most direct route to respond to the call. Factors to be considered should include, but are not limited to time of day, amount of traffic, location of call, alternate routes to the location, whether or not it is a holiday, the number of people out and about.

3. Notice of Code 3 Response: No deputy shall respond code 3 without first advising the communications center, unless dispatch assigned them to respond code 3.

4. Safe Response: Deputies shall exercise the utmost judgment and care with due regard for life and property, when responding to any emergency call. Deputies shall reduce speed at all street intersections to such a degree that they shall have complete control of the vehicle at all times, and pass over-taken vehicles only on the left.

5. Notification of Code 3 Units: Communications operators shall notify any dispatched code 3 Sheriff’s unit of any other unit(s), such as ambulance, rescue, fire, etc., which are also responding code 3.

6. Deputy Responsibility: Every Deputy should become familiar with the sections of the Vehicle Code, which exempts compliance with the rules of the road in an emergency situation. Section 21056 CVC, does not relieve the driver of an emergency vehicle from the duty to drive with due regard, for the safety of all persons using the highway, nor protect them from the consequences of an arbitrary exercise of the privileges granted in section 21055 CVC.

3). Authorized Emergency Response Calls
Common Calls: The following is a list of some of the common calls that will be considered authorized for emergency response unless directed otherwise:
Chapter 5: Operational Response

a. Assist an endangered deputy.
b. Injury accidents
c. No detail accidents, when injury is likely.
d. Robbery in progress calls where bodily harm has been committed or shots have been fired.
e. Any type of call where a human life is seriously threatened and an urgent response to the scene by a deputy is imperative.
SECTION 2: Vehicle Pursuit Policy

1. Vehicle Pursuit Policy-Introduction and Purpose

Members of this Office authorized to engage in pursuits shall conduct pursuits in compliance with applicable laws, sound professional judgment, and the procedures outlined in this policy. Pursuits can be dangerous and deputies need to balance the safety of the public, deputies involved, and the suspect(s) against the need to apprehend the suspect. Sound professional judgment and common sense are paramount in any decision to continue a pursuit. A decision to continue to pursue or to discontinue is a critical decision that must be made very quickly and under unpredictable circumstances. No one shall be criticized for a decision not to pursue based on the risk involved. Decisions will be evaluated based on a totality of the circumstances available at the time of the pursuit. It shall be the policy of this Office, that a pursuit shall be conducted with the minimum of a red light \textit{and siren} as required by VC 21055. This policy is established to provide guidelines for driving with caution for the safety of all involved pursuant to VC 21056.

1. Definitions

   a. Pursuit: An event involving one or more law enforcement deputy’s, attempting to apprehend a suspect operating in a motor vehicle while the suspect is trying to avoid arrest by using a vehicle to flee using high speed driving tactics or evasive tactics.

   b. Initiating Pursuit Unit: The deputy operating an enforcement vehicle that first attempts to stop the pursued vehicle.

   c. Secondary Pursuit Unit: A deputy operating an enforcement vehicle actively participating in the pursuit.

   d. Supervisor: For the purpose of this policy, a Supervisor is a uniformed employee of this Office at the rank of sergeant or above, or an officer in charge (OIC) assigned supervisory responsibility.

   e. Coordination: Coordination with allied agencies will be established by each Office. This policy shall constitute the mutually agree upon guidelines for the Sutter County Sheriff’s Office, Yuba City Policy Department and the California Highway Patrol in Sutter County for emergency pursuits.

   f. Failure to Yield: Refers to the actions of a person who fails to stop for emergency lights and siren of an emergency vehicle. In this situation, the driver will continue to drive normally obeying traffic laws however does not engage in evasive tactics in order to flee from law enforcement.

2. When to Pursue: Members of this Office are authorized to engage in pursuits considering the following factors:

   a. The importance of balancing public protection with the known or suspected offense along with the apparent need for immediate capture of the suspect.

   b. The seriousness of the offense and its relationship to community safety.

   c. The nature of the fleeing suspect(s) and whether the suspect(s) present a serious threat to public safety.

   d. The identity of the suspect is known and there is little risk in allowing the suspect(s) to be apprehended at another time. In which case, the pursuit shall be terminated.

   e. Weather, traffic conditions, road conditions that may affect the safety of the pursuit. If the weather conditions are not conducive to high speed driving, the pursuit will be terminated.
f. Public safety of the area of the pursuit, time of day, type of area such as residential, schools, volume of vehicle and pedestrian traffic.
g. The familiarity of the deputy with the area, the driving capabilities of the pursuing deputy and radio communication ability with dispatch. Deputies shall not pursue unless familiar with the roads, nor shall they exceed their own driving capabilities.
h. The capability of the pursuing deputy’s vehicle in relation to the speeds involved and other conditions. Pursuits that exceed the capabilities of the patrol vehicle shall be terminated.
i. Vehicle speeds of both vehicles.
j. Passengers in the deputy’s unit. Deputies shall not engage in pursuits while transporting citizens.
k. Passengers in the pursued vehicle. i.e., hostages, passengers or co-offenders
l. Availability of other resources such as a helicopter.

3. Pursuit Termination: The following factors will also be considered in deciding to terminate a pursuit:
a. When directed to discontinue by a supervisor, the pursuit shall be terminated.
b. The identity of the offender is known and/or is known to be a juvenile and it appears the need for immediate capture outweighs the risks of continuing the pursuit. If there is little risk in allowing the suspect to escape, the pursuit shall terminate and the suspect can be apprehended at another time.
c. If there is considerable distance between the suspect and the pursued vehicle, the deputy shall terminate the pursuit.
d. If the pursued vehicle’s location is no longer known the pursuit shall be terminated. The pursuit shall terminate if the pursuing unit sustains damage that may render it unsafe to drive.
e. Pursuits shall be terminated when conditions exist that would cause undue risk to uninvolved bystanders or motorists.
f. The pursuit shall be terminated if the speeds are unsafe for conditions of the roadway known to the deputy at the time. This shall continually be evaluated by the pursuing deputy and the supervisor keeping in mind that conditions can change rapidly.
g. Pursuits shall be terminated when the speeds are beyond the capabilities of the deputy, the pursued vehicle and/or the pursuing patrol vehicle.

4. Pursuit units: Only three units should be directly involved in a pursuit; the primary, secondary, and a supervisor, although the number will vary depending on the circumstances. If the deputy involved or the supervisor decides, based on assessment of the above considerations, that the number of units involved is not enough to safely apprehend the suspect(s), they may request additional units. Units not involved in the pursuit should avoid it, but remain aware of its status and location. If a unit leaves the pursuit, it may proceed to the end point at legal speeds, if necessary.

5. Vehicles Not Authorized to Engage in a Pursuit: Vehicles not having red lights and siren or vehicles that are of a type make or model that has not been evaluated and deemed pursuit rated, shall not initiate or become directly involved in a pursuit. Such units may, however, be involved in support roles such as, observation, surveillance and assistance.
at the termination point. Such units shall not be involved in pursuing a vehicle. Vehicle Code § 21055 does not provide exemption to vehicles not equipped with red lights and siren.

6. Primary Unit Responsibilities: The deputy who first attempted contact will be the primary pursuing unit and shall be responsible for the conduct of the pursuit. If the primary unit is unable to remain in the pursuit, the supervisor will designate which unit will be primary. The primary unit has the responsibility of conducting the pursuit and apprehending the suspect(s) without undue hazard to themselves or others.

The primary unit shall notify dispatch when a pursuit begins and provide continual updates with the following information but not limited to:

a. Probable cause for the pursuit/stop
b. Direction of travel and location
c. Speed of suspect vehicle
d. Vehicle description and license
e. Number of occupants
f. Identity of occupants seen
g. Information regarding weapons, threats, injured persons, hostages, or other hazards

Unless otherwise directed by a supervisor, the primary unit is responsible for communicating the pursuit’s progress. Upon involvement of a secondary unit, the primary unit should relinquish the communication of the pursuit to the secondary unit so as to concentrate on pursuit driving.

7. Secondary Unit Responsibilities: The second unit in the pursuit is responsible for:

a. Notifying dispatch of their joining the pursuit
b. Keeping a safe distance between themselves and the primary unit, unless ordered to take over as primary unit, or if the primary unit becomes unable to continue in the pursuit.

c. Communicating the progress of the pursuit, unless factors dictate otherwise.

8. Pursuit Driving: Choosing whether to use specific pursuit driving tactics requires the same consideration of factors as when considering whether to initiate or terminate a pursuit. Tactics of units involved in a pursuit are:

- Deputies shall consider their driving skills and patrol car performance capabilities, and maintain distance from other involved vehicles so that they can see and avoid hazards or safely react to suspect maneuvers.

A deputy shall not pursue a vehicle driving the wrong way. If a fleeing vehicle does so, the initiating deputy should consider:

a. Requesting aircraft support
b. Paralleling the fleeing vehicle on the correct side of the road to keep visual contact.
c. Requesting other deputies to watch possible exits.
d. Notify allied agencies.
e. Deputies involved in a pursuit should not pass another unit unless factors dictate otherwise or requested by the primary unit or supervisor.

9. Actions of Uninvolved Units: Units not involved in a pursuit shall not parallel the pursuit unless directed to do so by a supervisor. Deputies shall use emergency equipment whenever possible to clear intersections of vehicles and pedestrians for public protection.
Other deputies should remain in their assigned beat(s) and not become involved in a pursuit unless directed otherwise by a supervisor.

Uninvolved personnel who are needed at the end of the pursuit should respond at legal speeds, obeying all traffic laws unless an emergency exists requiring a code 3 response and the vehicle and driver are authorized to drive code 3. The primary and secondary units, and the supervisor if involved, should be the only vehicles using red lights and siren, unless other units are authorized to enter the pursuit.

10. Pursuit Trailing: Upon relinquishing control of the pursuit to another deputy or agency, the primary unit may, with supervisor authorization, trail the pursuit to the end point to provide needed information and to assist in the arrest of the suspect(s).

To trail means to follow the pursuit route safe and legal speeds without use of red light or siren. If the pursuit is at a slow speed, the trailing unit shall keep a distance behind the pursuing units which would indicate no direct involvement in the pursuit.

11. Use of Aircraft: Law enforcement aircraft shall be requested for assistance unless circumstances dictate otherwise. When the aircraft personnel have established visual contact with the suspect vehicle, the aircraft will take over as primary or “point” in the pursuit. The primary and secondary pursuit deputies should back away and let the aircraft observe the vehicle.

The aircraft unit should be able to direct the ground units and communicate pursuit progress. They should advise ground units of traffic or road hazards ahead and any other information which would need to be considered when whether to continue the pursuit.

12. Supervisor Responsibility: The shift supervisor shall be responsible for:
   a. Once aware of a pursuit, immediately gathering available information in order to continuously assess the circumstances and risks involved in the pursuit to ensure that Office guidelines are followed;
   b. Joining the pursuit to provide on-scene supervision, when appropriate;
   c. Managing and controlling the pursuit, even if not participating in it;
   d. Once aware of a pursuit, immediately gathering available information in order to continuously assess the circumstances and risks involved in the pursuit, ensure no more than the adequate number of units are participating in the pursuit, and ensure adherence to pursuant guidelines set forth in this policy;
   e. Once aware of a pursuit, immediately gathering available information in order to continuously assess the circumstances and risks involved in the pursuit to ensure that Terminating the pursuit if, in their judgment, continuing it is no longer justifiable under this policy;
   f. Controlling and directing Sutter County Sheriff’s units when a pursuit leaves its own jurisdiction;
   g. Ensuring the use of the proper radio channel
   h. Performing a debriefing of the pursuit for training purposes.

13. Supervisor responsibilities: The supervisor should keep abreast of the pursuit, evaluate the situation and confirm that this policy is being followed. The supervisor is ultimately responsible for the control, direction, and termination of a vehicular pursuit, and shall be in overall command.

The supervisor shall screen all pursuit-related reports and provide them to the Operations Division Commander.

14. Communications: If the pursuit stays within the jurisdiction of the Sheriff’s Office, radio communications shall be made on Primary Channel 1, unless otherwise directed by a supervisor or dispatcher.
Communications (Dispatch) Responsibilities: Once aware of initiation of a pursuit, Dispatch shall:

a. Coordinate communications of involved units;
b. Notify and coordinate with other agencies;
c. Confirm that the supervisor is aware of the pursuit; and
d. Broadcast updates and other relevant information as necessary.

15. Inter-Jurisdictional Considerations: Upon a pursuit entering an outside jurisdiction, the primary deputy or supervisor should consider pursuit length, area familiarity, and other relevant information, to decide whether or not to request the area agency to overtake the pursuit.

16. Loss of Suspect Vehicle: Upon losing the location of the suspect vehicle, the primary unit should relay pertinent information to other units to assist in location of suspects. The primary unit shall be responsible for directing any further search for either suspect(s) or the vehicle.

17. Outside Agency Take Over Pursuit: Upon advisement that another agency has taken over the pursuit, and that our assistance is not needed, initiating units shall terminate their involvement in the pursuit. Once terminated from involvement in the pursuit, the primary unit may respond if requested, and with authorization of the supervisor, to the end point to assist with the investigation.

As radio communications between local agencies and the California Highway Patrol (CHP) are limited, when CHP is requested for assistance and their units respond and actually take over the pursuit, they will assume the responsibilities for the pursuit and the Sutter County Sheriff’s Office will assume a support role and assist with the pursuit at the discretion of the CHP.

It is the responsibility of the primary pursuit deputy, that at the end of a pursuit that began with this agency, to coordinate with the units of any agency that took over the pursuit, to complete the investigation.

Simply being notified of a pursuit does not mean this agency has been requested to assist with the pursuit. A request to or from another agency to assume or join a pursuit must be specific. Any request to take over a pursuit will be evaluated by the circumstances known at the time the request is made.

18. Pursuits Entering Sutter County: The initiating agency shall be responsible for conducting the pursuit. Sheriff’s units shall not become involved in a pursuit unless specifically requested by the pursuing agency and authorized by a supervisor.

When this agency is requested to assist or assume control of a pursuit that has entered our jurisdiction, the supervisor should consider the following:

a. Ability to maintain the pursuit.
b. Circumstances/ seriousness to justify continuing the pursuit.
c. Sufficient personnel to continue the pursuit.
d. Public safety.
e. Safety of Office personnel.

The supervisor shall contemplate the request from the outside agency to take over a pursuit. Considering the above factors, the supervisor may elect to decline to assist in or take over the pursuit.

Assistance from the Sheriff’s Office shall end at county boundaries, unless it is known that there is insufficient assistance from a different source ready to intercept and take over once inside the neighboring jurisdiction. Further participation from the Sheriff’s Office shall terminate once sufficient assistance to the originating agency arrives.
Chapter 5: Operational Response

If a pursuit from an outside agency terminates within the Sheriff’s Office jurisdiction, deputies shall give appropriate assistance to the outside agency, including, but not limited to, scene control, coordination, and completion of supplemental reports, and any other needed assistance.

20. **Pursuit Intervention:** Pursuit intervention is an attempt to terminate the ability of a suspect to continue to flee in a vehicle by using physical means such as spike strips, blocking, boxing in, P.I.T (Pursuit Intervention Technique) or ramming. Ramming shall be construed to mean using a vehicle to contact the pursued vehicle to physically disable it or create a situation such that further flight is not possible.

21. **Authorized Intervention:** When deciding to use any intervention tactics, deputies and supervisors should balance the risks of allowing the pursuit to continue with the potential hazards to the public resulting from the use of the intervention tactic. The use of spike strips is authorized upon approval by a supervisor and as outlined the spike strip policy in Chapter 5 section .15 of the Operations Manual. The Sutter County Sheriff’s Office does not authorize the use of the pursuit intervention technique or otherwise known as PIT, ramming, boxing-in, or roadblocks as defined in this policy. All deputies shall act within the bounds of good judgment, legality, and accepted practices.

22. **Definitions:**
   
a. Spike Strips are an intervention technique that punctures the tires of the fleeing vehicle. The system uses small hollow tubes that cause a controlled deflation of the suspect’s tires.

b. Ramming is the deliberate act of using a vehicle to hit the pursued vehicle to damage or force a vehicle to stop.

c. Boxing-in is a tactic designed to stop a vehicle by surrounding it with law enforcement vehicles and slowing all vehicles until you come to a stop.

c. Blocking is a tactic to stop a vehicle by intentionally placing a patrol car in the path of a fleeing vehicle.

d. PIT is Pursuit Intervention Technique. PIT is a low speed maneuver that causes the suspect vehicle to spin around 180 degrees and generally terminates the pursuit.

23. **Use of Firearms:** The use of firearms on vehicles is addressed in section 4.10.05 of the operations manual under Use of Force.

24. **Intervention Standards:** Any pursuit intervention method may present dangers to the public, the deputies, or anyone in the vehicle being pursued. Depending on the circumstances, some intervention techniques could be considered a use of force. Any use of force will be subject to the standards set forth in the Use of Force Policy covered under chapter 4 of the operation manual.

25. **Arrest After Pursuit:** Deputies shall comply with arrest procedures outlined in this Chapter, Section 3, Felony Stop Policy in the Operations Manual. Deputies shall only use enough reasonable and necessary force to affect the arrests as outlined in Chapter 4 of the Operations Manual. Self-discipline and professional judgment is the key to the successful conclusion of a pursuit.

26. **Post Pursuit Reporting:** The Sutter County Sheriff’s Office shall comply with California Vehicle Code Section 14602.1. The primary deputy shall complete the CHP 187A form and submit the form to the sergeant for review. The sergeant will provide the form to the Patrol Commander who will submit the form by fax or mail within 30 days of any pursuit. A crime report shall also be completed and contain all the elements of the crime and other pertinent details. The report shall also include any audio and video evidence, which will be booked into evidence.

27. **Regular and Periodic Training:** Pursuant to section 13519.8 all members of this Office who are authorized to engage in pursuits, shall participate in regular and periodic training
Chapter 5: Operational Response

no less than annually. The training shall include this policy in its entirety. The training shall also stress the importance of a balance between public safety and the need to pursue in order to protect the public. Each deputy authorized to engage in pursuits shall certify in writing that they have received, read and understand this policy and those policies that relate to the pursuit policy such as: The use of force policy, high risk stop policy, the spike strip policy and the code-3 policy.
SECTION 3: Hollow Spike Strips

1. Training: All Operations Division personnel shall be trained in the use of the spike strip before its use.

2. Deployment: All requests for the deployment of the spike strip shall be approved by the on-duty supervisor or by the designated deputy in charge.

3. Coordination: Spike strip deployment shall be coordinated between the pursuing units (including any other agencies that may be involved) and the person deploying the spike strip by direct radio contact, or through the dispatch center. The spike strip shall not be deployed unless proper and timely notification can be made to the other agencies who may be involved in an inter-agency pursuit.

4. Spike Strip Deployment: The deployment of the spike strip shall follow the guidelines as set forth as follows:
   a. The spike strip will be used only when there is no apparent risk to any individual outside the pursued vehicle. If conditions are not right, e.g., geographic configurations, other traffic very close to the suspect, DO NOT deploy the strip.
   b. The spike strip shall not be used on levee roads, curves, or adjacent to any waterways.
   c. When used on a two-lane highway, opposing traffic should be stopped a sufficient distance from the deployment site so that it will not create a hazard.
   d. The spike strip shall not be used to stop motorcycles, mopeds or similar vehicles.
   e. The spike strip should not be used to stop the following vehicles unless the continued movement of the pursued vehicle would result in an unusual hazard to others.
      1. Any vehicle transporting a hazardous material defined in Vehicle Code section 2402.7.
      2. Any passenger bus transporting passengers.
      3. Any school bus transporting students.
      4. Any vehicle that would pose an unusual hazard to innocent parties.
   f. The spike strip shall not be used in locations where geographic configurations increase the risk of injury to the suspect, e.g. on roadways bounded by steep descending embankments, curves or at any locations where the safety of proceeding or opposing traffic cannot be assured.
   g. Pursuing units should notify the deploying unit as far in advance as possible.
   h. The deploying unit should be in a position at a predetermined location to allow sufficient time for deployment.
   i. The deploying unit should not attempt to overtake and pass a high-speed pursuit in order to position the spike strip for deployment.
   j. Deployment locations should have reasonable good sight distances to enable the person deploying the strip to observe the pursuit and other traffic as it approaches.
   k. Extreme care should be exercised when deploying the spike strip to reduce the possibility of damage to uninvolved vehicles and pedestrians. After deploying the spike strip, personnel should immediately seek protection/cover.
1. When pursuing units are approaching the deployment site, they should provide enough distance between their vehicle and the pursuit vehicle to allow enough time for the deploying unit to retrieve the spike strip from the roadway.

2. Reporting

Documentation of Use: When the spike strip is actually deployed during a pursuit, the circumstances of its use will be described in the report, and address the following points:

a. How far did the suspect vehicle travel after crossing the spike strip?

b. How many tires on the suspect vehicle deflated?

c. How many spikes entered each tire?

d. Was the spike strip effective in safely terminating the pursuit?

3. Potential Deployment Locations Predetermined by the Yuba-Sutter CHP

Locations: The following locations are predominately rural, flat and open terrain where the spike strip may be deployed. Depending on existing conditions, they are not intended to be all-inclusive:

a. Sutter County:
   1. SR 113 Yolo County to SR 99
   2. SR 99 Sacramento County line to Lincoln Road
   3. SR 99 freeway portion only N. of Yuba City
   4. SR 20 Colusa County line to Yuba City limits.

b. Yuba County
   1. SR 70 Yuba County line to SR 65
   2. SR 65 Placer County line to Marysville
   3. SR 70 North of Marysville to Butte County line.
SECTION 4: Felony Traffic Stops

1). Felony Traffic Stops

A felony vehicle stop as outlined in this policy should be effected when:

1. Justification for Stop: The type of offense indicates the need for the maximum safety of personnel involved in the stop.

   a. The occupants of the vehicle are described as “armed and dangerous.”
   b. The description of the vehicle and/or occupants match information in a felony broadcast (ATL).
   c. Whenever the initiating deputy has probable cause to believe that a felony style stop is needed for deputy’s safety, it should be remembered that this type of stop involves the immediate display and possible use of deadly force and should be used when there is a question of personal safety to the deputies involved.
   d. The vehicle involved is a confirmed stolen vehicle.
   e. One or more of the occupants has a confirmed felony warrant out of this jurisdiction or another. Charges on the warrant may be taken into consideration.

2). Conclusion of Traffic Stops

The purpose of this policy is to plan for a situation that might end in the use of deadly force. By planning, it is hoped that this force will not be needed. If it is necessary, the risk to the personnel of this Office and the citizens of the community will be minimized. Because of the potential danger involved in a felony vehicle stop, all members of this Office shall familiarize themselves with this policy, and they shall understand the positioning of the personnel and vehicles as outlined.
SECTION 5: Disturbance/Loud Party Calls

1). Disturbance/Loud Party Calls
The purpose of this section is to provide the deputy with various Penal Code sections that may be applicable when dealing with large crowds/parties that are creating a disturbance and require Office intervention.

1. 415(2) PC – Disturbance of the Peace: Any person who maliciously and willfully disturbs another person by loud and unreasonable noise.

2. 404 PC – Riots Defined: Any use of force, disturbance of the peace, or threat of use of force by two or more persons acting in unison.

3. 404.6 PC – Incitement to Riot: Every person who with the intent to cause a riot does an act or engages in conduct which urges a riot, or urges others to commit acts of force or violence, or the burning of property, destruction of property, and at a time and place, under circumstances which produce a clear and present and immediate danger of acts of force or violence or the destroying of or the burning of property.

4. 407 PC – Unlawful Assembly: Whenever two or more persons assemble together to commit an unlawful act, or do a lawful act in violent, boisterous, or tumultuous manner.

5. 416 PC – Unlawful Assembly, Refusal to Disperse: If two or more persons assemble for the purpose of disturbing the peace, or committing any unlawful act, and do not disperse on being desired or commanded to do so by a public.

6. 726 PC – Unlawful/Riotous Assemblies, Command to Disperse: Where there is any number of persons, whether armed or not, unlawfully or riotously assembled, the Sheriff of the county and his deputies must go among the persons assembled or as near to them as possible and command them in the name of the people of the State to immediately disperse.

7. 727 PC – Unlawful/Riotous Assemblies – Arrest for Failure to Disperse: If the persons assembled do not immediately disperse, such magistrate and must arrest them, and to that end may command the aid of all persons present or within the county.

2). Operational Procedure for Disturbances

1. Operational Procedure: The assigned deputy should attempt to make contact with the complainant of the call prior to approaching the disturbance or party.
   a. The investigating deputy should determine if the complainant plans on or is requesting criminal prosecution for the disturbance/party.
   b. The deputy should explain the process of criminal prosecution including the requirement of the court appearance.
   c. The deputy should also advise the complainant of the feasibility of successful prosecution for the offense. If there isn’t any violation, the deputy should explain that to the complainant.

3). Initial Handling of Calls
If the complainant wishes to remain anonymous, the deputy should then proceed to the location of the disturbance and try to locate the person-in-charge of the disturbance/party. The deputy should keep his initial contact with the subjects attending the party as “low key” as possible.

1. Demeanor of Contact: Generally speaking “low key” contact with the subjects at the party will usually result in a cooperative attitude from the subjects in attendance. The
“low key” approach will also exhibit a courteous and professional appearance on the part of the deputy’s. (Good public relations).

2. **Explain Presence:** The deputy should explain the nature of the complaint in easy-to-understand language to the responsible person at the party.

3. **Express Cooperation:** The deputy should solicit the responsible person(s) assistance in getting the cooperation of all persons in attendance in “holding down the noise.” The deputy should (again tactfully) explain the possible criminal prosecution for the continued disturbance. In some cases the parties “grow” beyond the planning and expectations of the host/hostess. The citizen might appreciate the assistance of law enforcement in regaining control of the party.

4. **Identify Responsible Subject:** Once the deputy has found the responsible subject for the disturbance/party, the deputy should obtain complete identification of the subject(s), if tactically safe. The deputy needs to explain to the subject that the reason for making identification is to establish responsibility in the event of any further complaints or contact by law enforcement. The deputy should also explain the potential for civil liability both from complaining neighbors and attendees at the party.

   *Deputies aren’t attorneys and should not put themselves in a position of practicing law; however, a simple explanation of the possibility of a law suit will suffice.*

4). **Repeat Calls**

On occasion, the deputy may respond to the disturbance/party more than one time. In those circumstances, the Sergeant or senior deputy should be notified of the circumstances. A cover unit should always be sent to assist on repeat calls. The presence of a second deputy at the scene will let the responsible subject know that law enforcement is serious about enforcing criminal violations.

1. **Plain Sight Observations:** During the course of the contacts with the responsible subject, take advantage of the opportunities to make any “Plain sight observations” of violations that might present themselves. Bringing these violations to the attention of the responsible subject will usually result in an immediate attitude of cooperation.

   a. The deputy has the option of taking action on any plain sight observation made at the time of the contact. This usually depends on the severity of the offense observed.

   b. The deputy’s discretion may also be determined by the nature of attitude of the responsible subject at the party.

2. **Refusal to Quiet Down:** If at the time of the second or subsequent contact by the deputies it is determined that the party/disturbance isn’t going to quiet down, the investigating deputy should advise the Sergeant or senior deputy of the situation.

   a. It may be necessary to simply remain on scene and request the further assistance of additional units to close the event down.

   b. The sergeant or senior deputy should respond to the scene immediately to further evaluate the circumstances. (i.e., additional manpower, allied agencies etc.).

   c. Once the sergeant is “on-scene”, the initial investigating deputy should relinquish responsibility to the senior deputy. The sergeant will become in charge of the scene and responsible for the disposition of the complaint.

   1. The sergeant will determine what the strategy will be for the handling of the scene.

   2. The sergeant will also determine if there is a need for additional equipment, (i.e. helmets, riot batons, gas grenades, etc.)
Chapter 5: Operational Response

3. The sergeant will also have to devise a plan for handling the vacation of the citizens that might want to peacefully leave the disturbance/party.
4. The sergeant will also have to make provisions for traffic control in the area possibly by asking assistance from the California Highway Patrol.
5. The sergeant should direct the additional units to their assigned positions as the units arrive at the scene.
6. There shouldn’t be any action taken until units and personnel have moved into position in order to maximize safety for both the citizens and deputies alike.

3. **Dispersal Order:** Once all of the responding units have gotten into position, the sergeant will make the announcement to the subjects present to disperse. The order to disperse may be as follows:

   a. “This is Sergeant _______________. I am a Deputy Sheriff with the Sutter County Sheriff’s Office. In the name of the people of the State of California, I declare this to be an unlawful assembly, and order you to disperse. If you do not do so, then you will be subject to arrest and incarceration. You will also be subject to criminal prosecution.” (This admonishment should be repeated two to three times in order to give all of the participants an opportunity to leave. If possible, the admonishment should be tape recorded and saved as evidence for the purposes of prosecution later).

   b. The order to disperse by a citizen may be as follows:
      1. “I am _________________ and I am (or represent) the owner of this property. You are not welcome here and are causing a disturbance here. I request that you leave immediately and if you do not do so, I shall ask for your immediate arrest.” (Again, this should be repeated two or three times in order to give everyone an opportunity to hear the admonishment. This should also be tape recorded for evidentiary purposes.)
      2. In both of these instances, deputies should be placed at the furthest location in the crowd to ensure that the admonishment can reasonably be heard by all in attendance.

4. **Sufficient Opportunity to Leave:** A specific amount of time should be set down by the sergeant or deputy in charge in order to give those in attendance, the opportunity to leave the scene. The subjects should be given every opportunity throughout this process to leave and avoid arrest.

   a. Once the indicated amount of time has transpired, the deputy’s should follow the plan as set forth by the sergeant in order to expedite the action (either arrest/transportation or cite/release) to be taken at the scene.

5. **Deputy Demeanor:** The deputies present should at all time act in a professional manner, keeping in mind both citizens and deputy safety.
SECTION 6: Homicide Investigation Protocol (Executive Order #002-2009)

1. **Initial notification and response:** Patrol Supervisor will supervise the initial response. Respond to the scene and immediately set up a secure perimeter. The perimeter can never be too big. It can always be reduced later on in the investigation. Establish a command center in a safe location and away from onlookers.

2. **Notifications:** Undersheriff, Operations Commander, Detective Lieutenant, Sergeant and all Detectives. Foresee the need for additional personnel. Consider notification to the District Attorney and DA Investigator for their involvement. We can always use a set of extra hands.

3. **Crime scene:** All unnecessary personnel are to stay out of the crime scene until their services are requested by investigators. These personnel include: safety staff, Command staff, as well as the media, mortuary, fire and ambulance. Unauthorized vehicles, pedestrian traffic and loose animals will be diverted away from the crime scene.

4. **Public and deputy safety:** Evacuate nearby residences and businesses until the scene is made safe.

5. **Crime scene search:** Depending on the circumstances and deputy safety, limit the crime scene search for victim(s) and suspect(s) to two deputies to prevent contamination of the scene. Wear protective gear when entering the crime scene: gloves, booties, suits, dust mask. Any personnel entering the crime scene in addition to the investigators should wear booties. Touch nothing. Do not use the facilities, such as restroom and phone.

6. **Follow the path least taken:** To reduce the contamination of the crime scene, by hugging near the walls when walking in hallways or rooms. Take mental notes of the scene: the layout, evidence and general observations for briefing of the investigators. Take photos while inside if possible. Exit the same way you entered. Direct investigators upon arrival by showing them the path taken by initial responding deputies

   Everyone who is on scene or enters the crime scene will write a supplement report as to their actions and observations.

   Once the scene is secured, no one enters the scene. No briefing will be given until all investigators arrive so everyone can be briefed at one time.

   A logging deputy will be posted, noting the date, time, location and reason of personnel presence. Photographs of the crowd and area should be taken.

7. **Field Canvas:** A team leader will be assigned to supervise the canvas for witnesses of the surrounding area. Expectations will be clearly given. Field interview cards and brief statements from witnesses and bystanders will be taken during the canvas. If no one is home or a business closed, go back later. Do not hurry. Once again, spread out the canvas area, it cannot be too small.
8. **While canvassing:** Note the following: vehicles in driveways, condition of home and vehicles, lights on or off, ETA for resident to answer the door, their condition, who is present, who is absent, where they are, when they left, where they are going, when they are expected back, who lives in the home, who visits the home, relationships to each other, who frequents the area, what they saw, heard or smelled, hostile or friendly, positive or negative and what are the normal activities of the area.

**Businesses:** Who are the employees, on or off duty, their vehicles or how they get to work, days off, sick, who are regular customers, delivery personnel and companies. Interview separately. This helps disprove false witnesses later. Investigators will follow up with these people at a later time. Corroborate statements later to show deception. Critical witnesses should be video/audio recorded at the Office. Consider family members as suspects until proven otherwise.

9. **The Investigation:** Make direct contact with the scene personnel and plan accordingly. Get as much information from deputies on scene, prior to arrival. Involve them in the briefing.

All crime scene investigation tools and forms will be assembled and brought to the scene.

10. **Crime scene walk through:** The initial walk through is for observation overview purposes only. This will be used to determine priorities and evidence processing.

Investigators will conduct frequent briefings as the investigation continues, at least every half hour or hour as needed for direction and planning. Formulate possible scenarios.

11. **Assignments and job descriptions:**

**Primary and secondary investigator:** Direct the investigation and give out assignments.

- **Evidence collector and evidence logger:** Process the scene for evidence; prepare property sheets and book evidence. Items to be found: blood, hair, fibers, fingernail scrapings, serology, latent prints, GSR, DNA, sexual assault kit, weapons, casings, projectiles, entomology. Note anything unusual or out of the ordinary. Photograph all personnel foot wear and sole patterns. Obtain video surveillance from residence or business. Photograph and scale blood stain patterns on body and its surroundings.
- **Videographer:** General overview of the scene.
- **Photographer:** Photograph evidence in its original state and surroundings; including far, near and close ranges. Item number tents and measurements in the photographs.
- **Crime scene sketcher:** Diagram of crime scene and evidence measurements.
- **Dispatcher:** dedicated to investigation teams for ATL, BOLO, criminal history, intelligence, canvas team and coroner.
- **Evidence collection of suspect:** Consent vs. search warrant. Interviewer should stay with the suspect throughout the evidence collection to booking process.
12. **Coroner:** Obtain all possible evidence from the body, prior to removing it from the scene. Start from the head and end at the feet. Note physiological signs, lividity and rigor mortis, room temperature. Detailed description of clothing: clean or dirty. Body: clean or dirty. Overall photo of body from multiple angles, top, under, area under and surrounding the body once removed, individual photos and all angles of head, hands, feet, extremities, general injury descriptions and location, bag the head and hands, wrap the body in a clean sheet wrap, secure in body bag and seal with Coroner Report number and victim’s name.

Investigators will remove body to the transport vehicle. X rays at the hospital for evidence. Entomology evidence preservation. Mortuary will be followed by the coroner and note when and where secured. Identify the body through identification, witness, prints and indicia. Notification to next of kin.

13. **Unidentified victims:** Identification will be made through DNA; femur; jaws and fingerprints. A MUPS entry will be made.

14. **Autopsy and Pathology:** Investigators will attend autopsy and bring crime scene photos to assist the pathologist. The pathologist shall give his description and opinion as to the exact measurements and locations of injury, trauma, wound direction/trajectory and defensive wounds. The Pathologist will give description of body and clothing in its original state, unclothed state and cleaned state.

Detailed photographs of the autopsy including measuring scale. The Pathologist will collect projectiles. Investigators will obtain clothing and additional evidence from body, finger prints, toxicology, sexual assault kit, swab penis, vagina, oral cavity, anus, suspected sexual contact areas: neck, ears, breasts, thighs.

15. **Search warrant:** Search Everything. Trash containers, perimeter, streets, computers, cell phone, etc.

16. **Media Release Deputy and Investigators:** will have complete control of information disseminated to the media.

17. **Interviewers:** Will have as much knowledge as possible of the crime scene and circumstances. The remaining investigators will stay on scene to process and keep the interviewers updated as new information comes in. CVSA vs. Polygraph.

18. **Suspect in custody:** Two interviewers. Two heads are better than one. Have as much knowledge and facts of the crime scene, suspect’s background and history; witness statements and evidence. Left or right handed; handwriting samples; BAC; blood samples; drug influence; clothing; photographs of injuries, clothed and unclothed, marks and tattoos, DNA, pubic hair and head hair, fingernail scrapings, GSR of hands and face.

19. **Victim:** Learn as much about the victim as possible. Create a timeline as to their activities and contacts.

20. **Deputy involved shootings:** Public safety statement: outstanding suspects; direction of travel; description; how many shots and direction fired; is there any evidence to be collected; weapons used by suspect; originating crime. Patrol vehicle audio/video system. Dispatch tapes. Internal
Chapter 5: Operational Response

Affairs involvement. POBR. Separate deputy from others and have investigator interview as soon as possible. Take possession of weapons used and replace with another one.

21. **Child Death:** The coroner will follow to the mortuary to preserve evidence. Timeline: interview pediatrician; doctors; nurses; CPS referrals; CAD history; relatives; people living in home; neighbors; co-workers; friends; school; allied agency; EMS; care givers and siblings. Get medical release. Ask about the house rules and tools used to discipline. Note parent’s behavior, are they together or separate; touching or distant body language; drug use. Jail calls. Age dating of bruising (colors). X-rays: show prior abuse through broken bones and spiral breaks. Water burns: check temperature at water heater and tap. State licensing for care facilities.

22. **Lab testing of evidence:** Follow up investigations: where do we go from here? Set priorities; follow up interviews, lab testing and findings.

23. **Weapons:** Were they brought to the crime scene by the suspect or was a weapon from the home used. This shows planning or the lack of planning.
SUTTER COUNTY HOMICIDE CHECK LIST

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**PRIMARY INVESTIGATOR**
**SECONDARY INVESTIGATOR**

NUMBER OF SCENES: LOCATION(S) ADDRESS

WEATHER CONDITIONS: LIGHTING: SCENE DESCRIPTION:

CRIME SCENE PERIMETER/PROTECTION ESTABLISHED: ☐

BY: SCENE RELEASED BY: DATE/TIME: RELEASED TO:

<table>
<thead>
<tr>
<th>ADDITIONAL INVESTIGATOR(S)</th>
<th>TOC</th>
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<tr>
<th>MEDICAL/FIRE PERSONNEL</th>
<th>EMPLOYER</th>
<th>TOC</th>
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</table>

LIFE SAVING MEASURES TAKEN:

ITEMS TOUCHED/MOVED:
### Chapter 5: Operational Response

#### VICTIM

<table>
<thead>
<tr>
<th>NAME:</th>
<th>DOB:</th>
<th>HOME ADDRESS:</th>
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<tbody>
<tr>
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<td>CURRENT LOCATION:</td>
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#### UNKNOWN VICTIM

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<tr>
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<th>ANY FOUND:</th>
<th>YES</th>
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<td>CONDITION/DESCRIPTION:</td>
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<tr>
<td>DNA</td>
<td>FINGERPRINT</td>
<td>FEMUR</td>
<td>TEETH</td>
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#### CRIME SCENE OR BODY DUMP

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<tr>
<th>BODY PROCESSED BY:</th>
<th>BAG HANDS:</th>
<th>ENTOMOLOGY:</th>
<th>PROCESS UNDER THE BODY:</th>
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| CLOTHING/PROPERTY: | |
|                   | |

#### HOSPITAL RECORDS/INTERVIEW(S) WITH DOCTOR/MEDICAL STAFF: | INVESTIGATOR: |
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<td>SEARCH OF:</td>
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<td>CORONER SEAL:</td>
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<td>SEARCH WARRANT:</td>
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#### VICTIM ASSOCIATES

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<thead>
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#### BODY DISCOVERED BY

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Chapter 5: Operational Response

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- ARRESTED: [ ]
- OUTSTANDING: [ ]
- TELETYPETO/BOLO: [ ]
- INTERVIEWED BY: [ ]
- RESIDENCE SEARCHED: [ ]
- PERSON SEARCHED: [ ]
- VEHICLE SEARCHED: [ ]
- DESCRIPTION: (Condition, Demeanor, Sobriety, Injuries, Etc.)
- MIRANDA: [ ]
- CVSA: [ ]
- INTERVIEW RECORDED: [ ]

- RAP SHEET/HISTORY: [ ] (Photographs, Fingerprints, Hair-Pubic Sample, Fingernail Scrapings, DNA, Blood Sample, Clothing, Residues, Vehicle, Handwriting Sample, Personal Property, Trace Evidence, GSR, X-Ray, Search Warrant, Etc.)
- PROBATION: [ ]
- PAROLE: [ ]
- SUBMITTED TO LAB: [ ]

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- PHOTOGRAPHED FROM WITNESS VANTAGE POINT: [ ]

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- Overall/Close-Up: [ ]
- Body Position: [ ]
- As Discovered: [ ]
- Moved: [ ]
- Scene/Vicinity/Bystanders: [ ]
- Aerial Photos: [ ]
- Witnesses Perspective: [ ]
- INTERIOR: [ ]
- EXTERIOR: [ ]

131
### Chapter 5: Operational Response

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<thead>
<tr>
<th>CRIME SCENE SKETCHER</th>
<th>DISPATCHER INTERVIEWED</th>
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<td>BULLETS/CASINGS RECOVERED:</td>
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<td>ANTE/POST MORTEM:</td>
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</table>
# Chapter 5: Operational Response

## Exterior Check

<table>
<thead>
<tr>
<th>Lighting Condition</th>
<th>Weather</th>
<th>Vehicles</th>
<th>Tire Tracks</th>
<th>Shoe Prints</th>
<th>Trash/Debris</th>
<th>Items brought into the scene by suspect</th>
<th>Yard Search/Condition</th>
<th>Windows/Doors/Locks/Forced Entry</th>
<th>News Papers/Mail</th>
<th>Electrical Breakers/Alarm/Phone Lines</th>
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## Entry

<table>
<thead>
<tr>
<th>Thermostat</th>
<th>Lighting Condition</th>
<th>Odors</th>
<th>Floor Surfaces</th>
<th>General Appearance</th>
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## Common Areas

<table>
<thead>
<tr>
<th>COMMON AREAS</th>
<th>LIVING RM</th>
<th>DINING RM</th>
<th>FAMILY/OFFICE</th>
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<tbody>
<tr>
<td>General Appearance</td>
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<tr>
<td>Lighting Condition</td>
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<tr>
<td>Papers/Indicia</td>
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<tr>
<td>Electrical Appliances On/Off</td>
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<tr>
<td>Clocks</td>
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<tr>
<td>Furniture Position/Condition</td>
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<tr>
<td>Dishes/Glasses</td>
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<tr>
<td>Ashtrays/Contents/Brands</td>
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<tr>
<td>Table Contents</td>
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<tr>
<td>Phones/Answering Machines</td>
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<tr>
<td>Phone History</td>
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<tr>
<td>Computers</td>
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<tr>
<td>Video equipment/Recordings</td>
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## Bathrooms

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<tr>
<th>BATHROOMS</th>
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<tbody>
<tr>
<td>Toilet seat position</td>
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<tr>
<td>Toilet Tank search</td>
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<tr>
<td>Medications</td>
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<tr>
<td>Trash</td>
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<tr>
<td>Towels Wet/Dry</td>
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</tr>
<tr>
<td>Shower/Sink ▶ Wet/Dry</td>
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<tr>
<td>General Condition ▶ Cleaned up?</td>
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<tr>
<td>Brushes/Combs</td>
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## Kitchen

<table>
<thead>
<tr>
<th>KITCHEN</th>
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<tr>
<td>Trash</td>
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<tr>
<td>Sink ▶ Wet/Dry</td>
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<tr>
<td>Cooked Foods</td>
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<tr>
<td>Coffee Pots/Times</td>
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<tr>
<td>Dishwasher contents</td>
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<tr>
<td>Calendar/Appointments</td>
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</table>
### Chapter 5: Operational Response

| **Refrigerator contents** |  |  |  |  |
| **Alcohol/Drinks** |  |  |  |  |
| **Knives/Utensils** |  |  |  |  |
| **Pet(s) Food/Water** |  |  |  |  |
| **Feces** |  |  |  |  |

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<tr>
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<tbody>
<tr>
<td><strong>Beds made</strong></td>
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<td><strong>Bedding missing/soiled</strong></td>
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<td><strong>Mattress stained</strong></td>
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<td><strong>Clothing/shoes</strong></td>
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<td><strong>Weapons/Ammo</strong></td>
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<td><strong>Closet contents</strong></td>
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<td><strong>Dresser drawer contents</strong></td>
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<td><strong>Jewelry</strong></td>
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<td><strong>Pornography</strong></td>
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<td><strong>Rope/Twine</strong></td>
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<td><strong>Electrical cords/Tools/Cleaning items</strong></td>
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<td><strong>Ditches</strong></td>
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<td><strong>Crossroads</strong></td>
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<td><strong>Barns/Exterior Storage Areas</strong></td>
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- **OUTSTANDING:** [ ]
- **TELETYPES/BOLO:** [ ]
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- **PERSON SEARCHED:** [ ]
- **VEHICLE SEARCHED:** [ ]
- **INTERVIEW RECORD:** [ ]
- **MIRANDA:** [ ]
- **CVSA:** [ ]

- **RAP SHEET/HISTORY:** [ ]
- **PROCESSED FOR EVIDENCE:** [ ]

  - Photographs, Fingerprints, Hair-Public Sample, Fingernail Scrapings, DNA, Blood Sample, Clothing, Residence, Vehicle, Handwriting Sample, Personal Property, Trace Evidence, GSR, X-Rays, Search Warrant, Etc.

- **PROBATION:** [ ]
- **PAROLE:** [ ]

- **ALIBI FOLLOW-UP:** [ ]
- **SUBMITTED TO LAB:** [ ]

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- **INTERVIEWED BY:**

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- **PERSON SEARCHED:** [ ]
- **VEHICLE SEARCHED:** [ ]
- **INTERVIEW RECORD:** [ ]
- **MIRANDA:** [ ]
- **CVSA:** [ ]

- **RAP SHEET/HISTORY:** [ ]
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  - Photographs, Fingerprints, Hair-Public Sample, Fingernail Scrapings, DNA, Blood Sample, Clothing, Residence, Vehicle, Handwriting Sample, Personal Property, Trace Evidence, GSR, X-Rays, Search Warrant, Etc.

- **PROBATION:** [ ]
- **PAROLE:** [ ]

- **ALIBI FOLLOW-UP:** [ ]
- **SUBMITTED TO LAB:** [ ]

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### SUSPECT ACQUAINTANCES

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### ADDITIONAL VICTIM PAGE

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## SCENE LOG
(List Personnel Entering & Exiting Scene)

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<thead>
<tr>
<th>LOGGING OFFICER NAME:</th>
<th>NAME</th>
<th>AGENCY</th>
<th>ARRIVAL/DEPARTURE</th>
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SECTION 7: Juveniles

1). Juvenile Procedures

This section will provide the deputy with a general understanding of the laws pertaining to the arrest, detention and/or care of minors as described in the Welfare and Institutions Code.

1. 300 W&I Code: This section pertains to any person under the age of 18 years who is generally in need of care. Persons in this category will be referred to the Department of Social Services – Child Protection Services Unit at 822-7227.

2. 305 W&I Code (Temporary Custody/Detention): A peace officer may, without a warrant, take into custody a minor, when he believes the minor is one described in section 300 W&I.

3. 308 W&I (Notification of Parent or Guardian): When a deputy takes a minor into custody pursuant to this policy, the deputy shall take immediate steps to notify the minor’s parent, Guardian, or a responsible relative that such minor is in custody and the place where the minor is being held, unless it places the minor in jeopardy.

4. 601 W&I Code: This section pertains to a minor who is generally beyond any parental control, (Refer to the section for complete details):
   a. Persons in this category come under the jurisdiction of this Office and the probation department.
   b. These violations are to include curfew violations, truants, runaways and those considered beyond parental control.

5. 602 W&I Code: Persons under the age of 18 years that commit any criminal violations are subject to this section.
   a. These persons will be the responsibility of the Probation Department and the Sheriff’s Office.

6. 26 Penal Code: This section defines who are capable of committing crimes. Generally, children under the age of 14 years are incapable of committing a crime unless it can be clearly shown that they know the difference between right and wrong.

2). Medical Care of Minors

1. 739 W&I Code: This section provides that a Probation Officer or the Court may authorize medical, surgical, or dental care for a person under the age of 8 years.

2. Juveniles Under the Influence: Juveniles who are suspected of being under the influence of narcotics, dangerous drugs, or alcohol will be examined by a medical doctor if:
   a. The person is unconscious.
   b. Appears to be sick.
   c. Is suffering from injuries requiring medical attention as a result of an accident or similar type of incident.
   d. If any of the above-described conditions exist, the deputy will immediately advise his Supervisor of the circumstances and the potential need for medical care.
   e. The notification of the supervisor should be completed at the earliest possible time. However, the care of the minor should not be delayed simply because the supervisor hasn’t been notified.
3). **Arrest Procedures**

1. **Authority to Arrest-Sections 625 and 626 W&I Code (inclusively):** These sections define the condition under which a minor will be taken into temporary detention or custody.
   a. If the minor falls under the criteria as outlined under sections 601 or 602 W&I, the deputy will follow the federal rule when to advise the minor of his/her rights per Miranda.
   b. Section 625.1 W&I provides for the conditions that a minor, described in section 602 W&I, may be taken into custody without a warrant, including a misdemeanor not committed in the deputy’s presence.

2. **Misdemeanor Violations:** At the deputy’s discretion, the following options are made available to the deputy for misdemeanor violators:
   a. The deputy may cite and release the violator to a parent, guardian, or other responsible adult relative.
   b. The deputy may prepare and submit a complete and detailed report of the violation to the Probation Department for review and recommendations.
   c. The deputy must notify the on-call probation officer of the circumstances and request placement in the juvenile detention facility if warranted.

3. **Juvenile Bookings:** Juvenile offenders will be printed and photographed by the arresting deputy. The deputy must print and photograph the juvenile if the violation involves property theft or assaultive behavior. The processing will take place in the Civil Division lobby. **No juvenile** will be permitted in the jail. If the juvenile has a previous identification jacket in the jail, the minor need not be fingerprinted again. The minor should be photographed again if the minor’s appearance has changed dramatically.

4. **Felony Violators:** Generally, all felony violators between 14 and 18 years of age will be booked into the juvenile detention facility. The arresting deputy will notify the Probation Department and explain the circumstances to them, requesting authorization to place the juvenile in the detention facility.

   The booking deputy will complete the following paperwork for the processing of the minor:
   a. The juvenile citation and petition.
   b. The fingerprinting and photographing outlined above in the previous section.
   c. The completion of the booking sheet as is utilized by the Office. (*The booking sheet should also be completed for the misdemeanor violators.*)

6. **Parental Notification (Section 627 W&I code):** Whenever a minor is placed into confinement, the arresting deputy must notify the parents, guardian, or responsible adult of the incarceration of the minor. The deputy will advise of the location of the juvenile detention facility.

4). **Temporary Custody/Detention of Minors (Non-Criminal Circumstances)**

1. **Authority:** The deputy shall take custody of any minor that falls under the criteria as outlined under section 300 of the Welfare and Institutions code. The deputy shall notify his immediate supervisor of the circumstances that led up to the custody of the minor.
   a. The deputy shall notify the on-call Child Protective Services case worker of the detention of the minor(s).
   b. The deputy should be acutely aware of any injury or illness the minor may have sustained. The illness or injury should be documented by the deputy as completely as possible at the time of investigation.
c. In the event that medical care is required and no parent/guardian can be located, the deputy should proceed with reasonable care/caution so as to protect the health and safety of the minor child.

2. Victim-Minors: If the minor is the victim of a molestation or sexual exploitation, the deputy will make available whatever reasonable medical attention is needed by the victims.
   a. The deputy will notify his supervisor of the nature of the offense being investigated as soon as possible so that a determination may be made by the supervisor to call out or inform the on-call detective.
   b. The deputy conducting the initial investigation will interview the victim only to the point that the alleged crime can be established. Further and a more detailed interview of the victim will be conducted by the detective assigned to follow-up the case. The deputy should be particularly aware of the possibility of mental trauma having been suffered by the minor. The deputy should make the minor as comfortable as possible during the course of the investigation.
   c. The deputy conducting the initial investigation will complete the appropriate state form 11169 PC as is required by section 11166 and 11167 of the Penal Code. The deputy may be relieved of the responsibility to complete the form only by his supervisor or assigned detective to the investigation. The supervisor or detective will then assume responsibility for the completion of the necessary form(s) and notify Child Protection Services immediately by phone or within 36 hours in writing.
   d. In all circumstances where an allegation has been made regarding the molestation or sexual exploitation of a minor, a complete investigation and report of the findings of that investigation will be conducted.
   e. The deputy must keep in mind the possibility of gathering physical evidence regarding the alleged offense. The responsibility for the possible evidence lies with the investigating deputy. If it appears that there is physical evidence and the investigating deputy doesn’t have the opportunity to gather this evidence, he/she should notify the supervisor of the existence of the evidence and its potential value to the investigation.

4. Other Child Abuse Cases: If the minor is the victim of some type of child abuse (other than molestation or sexual exploitation), the deputy will follow the same guidelines as are outlined above.

5). Child Abuse

1. Introduction and Purpose: To provide Office personnel, a policy and procedure for the uniform handling of the child abuse reporting laws (11165 – 11174.5 P.C.). This policy will attempt to clarify the responsibility of the deputy when dispatched to the scene of a suspect child abuse/molest.

2. Policy: All members of this Office will adhere to the reporting responsibilities set forth in Penal Code sections 11165 – 11174.5. All members are responsible for reporting all suspected child abuse, whether it is neglect, physical abuse or sexual molest.

3. Investigation: Upon arrival at the location, the deputy should ascertain the exact nature of the call, i.e., neglect, physical/emotional abuse or sexual abuse. This determination is based on the following classifications of abuse:
   a. Physical
   b. Mental
   c. Incest (285 PC)
   d. Other sexual assault
   e. Sexual exploitation
   f. Severe neglect
   g. General neglect
   h. Other
Chapter 5: Operational Response

4. **Crime Elements:** The deputy must then determine if the facts support the allegation of a crime and also if the location that the crime occurred is within the Sheriff’s Office jurisdiction.

5. **Associated Factors:** The reporting deputy should be cognizant of the personal trauma associated with these types of incidents and interview the involved parties in a sensitive manner.

   NOTE: The preliminary interview need not go into detail beyond establishing the corpus of a particular crime.

6. **Substantiated Allegations:** If the deputy determines that the facts support the allegations of a crime, he/she will contact the supervisor and request the on-call Detective. The deputy will then assist the Detective as needed/directed.
   
   a. Whenever there is a question as to the physical or emotional safety of a child, he/she will be taken into protective custody. The deputy or Detective will request a Child Protective Services worker respond and take custody of the victim(s).
   
   b. If a deputy has probable cause to believe that a child is endangered, he/she does not need a warrant, nor consent to enter a home in California to investigate the endangerment. A report will be written and a “child abuse investigation report form: (SS 8583), will be forwarded to the Detective Unit and CPS.

7. **Unsubstantiated Allegations:** The term “unfounded” in child abuse means in can be proven that it did not happen.

8. **Documentation:** If the reporting deputy determines that the facts as given or observed, do not support the allegation that a crime has been committed, the deputy will write an incident report, listing suspected child abuse. The deputy will fill out a “Suspected Child Abuse” form (SS 8572). The report and form will be forwarded to the Detective Unit and CPS.

### 6) Missing and Runaway Juveniles

1. **Definition of a Missing Juvenile:** An individual whose whereabouts are unknown to the reporting party and includes, but is not limited to, a child taken, detained, enticed away, or retained by a parent in violation of section 277 of the penal code. It also includes any child missing voluntarily under circumstances not conforming to their ordinary habits or behavior, and who may be in need of assistance. (Parental abduction must be accepted as a “missing person” case.)

2. **Definition of a Runaway:** This Office will follow the guidelines for a runaway juvenile as set forth in section 601 of the Welfare and Institution Code. The runaway juvenile will include those subjects that are “out of parental control.” Although the juvenile is in violation of section 601 W&I, this does not constitute a violation of law for which the juvenile can be placed into a juvenile detention facility. The violation is essentially a social problem involving the family. The juvenile offender must be returned to the family at the earliest possible convenience.

3. **Definition of At-Risk Juvenile:** An at-risk juvenile is a subject that falls under the following criteria. These examples shown, by no means, do cover all of the circumstances under which a juvenile should be considered “at-risk.’ That final determination is left up to the discretion of the deputy investigating the case.
   
   a. The juvenile is in need of medical attention.
   
   b. Is the victim of foul play or a crime.
   
   c. Has no pattern of running away or disappearing.
   
   d. Is the victim of a parental abduction or kidnapping.
Chapter 5: Operational Response

e. Is mentally impaired.
f. Is under the age of 16.

4. Investigative Procedure: It will be the responsibility of the initial investigating deputy to determine what classification the juvenile falls under as outlined above.

a. Once the investigating deputy has determined the classification status of the juvenile, he/she will author the appropriate report regarding the classification. It will be the responsibility of the deputy to complete and have approved that report prior to going home at the end of the shift.

b. Due to the serious nature of a juvenile that would fall under the “at risk” classification, the investigating deputy will make available all information to any support personnel regarding the case. This information may be disseminated via a radio broadcast to all local law enforcement agencies/ (bolo). The “bolo” may be made by either the investigating deputy or the dispatcher on duty.

c. In the event that the juvenile is a habitual runaway the deputy may notify dispatch of these circumstances. This will afford the dispatch center the opportunity to broadcast a “bolo” for the juvenile without having to wait for the deputy’s report to be completed. The deputy may provide the information to the dispatch center via the telephone from the reporting party’s residence at the time of the initial interview.

d. If the missing or runaway juvenile is from outside of this agency’s jurisdiction, the deputy will still initiate an investigative report and forward the information along to the appropriate agency.

e. If the missing or runaway juvenile from an outside agency is found within the confines of our jurisdiction, the deputy will proceed with taking the juvenile into temporary detention/custody. The deputy will have the outside agency notified immediately of the location of the juvenile. The deputy will confirm the juvenile’s status with the outside agency.

f. The investigating deputy will have the option of utilizing the assistance of the Centralized Intake Worker at Mental Health during the course of the investigation. As part of their duties, the intake worker may assist the deputy in some cases with custody of the juvenile pending the arrival of the parent, guardian, responsible adult relative, or outside agency. This assistance from the intake worker will not preclude the deputies’ responsibility for documenting the circumstances of the investigation.

7). Driving While Intoxicated

1. DUI Investigation: The investigation of the intoxicated driver will not differ appreciably from the adult to the juvenile offender. The deputy will require that a juvenile offender perform the same field sobriety tests that have been required by and recognized by the court. The results of the performance of each test will be recorded for prosecution purposes.

2. Report Format: The deputy will utilize the same report forms for the juvenile as would be used for the adult offender. These forms will be the HTE field Reporting system and the appropriate DMV forms for DUI investigation.

3. Vehicle Disposition: The deputy will follow the same procedure for the juvenile regarding the disposition and handling of his/her vehicle as that of an adult.

4. Chemical Testing: The offender must submit to and complete one of the Court recognized chemical tests during the course of the investigation. If the juvenile requests to take an intoxilizer (breath) test, the deputy will remain with the juvenile while in the county jail facility. Any adult offenders will be removed out of the presence of the juvenile while the testing process is completed.
5. **Release from Custody:** Whenever possible, the juvenile will be released to the care and custody of his/her parent, guardian, or responsible adult relative at the conclusion of the investigation.
   
a. In the event that the juvenile can’t be released, the on-call Probation Officer will be notified and arrange for release of the juvenile. This may entail booking the juvenile at the detention facility or some other means of release.

8). **School Threat Assessment Protocol**

1. **Purpose:** The purpose of this section is to identify the role of law enforcement when responding to a cold report of violence on a school ground involving juvenile suspect(s). The intent of this protocol is to promote safety, clarify agency responsibilities, help coordinate responses, improve communication between jurisdictions and provide greater consistency in case appraisals, offender evaluations and appropriate dispositions. The Yuba City Unified School District, the Sutter County Probation Department, the Yuba City Police Department, Yuba-Sutter Mental Health, Sutter County Schools, and the Sutter County Sheriff’s Office, are all in agreement in establishing this threat assessment protocol to be used in responding to school incidents.

2. **Investigative Actions:** Once notified of an act of violence or a credible threat of violence committed by a minor, the responding law enforcement official shall:
   
a. Determine if there is a violation of law by establishing the necessary criminal elements and, if determining that a crime does exist, will conduct the initial investigation.
   
b. Determine if the circumstances warrant taking the juvenile into custody. As in all cases, if the deputy believes the juvenile should be taken into custody, he/she will contact the Sutter County Probation Department.
   
c. If the need for booking is not clear or the level of threat posed by the minor cannot be determined, the minor will be referred to Probation and Mental Health for an assessment to determine the level of risk the minor poses to himself or others. In these types of cases the deputy will stand by until the arrival of probation and assist them if needed.

3. **Definition of a Credible Threat:** A credible threat of violence is realistically possible and convincing enough to evoke fear or intimidation, is realistically possible and convincingly believable when considering the nature of the threat coupled with the offender’s ability and intent.

4. **Notification of Probation:** Because of the concern for cases involving schools, all cases involving violence or a credible threat of violence related to a school shall be reported to the Sutter County Probation Department for final determination if the juvenile will be detained. The reports shall include at least one school official’s (administrator, principal, dean, etc.) impression of the student in regards to the incident. This information is needed for determining issues of confinement. (Note: Part of the deputy’s initial detention of the juvenile may include an assessment by Mental Health as directed by Sutter County Probation). School authorities, if not already aware of the event, will be notified.
SECTION 8: Amber/C.A.R.E. Alert   (Executive Order 02-2014, Effective 1/23/14)


There are two purposes with the enactment of this section. First, this section will set guidelines for the recruitment of public assistance to locate an abducted child through a widespread media alert.

The second purpose is to incorporate the statewide “AMBER” Alert (multi-regional or statewide broadcasts) guidelines into the CARE Alert (regional broadcast) Protocol.

2). Procedure

1. Media Involvement: Utilizing the assistance of Northern California radio, television, and press affiliates, the public will be notified of the circumstances of a child’s abduction and how they can assist law enforcement in the child’s recovery.

2. Criteria for Initiation: The criteria used for both the CARE and AMBER Alert initiation are very similar. The main difference is their purpose. The CARE Alert will provide information through radio and television in the local viewing areas only.

3. Out of Area Alert Criteria: If public information is needed to be dispersed outside the local area, including statewide broadcasts; then the AMBER Alert protocol will need to be initiated.

4. Determining Need for an Alert: The following criteria will be used by Sheriff’s Office personnel to determine when the CARE or AMBER Alert protocols will be initiated:
   a. There is a confirmed abduction, or a child has been taken by anyone, including, but not limited to, a custodial parent or guardian.
   b. The child is in imminent danger of serious bodily injury.
   c. When circumstances surrounding a child’s disappearance are unknown, an alert may be implemented after sufficient time had elapsed and investigation has taken place, which eliminates other alternative explanations for the child’s absence.
   d. The victim is 17 years of age or younger, or an individual with proven mental or physical disability.
   e. Information is available that, if disseminated to the general public, could assist in the safe recovery of the victim. (Vehicle information is not a requirement to activate an AMBER Alert.)

5. Supervisor Review: The on-duty patrol sergeant or his/her designee will make a determination if one or more of the preceding criteria have been met before implementation of an alert.

3). Initiating the C.A.R.E. Alert

1. Information Needed for Alert: Once child abduction has been confirmed, information concerning the identity of the child, suspect(s) identity and vehicle description if known, will be provided to KUBA Radio via fax. Personnel from KUBA will in turn provide the broadcast information to all designated media outlets. That information will contain:
   a. The child’s identity, age and description.
   b. If known, the suspect’s identity, age and description.
   c. Pertinent vehicle description.
   d. Details, if known, regarding location of incident, direction of travel and potential destinations, etc.
e. Identify a media liaison or Press Information Officer, and provide a telephone number for the media to call for additional information or updates. This function would normally be referred to the Undersheriff or his designee.

f. A telephone number for the public to call in with leads/information.

g. A synopsis of the incident will be attached to the fax for distribution to the media.

h. If the event appears to be a regional-response only, the second step of the “AMBER Alert” notification must also be initiated. This will require dispatch to prepare an EDIS (Emergency Digital Information Service) message via CLETS (California Law Enforcement Telecommunications System) and follow this up with an EDIS flyer. This must be done in conjunction with the CARE protocol. (The first step in the AMBER Alert process has already been completed – local EAS activation).

2. PIO Responsibilities: The Press Information Officer or his designate will fax the press release to the following location:

KUBA RADIO 1600
FAX# (530) 673-1917
Contact: John Black, Bob Harlan, or Dave Bear

3. Follow-up Media Contact: The Press Information Deputy or his designate will prepare and fax any follow-up press releases with updates regarding the search and investigation, or immediately upon locating the abducted child.

4. Personnel Assigned to Assist: It is expected that when the media broadcasts an incident, a large volume of telephone responses will follow. In order to assist the communications division with the volume, at least one detective and/or patrol deputy will assist with call screening, and relaying information and clues from incoming calls.

4. Amber Alert Protocol

1. When to Utilize the Amber Alert Protocol: The AMBER Alert (America’s Missing: Broadcast Emergency Response Alert) is to be utilized when making a multi-regional or statewide missing child alert.

2. Procedure for Activation of an Amber Alert: The activation criterion is very compatible with that required to initiate the CARE Alert. Once all the criteria has been confirmed and no extenuating investigative needs dictate otherwise, an AMBER Alert protocol will be initiated by the following procedures:

a. To initiate a multi-regional or statewide EAS (Emergency Alert System) alert contact the California Highway Patrol (CHP), Emergency Notification and Tactical Alert Center (ENTAC) at 916-843-4199.

b. Provide available summary information for the EAS message, including the name, age, sex, physical description and clothing of the victim and suspect, vehicle description, possible direction of travel and location and time last seen. Also include the agency’s name and telephone number for the public to call with leads.

c. Dispatch will send an EDIS flash message via CLETS. The message contains summary information regarding the child abduction for dissemination to other law enforcement agencies and media outlets statewide. The media will decide if, and in what priority, the message should be broadcast. This message must be sent in all cases in which the EAS system has been activated.

d. Create a child abduction poster on the internet. As soon as photos or sketches of the victim, suspect and/or vehicle are available, create a poster on the EDIS Website for direct access by the media and the public. Images must be in JPEG or GIF format and not exceed 250KB in size. Dispatch will provide the deputy or
detective assigned the task of developing the poster the EDIS password, to gain access to the EDIS Website.

e. Initiate Alert Updates/Cancellations as appropriate. Any updates or cancellations of an AMBER Alert should be sent to all affected agencies on a timely basis. Transmit the appropriate information via CLETS in the form of an EDIS FLASH, using the same format as specified in Step 2. Original EDIS messages cannot be modified once they are transmitted; therefore any corrections or updates to the messages require a new transmission.

f. Telephone the CHP’s “ENTAC” (Emergency Notification and Tactical Alert Center) at (916) 843-4199 for assistance in canceling an AMBER Alert.

3. **Location of Information:** Binders containing specific information regarding “how to” steps in preparing and sending an AMBER Alert will be kept in dispatch, sergeant’s office, and at the Live Oak substation.
SECTION 9: Megan’s Law

1). Megan’s Law

1. Introduction and Purpose: This policy establishes a protocol by which allows for the dissemination of information regarding certain registered sex offenders under sections 290 and 290.4 of the Penal Code.

2. Disclosure: Under California law, disclosure of an offender is allowed only as to serious and high-risk offenders.

3. Serious Sex Offenders: Are defined as those convicted of a felony sex offense or of misdemeanor child molestation. There are some exceptions that will be discussed later.

4. High Risk Offender: Those identified by the Department of Justice as having a higher risk of re-offending and who may pose a greater risk to the public.

5. Other Registered Offenders: Those convicted of misdemeanors (except misdemeanor child molest per 647.6 and 288 PC) and those felons convicted of repeated indecent exposure, pornography and related offenses, and spousal rape. Information on these individuals may not be released to the public.

2). Office Notification About Serious Sex Offenders

1. Procedure: After approval by the Support Services Commander, the Office will provide public and private educational institutions, day care establishments and organizations that primarily serve individuals likely to be victimized by the offender, certain information about the offender. This information will include:

   a. Where the offender lives.
   b. Where the offender works.
   c. What areas the offender might frequent.
   d. The Sheriff’s Office may also notify other community members at risk. For example, the Office may choose to notify women who reside in the same block as a rapist, or the Office may decide to notify parents of children living near a park which a serious offender is known to frequent.

2. Information available for disclosure: The Sheriff’s Office may, in its discretion, for serious and high risk offenders disclose any or all of the information permitted by Penal Code section 290(m)(2). Information identifying the offender’s victims may not be released. The following information may be released pursuant to Penal Code section 290(m)(2):

   a. Name.
   b. Known aliases.
   c. Gender.
   d. Race.
   e. Physical description.
   f. Photograph.
   g. Date of birth.
   h. Crimes resulting in registration.
   i. Verified address after confirmation by deputy and DOJ.
   j. Vehicle license plate numbers or known vehicles.
   k. Types of victim targeted by the offender.
   l. Relevant parole or probation conditions.
   m. Dates of crimes resulting in classification.
   n. Date of release from confinement.
3. **Additional Criteria of Dissemination:** The Sheriff’s Office is not required to disclose the address (business or residence) of the sex offender. Prior to disclosure of information about a serious sex offender, the Sheriff’s Office must send a Deputy to the offender’s residence or business address to verify that the offender lives or works there.

4. **Uniformity of Notification:** Where the need exists for an appropriate notification, the same type of notification shall be made in all circumstances where the same circumstances apply. It is imperative that consistent application of the ability to put the public on notice be used in all cases.

5. **Updating Information:** The Sheriff’s Office shall update its information on the addresses of serious sex offenders on a regular basis, and inform any entities to which it has disclosed information of new serious sex offenders in the defined area.

6. **Records:** The Sheriff’s Office shall keep a record of the reasons for disclosing information about each serious sex offender. The Supervised Release Files shall be utilized for this purpose.

7. **Proactive Dissemination of Information:** Unlike dissemination in the field as to serious sex offenders, there is no need to have a peace officer with a reasonable suspicion that anyone would be a potential victim of a high risk sex offender in order to disseminate information to the public in a field situation. In case of a field contact with a high risk offender and the deputy has reason to believe that a person may be at risk the deputy will advise the at risk person and complete the proper documentation.
   a. Any proactive dissemination of “high risk” offender information must be authorized by the Support Services Commander in writing prior to dissemination.
   b. As with disclosure about serious sex offenders, offender’s residence or business addresses must be verified by the deputy and DOJ before disclosure is made.

8. **Notification to the Public:** The Sheriff’s Office may use virtually any means, with the exception of the Internet, to notify the public. Depending upon the profiled risk (example: mobility) attributed to a particular offender, notification may be accomplished through TV spots, radio announcements, newspapers, flyers, or personal contacts.
   a. If the Sheriff’s Office believes that a serious offender, who is not designated as high risk on the CD-ROM, is in fact high-risk, the Office must contact DOJ for the verification of the high-risk determination.
   b. If the Sheriff’s Office disseminates information on a high-risk offender, it must maintain a record of the means and dates of dissemination for a minimum of five years. The Supervised Release File may be utilized to maintain this record.

9. **Documentation:** In all cases where an employee of the Sheriff’s Office notifies a member of the public of a sex offender risk that employee shall complete a “Field Notification” for and an incident report regarding the contact. The report must contain the offender’s name, person notified and the reason the notification was made.

   In all cases where an offender is contacted or dissemination of his/her records occur an entry will be made into the Supervised Release File as to the contact and actions taken.
1). CRITICAL REACH (AKA- TRAK SYSTEM) Procedure

1. Purpose: Critical Reach (CR) is a way for law enforcement to communicate in “real 
time” by exchanging information and photographs over dedicated phone lines. Upon 
completion of a CR flyer, it can be printed out in color and distributed within the agency, 
sent to other agencies with CR systems (who receive the flyer in full color), and/or to any 
FAX machine. The system utilizes a standard desktop computer, modem, scanner, and 
color printer. CR is currently used by over 220 agencies in California and over 360 
agencies nationwide.

a. The program allows the user to construct a flyer for missing persons, runaway 
juveniles, serious sex offenders, and other dangerous persons within minutes. The 
process is extremely simple and all directions are clearly given on the screen of 
the program. In order to complete a flyer, all that is required is a photograph (any 
size, as the scanner can adjust to the necessary scale), information on the person, 
and approximately ten minutes.

b. The CR system shall not be used by any member of the Sutter County Sheriff’s 
Office without prior training.

c. The CR system shall not be used to distribute (via CR/FAX) in excess of ten flyers 
without approval of the Sergeant or Deputy-in-Charge.

2. Authorized Use: The CR system shall be used by the members of the Patrol Unit for the 
following circumstances:

a. Missing Persons 

b. Runaway Juveniles 

c. Serious Sex Offenders 

d. Deputy Safety Dissemination 

e. Violent Wanted Persons 

f. Information determined by the Sheriff or his designee

3. Missing Persons/Runaway Juveniles: When a Deputy takes a missing person or runaway 
juvenile report, the Deputy shall complete and save a CR flyer for the subject. A flyer 
shall be given to dispatch for entry into MUPS, and another flyer shall be placed on the 
briefing log. The deputy should send a flyer to the agency where the missing 
person/runaway juvenile may be located. The deputy should inform dispatch which 
agency the flyer was sent to and if any other agencies need to be notified via CLETS (the 
agencies to which the CR flyer was sent do not need to be notified). When the missing 
person/runaway juvenile is located, the CR flyer should be removed from the briefing 
log when the recovery supplement is completed. A CR flyer is not necessary on a 
contemporaneous habitual runaway that is not deemed at risk.

4. Serious Sex Offenders: The decision to complete a CR flyer shall be made by the Detective 
Unit Supervisor or their designee. The completion of a CR flyer for Serious Sex Offenders 
shall be handled by a Detective appointed by the Detective Unit Supervisor.

5. Deputy Safety Dissemination/Violent Wanted Persons: The decision to complete a CR 
flyer shall be made by the Shift Sergeant or his designee. The completion of a CR flyer 
for Deputy Safety Dissemination shall be handled by the Deputy requesting the flyer or as 
assigned by the Shift Sergeant.
Chapter 5: Operational Response

SECTION 11: Domestic Violence

1) Domestic Violence

The purpose of this chapter is to provide a guideline for the intervention of the abuse cycle associated with the investigation of domestic violence cases. This chapter deals with the overview of the policy. The reader should review the entire Sutter County Protocol on Domestic Violence for Law Enforcement handout dated July 1995 for additional information. The following definitions are integral concepts within the domestic violence investigation:

1. Domestic Violence: “Domestic Violence” means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child, or is having or has had a dating or engagement relationship and adults and minors. For purposes of this document, “cohabitant” is defined as two unrelated persons living together for a substantial period of time resulting in some permanency of relationship. Factors that may assist in determining whether persons are cohabiting include, but are not limited to:
   a. Sexual relations between the parties while sharing the same living quarters.
   b. Sharing of income or expenses.
   c. Joint use or ownership of property.
   d. Whether the parties hold themselves out as husband and wife.
   e. The continuity of the relationship.
   f. The length of the relationship.

   “Domestic Violence” as defined in Penal Code Section 12028.5 (weapons seizure) includes the same relationships and conduct as described above. Domestic violence for weapons seizure also includes: a child of a party or a child who is the subject of an action under the Uniform Parentage Act, where the presumption applies that the male parent is the father of the child to be protected, and any other person related by consanguinity or affinity within the second degree. Abuse also includes sexual assault, to molest, attack, strike, stalk, destroy personal property, or violate the terms of a domestic violence protection order issued pursuant to Part 4 (commencing with Section 6300 of Division 10 of the Family Code.)

2. Abuse: The intentional or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury to himself, herself, or another.

3. Victim: A person who is a victim of domestic violence.

4. Pro-Arrest Policy: A philosophical position in which physical arrest is encouraged in every situation where an arrest is legally permissible.

5. Restraining Order: An order by the Court that requires a person to restrain from doing a particular act or acts. It is issued by the Consolidated Courts, with or without notice to the person who is to be restrained. A restraining order will remain in effect for a set period of time, which is stated on the face of the order (maximum 3 years). If no time is stated on the face of the order, the effective time period is 3 years.

6. Temporary Restraining Order: A type of restraining order that requires a person to refrain from doing a particular act or acts. It is issued by the Consolidated Court, with
or without notice to the person who is being restrained. A temporary restraining order will remain in effect until a formal court hearing can be held.

7. **Domestic Violence Order**: A type or restraining order which is issued pursuant to the Domestic Violence Prevention Act, or in connection with a dissolution, legal separation or annulment.

8. **Stay Away Order**: A type of restraining order in a criminal or civil case involving domestic violence where there is a likelihood of harassment of the victim by the defendant. The order may be issued under Penal Code section 13720 and may remain in effect as long as the defendant is under a court’s jurisdiction. The order may also be under the authority of the Civil Harassment Prevention Act (Family Code Section 7710-7720), Code of Civil Procedures (Section 527.6), or Family Code Sections 2045, 2047, and 2049. This order may be issued for a maximum of 3 years.

9. **Emergency Protective Order**: A type of order completed by a deputy, and issued by a judge at any time whether or not the court is in session. It is intended to function as a restraining order against a perpetrator of domestic violence or child abuse. The maximum duration of such an order is five court days, not to exceed seven calendar days.

10. **Dual Arrest** means an arrest of more than one party involved in the domestic violence incident.

11. **Traumatic Condition** means a condition of the body, such as a wound or external or internal injury, whether of a minor or serious nature, caused by a physical force.

12. **Cohabitant**: Two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to:
   a. Sexual relations between the parties while sharing the same living quarters.
   b. Sharing of income or expenses.
   c. Joint use or ownership of property.
   d. Whether parties hold themselves out as husband and wife.
   e. The continuity of the relationship.
   f. The length of the relationship.

2). **Domestic Violence Response and Investigation Procedures**

1. **Deputy Safety/Arrival at Scene**
   a. Obtain all available information from the dispatcher before or upon arrival at scene.
   b. Approaching the scene:
      1. Whenever possible a minimum of two Deputies should respond to a domestic call.
      2. Avoid the use of sirens and other such alarms, when allowed by law and policy and when safe arrival is still possible, in the vicinity of the scene. (The assailant may turn a weapon upon law enforcement, or flee the scene, if alerted.)
      3. Observe the location of the dispute before contacting the complainant. Consider the surroundings. If possible, approach and park in a manner not to be seen.
4. Before knocking on the door, listen and look in any nearby window(s) to obtain additional information about the situation (layout of the house, number of people involved, weapons, etc.) Deputies must be concerned for their own safety. To minimize the possibility of injury, Deputies should stand to the side of the door when knocking. The unexpected may occur when the door opens.

2. On Scene Response

a. Identify selves as law enforcement, give an explanation of law enforcement presence, and request entry into the home. Ascertain identity of complainant – ask to see complainant.

1. If entry is refused, Deputies must explain that they need to make sure there are no injured persons inside.
2. Refusal of entry or no response to a knock at the door may require a forced entrance to check safety of people inside.
3. Deputies may conduct a search of the premises if consent has been given to do so. Although a consent search eliminates a need for a warrant and for probable cause, such consent must be freely and voluntarily given. If two people have joint ownership or possession of a place or thing, either one may give a valid consent.
   a. A spouse can consent to the search of premises used jointly by both husband and wife. This is also true if man and woman are only cohabitants. If one of them exercises sole control over part of the premises, the other cannot give valid consent to search that part.
4. Deputies may also make a warrantless entry to conduct a search if emergency/exigent circumstances exist. Deputies must have a reasonable belief that such an emergency does exist (i.e., if a Deputy believes that someone is in distress and in need of assistance). Exigent circumstances are defined as:
   a. Lives are threatened;
   b. Property and/or evidence is about to be destroyed; or
   c. Suspect’s escape is imminent.

b. Once entry is secured, Deputies shall:

1. Physically separate parties involved in domestic violence to prevent any further immediate contact between the parties. This includes removing the victim from the suspect’s line of sight. If it is necessary to remove one party from inside the residence to the outside area, and officer safety permits, the suspect should be removed outside and the victim allowed to remain inside in a protected environment.
2. Restore order by gaining control of the situation.
3. Take control of all weapons used or threatened to be used in the crime. For the safety of both parties, if it is not required in a protection order, a Deputy still may suggest the respondent surrender weapons for a temporary period of time.
4. Assess the need for medical attention and call for medical assistance if indicated.
Chapter 5: Operational Response

a. If a party appears minimally injured and yet refuses medical assistance, carefully document any observed injuries as well as the refusal of medical treatment.

b. If a party appears severely injured, medical personnel shall be called with or without the consent of the party.

c. Obtain a medical records release signed by the victim/suspect at the scene.

5. Document all parties present at the scene.
6. Interview all parties i.e. victim, suspect, children, and/or any witnesses separately and away from the line of sight and hearing of the suspect; Use direct quotes of victims and witnesses about their fears and concerns.

7. Assess and document the condition of the incident scene. What does it look like? (i.e. holes in wall, broken items, chairs tipped over, etc.)
8. Record/document any excited utterances
9. Collect and photograph all relevant evidence required for successful prosecution.
10. Determine if a crime has occurred.

3. Preliminary Investigation

a. Interviewing all individuals present at scene:
   1. Ensure safety and privacy by interviewing the victim in a place separate from the suspect.
   2. Critical to the success of the interview is the Deputies demeanor. Deputies must listen, show interest in the disputants and their problem, maintain objectivity, and remain aware of nonverbal communications signals. Maintain good eye contact through natural, spontaneous glances. (Fixed gazes or staring increase fear and hostility.) A relaxed stance and appropriate facial and head movements demonstrate interest and encourage the parties to continue speaking.
   3. After the parties have provided their statements, the Deputies should ask about details for clarification, and summarize the stated account (which allows the parties to point out anything that might be misrepresented).
   4. Determine if there is a need for an interpreter/translator for any of the parties. Be mindful of the implication of using children as translators.
   5. Be aware that parties may make excited utterances which may have evidentiary value. Record these utterances when practical and note them in your report.

b. Interviewing victim:
   1. Determine what happened.
   2. Ascertain if anyone has any injuries, who caused them, and what weapons or objects were used to perpetrate the violence.
   3. Ascertain victim’s relationship to the suspect.
   4. Ascertain if any threats were made against the victim or others, particularly children.
   5. Ascertain if any property was damaged or if any pets were hurt.
   6. Ascertain if there was any forced sexual contact against the victim’s will.
   7. Determine if there are any court cases pending against the suspect or if there are any protective orders in effect.
Chapter 5: Operational Response

8. Determine if the suspect is on probation or parole.
10. Photograph and document in report:
    a. Damaged clothing while on the victim
    b. Seized torn or damaged clothing
    c. Smearred makeup
    d. Evidence of injury
    e. Condition of crime scene
11. Obtain the phone number of the victim’s residence and include that number in
    the incident report so jail/court/victim-witness/advocate personnel may
    inform the victim of the suspect’s release on bail. Obtain alternative contact
    information, (i.e. additional phone numbers, etc.) where messages can be
    safely left if the victim decides to leave the residence for safety reasons.
12. Arrange for follow-up photographs of the victim within one to three days in
    order to demonstrate the extent of the injuries that may later become more
    obvious.
13. Deputies shall not advise victims of domestic violence that they can “press”
    charges or “drop” charges. The decision to prosecute is made by the State’s
    Attorney. The victim and suspect will be advised that once a crime report is
    taken, he/she has no control over the decision to arrest and/or prosecute.
14. Document any presence or use of alcohol and/or drugs.

c. Interviewing Suspect:
1. Determine what happened.
2. Any injuries, who caused them, and what weapons or objects were used to
   perpetrate the violence.
3. Document suspect’s condition and demeanor in report.
4. Ascertain suspect’s domestic violence and criminal history – any previous
   contact with law enforcement.
5. Photograph and document in report:
   a. Damaged clothing while on the suspect
   b. Torn or damaged clothing
   c. Smearred makeup
   d. Evidence of injury
6. Document any presence or use of alcohol and/or drugs.

d. Interviewing Witnesses:
1. Interview any witnesses to the incident – children, other family members, neighbors, etc. – as soon as possible.
2. Remember: witnesses may be experiencing significant trauma. This trauma may affect their recall abilities and may produce varying versions of events. This does not diminish the credibility of their description of events.
3. If witnesses provide information about prior assaults document them.
4. Interview emergency medical services (EMS) witnesses, emergency room (ER) personnel, and/or dispatch for corroborating evidence.

e. Interviewing Children:
1. Children should be interviewed with care and kindness. Sit, kneel, or otherwise be at their level when speaking to them. Signs of trauma or abuse should be noted in the report.

2. Children should be questioned in an age appropriate manner and interviewed without leading questions. The interview should be done away from the other parties, without parental influence.


5. Children should be reassured and praised by Deputies after the child’s statement has been recorded.

6. If a child is present at the scene of a domestic call or is the victim of domestic abuse, the Deputy should determine whether the child has been subjected to physical abuse, sexual abuse, or neglect. If the child has been physically injured, the Deputy shall ensure the child receives appropriate medical attention.

7. If the legal parent or guardian of a child can no longer provide care (i.e. when the victim is hospitalized), the Deputy should consult with the legal guardian or parent on determining the disposition of the child and should make a good faith attempt to follow the request of the legal guardian or parent.

   a. If a Deputy reasonably believes that the child’s immediate surrounding or conditions endanger the child’s health and welfare, the Deputy may take the child into immediate custody.

   b. When children are present Deputies should document the basic circumstances surrounding their exposure to the incident in the report and forward a referral to Child Protective Services.

3). Enforcing Laws Relating to Domestic Violence

1. Non-Applicable Factors: California Domestic Violence legislation encourages the creation of agency policies that promote arrest where there is reasonable cause or probable cause that a domestic violence offense has been committed (PC 13701 amended, 1/1/96). The following factors, for example, should not be used to avoid making an arrest:

   a. Whether or not the suspect lives on the premises with the victim;
   b. Existence or lack of restraining/protective orders;
   c. Complainant’s preference that an arrest be made, or not be made;
   d. Occupation, community status, and/or potential financial consequences of arrest.
   e. Complainant’s history of prior complaints;
   f. Verbal assurances that the violence will cease;
   g. Complainant’s emotional state;
   h. Non-visible injuries;
   i. Location of the incident (public/private);
   j. Speculation that complainant may not follow through with the prosecution;
   k. Speculation that the case may not result in a conviction;
   l. Assumptions that violence is more acceptable in certain cultures;
   m. Language barriers and/or immigration status; or
Chapter 5: Operational Response

2. Law Enforcement Response to Domestic Violence: The covered relationships for determining domestic violence include:
   a. A spouse or former spouse.
   b. A cohabitant or former cohabitant.
   c. A person with whom the suspect has had a child.
   d. A dating or engagement relationship or former dating or engagement relationship.
   e. Adults and minors (AB 2826 amended PC13700 Covered Parties, 1/03).
   f. Same sex relationships.

3. Legal Mandate: The covered conduct (legal mandate) includes:
   a. Causing or attempting to cause bodily injury (violence); or
   b. Placing another in fear of imminent serious bodily injury to themselves
   c. Or others (threats).

4. Dual Arrest: These policies discourage, but do not prohibit, dual arrest. Deputies shall make reasonable efforts to identify the dominant aggressor in any incident [PC 13701(b)]. The dominant aggressor is the person determined to be the most significant, rather than the first, aggressor. To determine the dominant aggressor, Deputies shall consider:
   a. The intent of the law to protect victims of domestic violence from continuing abuse.
   b. Threats creating fear of physical injury;
   c. The history of domestic violence between the persons involved; or
   d. Whether either person acted in self-defense.
   These same considerations shall apply in situations where mutual protective orders have been issued [PC 836(c)(3)].

5. Felony Arrest: Deputies shall make an arrest when there is probable cause that a felony has been committed. Considerations specific to domestic violence include:
   a. A covered relationship existing between the parties; and
   b. Corporal Injury inflicted resulting in a traumatic condition.

6. Misdemeanor Arrests: Deputies shall make an arrest when there is probable cause to believe that a misdemeanor has occurred in their presence.
   a. Probable Cause or Violation of Protective Orders
   b. Deputies shall make an arrest without a warrant or citizen’s/private person’s arrest whether or not the offense was committed in their presence for violations of certain domestic violence protective or restraining orders.
   c. Deputies shall, consistent with subdivision (b) of Section PC 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 deputy [PC 836(c)(1)] under the following conditions:
      1. When a deputy is responding to a call alleging a violation of domestic violence protective or restraining order, stalking emergency protective order, or elder abuse restraining order issued under the Family Code, Section 527.6
Chapter 5: Operational Response

of the Code of Civil Procedure, Section 213.5 of the Welfare and Institutions Code, Section 136.2 of the Penal Code, or paragraph (2) of subdivision (a) of PC 1203.097; or

2. If a domestic violence protective or restraining order has been issued by the court of another state, tribe, or territory, and the deputy has probable cause to believe that the restrained party committed an act in violation of the order, and had notice of the order and its conditions.

3. Deputies shall make a warrantless arrest when:
   a. There is reasonable cause to believe that an assault or battery has occurred.
   b. The arrest is made as soon as probable cause arises; and
   c. The covered parties are as follows:
      1. Current or former spouse, fiancé, fiancée;
      2. Current or former cohabitant as defined in Section 6209 of the Family Code.
      3. 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 PC 243;
      4. 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);
      5. 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;
      6. Any other person related to the suspect by consanguinity of affinity within the second degree.
      7. Any person who is 65 years of age or older and who is related to the suspect by blood or legal guardianship [PC 836(d)].

7. **Good Faith Effort to Inform Victim of Right to Citizen’s/Private Person’s Arrest:**
   Anytime a deputy is called to a domestic violence incident and cannot make an arrest, the deputy shall make a good faith effort to inform the victim of his or her right to make a citizen’s arrest. This information shall include advising the victim how to safely execute the arrest [PC 836(b)]. Deputies shall not attempt to dissuade the victim from the decision to make a citizen’s/private person’s arrest.
   a. Deputies no longer commit a felony for refusing to accept certain citizen’s arrests (amended PC 142 and 847). PC 142 had required law enforcement to accept a citizen’s/private person’s arrest. Failure to accept the arrest was a felony. This bill no longer requires a deputy to accept that arrest if made pursuant to PC 837 (citizen’s arrest).
   b. There is no civil liability for false arrest or false imprisonment for a citizen’s arrest when the arrest was lawful or the deputy had reasonable cause to believe the arrest was lawful, the arrest was based upon reasonable cause to believe that a felony was committed, or the arrest was made pursuant to PC 142, 837, 838, or 839 (magistrate orders a peace officer to arrest for a public offense in magistrate’s presence; person
making an arrest to summon persons to help with the arrest; peace officer has reasonable cause to believe an arrest is lawful (PC 847).

8. Citations in lieu of Physical Arrest
   a. If a person is arrested for a misdemeanor violation of a protective order involving domestic violence, the person **shall** be taken before a magistrate instead of being released on citation, unless the arresting deputy determines there is not a reasonable likelihood that the offense will continue or resume, or that the safety of persons or property would be imminently endangered by the release of the person arrested (PC 853.6).
   b. Deputies considering the release of a suspect on a citation shall evaluate the likelihood of a continuing offense and statutory conditions under which a field release is not appropriate. Any of the following may support the likelihood of a continuing offense:
      1. Suspect has a prior history of, or arrests or citations involving domestic violence.
      2. Suspect is violating a criminal court stay-away order.
         a. Suspect has previously violated, or is currently violating, a valid restraining / protective order.
         b. Suspect has a prior history of other assaultive behavior (e.g., arrest/convictions for battery or aggravated assaults).
         c. Statements of the victim or witnesses that the suspect has a history of physical abuse.
         d. Statements of the victim or witnesses expressing fear of retaliation or further violence should the suspect be released.
         e. Information obtained about the suspect’s alcohol or drug abuse, access to weapons, suicide threats or attempts, threats of kidnapping family members, or a history of mental illness.

4). Restraining and Protective Orders

   **Obligation to Maintain Records and Enforce Restraining Orders:** Law enforcement agencies shall maintain complete and systematic records of all protection orders with respect to domestic violence incidents, including orders that have not yet been served, issued pursuant to PC 136.2, restraining orders, and proofs of service in effect [PC 13710(a)(1)].
   1. Deputies responding to domestic violence calls shall check on the existence, terms, and effective dates of protection orders.
   2. If there are multiple, inconsistent orders, criminal restraining orders take precedence over civil restraining orders. If both orders are of the same type, the most recently issued takes precedence.
   3. These orders remain valid regardless of the actions of the protected person. For example, if the protected person allows the restrained party back into the residence, the order remains valid [PC 13711(c)].
   4. When victims are not in possession of the order and Deputies cannot verify that they exist, Deputies shall write a report and provide the victims with the number and direct them to appropriate follow up contacts.
   5. Foreign protective or restraining orders that are issued by another state, or by a tribal or territorial court related to domestic or family violence, shall be deemed valid if the issuing court had jurisdiction over the parties and matter under the law of the state, tribe,
Chapter 5: Operational Response

or territory. There shall be a presumption of validity where an order appears authentic on its face (FC 6400 et seq). Registration of this order in California is not necessary for it to be considered valid and enforceable. (FC 6400 et seq).

6. Deputies shall, consistent with PC 13700(b), make a lawful arrest of a person without a warrant and take that person into custody whether or not the violation occurred in the presence of the arresting deputy, in response to an alleged violation of a domestic violence protective or restraining order when the deputy has probable cause to believe the restrained party has notice of the order and has committed an act in violation of the order [PC 836 (c)(1)].

7. If the suspect has fled the scene, all due diligence will be expended to locate the suspect. If the suspect is not located Deputies shall write a report regarding the incident.

8. Deputies shall enforce any workplace/corporate restraining order obtained by an employer to protect an employee who may be subject to violence as a result of domestic violence or harassment (CCP 527.8).

9. Deputies shall enforce any harassment order obtained by a victim (CCP527.6).

10. Deputies have a duty to serve un-served domestic violence and harassment orders when at a domestic violence incident and whenever the suspect is in custody.

11. Within one business day of service of a court order, a deputy who serves a protective order shall submit proof of service directly into the Domestic Violence Restraining Order System (DVROS), including the deputy’s name and agency, and transmit the original proof of service form to the issuing court.

5). Emergency Protective Orders

When to Request Emergency Protective Orders: A deputy may request an ex-parte Emergency Protective Order (EPO) from an on-call judge if there are reasonable grounds to believe:

1. A person is in immediate and present danger of domestic violence.
2. A child is in immediate and present danger of abuse by a family or household member.
3. A child is in danger of abduction by a family member.
4. A person is in danger of, or has been stalked.
5. An elderly person or dependent adult is in immediate and present danger of abuse (other than financial abuse).
6. Deputies should make a determination based on allegations of a recent incident of abuse or threat of abuse.
7. Deputies may request an EPO whether or not the suspect is present or has been arrested.
8. Deputies shall contact the on-call judge, commissioner, or referee designated to issue EPO’s by telephone, or otherwise, and assert grounds for the belief that the order is appropriate.
9. Upon oral issuance of the order by the on-call judicial officer, the deputy requesting the order shall reduce it to writing, using the approved judicial council form, and sign the order.
10. Deputies shall serve a copy of the emergency protective order on the restrained party if the party can be reasonably located.
11. The deputy shall give a copy of the EPO to the protected party.
Chapter 5: Operational Response

12. Within one business day of service of a court order, any deputy who serves a protective order shall submit proof of service directly into the DVROS, including the deputy's name and agency, and transmit the original proof of service form to the issuing court (FC 6250).

6). Tenancy

Lawful Residence: Deputies should request a person who is not in lawful possession of the premises to leave the premises when:

1. The complainant is in lawful possession of the premises
2. The complainant has requested that the person leave the premises.

7). Dispatcher Response to Domestic Violence and Violation of Court Orders Calls

Dispatcher Responsibilities: The Sheriff’s Office shall develop, adopt, and implement written policies and standards for dispatchers’ response to domestic violence calls reflecting that calls reporting threatened, imminent, or on-going domestic violence shall be ranked among the highest priority calls (PC 13702). Dispatchers are not required to verify the validity of a protective order before responding to the request for assistance.

8). Weapons and Deputy Safety

Weapons: Deputies at the scene of a domestic violence incident involving a threat to human life or a physical assault shall take temporary custody of any firearm or other deadly weapon in plain sight or discovered pursuant to a consensual or other lawful search, as necessary for the protection of the Deputies or persons present (PC 12028.5).

1. If the weapon is not kept as evidence or contraband, and it can be lawfully possessed by the person in possession, Deputies shall keep the weapon for no less than 48 hours nor more than five business days after the seizure unless a civil action is to be filed.
2. If Deputies believe the return of the weapon or other deadly weapons taken pursuant to these provisions would likely result in endangering the victim or the person reporting the assault or threat, the Deputies or their agency may initiate a petition in Superior Court to determine if a firearm or other deadly weapon should be returned.
3. Deputies should document in the report the presence of all weapons, the basis for any seizures, if weapons were discovered or disclosed but not seized, and the reason the weapons were not seized [PC 13730 (c)].
4. A person who owns, possesses, purchases, or receives a firearm knowing he or she is prohibited from doing so by the provision of a protective order as defined in PC136.2, FC 6218, or Sections 527.6 or 527.8 of the Code of Civil Procedure, shall be punished under the provision of subdivision (g) of PC 12021.

9). Officer Safety

Deputies shall exercise officer safety and reasonable care for the safety of the parties involved. No provision of this guideline shall supersede that responsibility.

10). Victim Assistance Mandates

1. Emergency Assistance to Victims: Deputies at the scene of a domestic violence incident must provide the victim with needed emergency assistance. This includes but is not limited to:
   a. Medical attention.
   b. Transportation to a shelter.
Chapter 5: Operational Response

c. Transportation to a hospital for treatment when necessary.
d. Police/civil standby for removing personal property.
e. Assistance in safe passage out of the victim’s residence.
f. Assist Victims in Pursuing Criminal Options
g. Provide victims with the report number, if available, and direct them to the proper investigation units.

2. Written Notice to Victims: Deputies will provide victims a written notice at the scene informing them:

a. Notice that despite official restraint of the person alleged to have committed domestic violence, the restrained person may be released from jail at any time.
b. Information about other services in the community, where available, and how to contact them.
c. Information about shelter services and how to contact them.
d. Information about California’s victim compensation program, and contact number: 1-800-777-9229.
e. Informing victims of domestic violence that they may ask the district attorney to file a criminal complaint.
f. Informing victims of their right to go to the superior court and file a petition requesting any of the following orders for relief:
g. Order restraining the attacker from abusing victim and other family members;
h. Order directing the attacker to leave the household;
i. Order preventing the attacker from entering the residence, school, business, or place of employment of the victim;
j. Order awarding the victim or the other parent custody of, or visitation with, a minor child or children;
k. Order restraining the attacker from molesting or interfering with minor children in the custody of the victim;
l. Order directing the party not granted custody to pay support of minor children if that party has a legal obligation to do so;
m. Order directing the defendant to make specified debit payments coming due while the order is in effect; or
n. Order directing that either or both parties participate in counseling.
o. Inform the victim of the right to file a civil suit for losses suffered as a result of the abuse, including medical expenses, loss of earnings and other expenses for injuries sustained, damage to property, and other related expenses incurred by the victim or any agency that shelters the victim.
p. In cases where the alleged violation is of subdivision (e) of PC 243 or Sections 261, 261.5, 262, 273.5, 286, 288a, or 289, a “Victims of Domestic Violence” card shall be provided to the victim that contains, but is not limited to, the following information:
q. Names and phone numbers of hotlines for local shelters for battered women and rape victim counseling centers within the county, including those centers specified in PC13837, and the 24-hour counseling service telephone numbers;
r. Proper procedures for a victim to follow after sexual assault;
Chapter 5: Operational Response

s. Statement that sexual assault by a person who is known to the victim, including the victim’s spouse, is a crime;
t. Statement that domestic violence or assault by a person who is known to the victim, including the victim’s spouse, is a crime; and
u. Statement that protective orders are enforceable in any state, territory, or reservation and information on how to contact agencies in those jurisdictions;
v. Provide information to determine an arrested person’s custodial status and release information.

11). Right to Confidentiality

Victim Confidentiality: Inform the victim that their name, address, telephone number, and other contact information will remain confidential [GC 6254(f)].

12). Reports

Report Requirements: In all incidents of domestic violence, a report shall be written and shall be identified on its face as a domestic violence incident [PC 13730(c)]. The report shall include at least the following information:

1. A notation of whether the Deputies who responded to the domestic violence call observed any signs that the alleged abuser was under the influence of alcohol or a controlled substance.
2. A notation of whether the Deputies who responded to the domestic violence call determined if any law enforcement agency had previously responded to a domestic violence call at the same address involving the same alleged abuser or victim.
3. A notation of whether the Deputies who responded to the domestic violence call found it necessary for their protection, or the protection of other persons present, to inquire whether a firearm or other deadly weapon is present at the location, and if the inquiry disclosed the presence of a firearm or other deadly weapon. Any firearm or other deadly weapon discovered by a deputy at the scene of a domestic violence incident shall be subject to confiscation pursuant to PC 12028.5.
4. Upon request, agencies must provide to a domestic violence victim, or if the victim is deceased, their representative, report face sheets (within two days or with good cause, within five days) and incident reports (within five days or with good cause, within ten days) at no charge, and during regular business hours. The victim or their representative must provide valid identification.
5. When reports of domestic violence are made by medical clinics, hospitals or any health care practitioners who are mandated reporters, agencies should respond and take all information necessary for a report. If the victim is no longer at the location, Deputies should attempt to locate the individual for follow-up investigation.

13). Children

Children have historically been the invisible victims of domestic violence. They are frequently injured or emotionally scarred by living with and witnessing domestic violence. Deputies are encouraged to locate, calm, and reassure all children.

Interaction with Children Deputies should locate and identify all children in the home at a domestic violence scene.
Chapter 5: Operational Response

1. Deputies should list all children in the report (full name and date of birth), who reside at the location, or who are in the home periodically for court ordered visitations, even if they were not interviewed, for eligibility for victim’s compensation.

2. Deputies should interview all children in the home even if the parents state they didn’t observe the incident. Documentation of these interviews should include:
   a. A description of the child’s location;
   b. A description of child’s demeanor; and
   c. Quotations of statements made by the child.
SECTION 12: Citizen Arrest Procedures

Citizen Arrest Procedures
It is the policy of the Sutter County Sheriff’s Office to carefully and objectively evaluate private person arrests (commonly known as “Citizen’s Arrest”) and, where it is lawful to do so, accept and properly process the person arrested.

1. Authority to Arrest: Deputies presented with a situation in which someone wishes to make a private person arrest should be aware of the following provisions of the law:
   a. Penal Code Section 837 provides in part that:
      “A private person may arrest another: For a public offense committed or attempted in his presence.”
   b. However, notwithstanding this provision of state law, deputies must also be aware that under federal interpretations of the Fourth Amendment to the United States Constitution any action by a deputy in which a person is taken into custody – i.e., deprived of their liberty – must be supported a probable cause to believe that a public offense has occurred and that the person being taken into custody committed that offense.

2. Arrest Procedure: With these provisions of the law in mind, deputies presented with a situation in which a private person expresses the desire to place another person under arrest, pursuant to the private person arrest authority of Penal Code Section 837, shall:
   Prior to accepting custody of the private person arrestee, make reasonable efforts to obtain all information relevant to the issue of whether a criminal offense has occurred and whether the person to be arrested is the one who committed that offense.

3. Acceptance of Custody: Where it appears from the objective circumstances and evidence that there is probable cause to believe a criminal offense occurred and the person to be arrested is the one who committed that offense, the deputy shall:
   a. Accept custody of the arrestee; and,
   b. Process the arrestee accordingly, i.e., citation release, booking and release, incarceration, etc.

4. Refusal to Accept Custody: Where it appears from the objective circumstances and evidence, that there is no probable cause to believe a criminal offense has occurred, the deputy shall:
   a. Carefully explain to the person wishing to make the private person arrest the legal requirement that acceptance of custody by the deputy requires the presence of probable cause to arrest, as well as the facts and circumstances which indicate to the deputy an absence of probable cause;
   b. Seek the consent and cooperation of the person wishing to make the arrest to have the matter handled by submission of a crime report for further investigation by detectives and/or evaluation of criminal charges by the District Attorney;
   c. If the person insists on making the arrest, the deputy shall refuse to accept custody of the arrestee;
   d. Complete a report detailing all of the allegations, facts, circumstances and evidence bearing on the deputy’s determination to refuse to accept custody.
5. **Supervisor Review:** Deputies should seek advice from a supervisor or command officer when there is any question in the mind of the deputy as to how to proceed regarding a private person arrest.
SECTION 13: Chemical Testing/Controlled Substance Procedures

1). Non-consensual Chemical Test Procedures

1. Purpose: The purpose of this section is to provide members of the Sutter County Sheriff’s Office with policy, procedures, and guidelines to be followed when conducting non-consensual chemical tests (NCT).
   a. Office members will ensure that NCT’s are conducted in a manner that is consistent with existing laws and complies with Office policy and procedures.
   b. Sutter County Deputies shall not invoke the provisions of the NCT program until they receive training on the policy.

2. Guidelines
   Deputies shall adhere to Office policy concerning Driving Under the Influence (DUI) procedures, whenever an arrested person is forced to comply with NCT of their blood. This program will not apply to bicyclists (pursuant to Section 21200.5 of the California Vehicle Code [VC]).
   a. Chemical Test: Any persons arrested for a violation of Section 23140 VC, 23152 VC, 23153 VC, 23152/23175 VC, 191.5 Penal Code (PC), or 192 (c)(3) PC shall be given an opportunity to submit to a chemical test of their choice as provided for in Section 23612 VC.
   b. Refusal of Chemical Test: Persons who refuse to voluntarily submit to a chemical test will be physically compelled to submit to a blood test, only after all the following procedural guidelines have been met:
      1. A chemical test is essential to the prosecution of a criminal case.
      2. The use of alcoholic beverages and/or drugs, as defined in Sections 109 VC and 312 VC, is suspected.
      3. The individual must have been placed under arrest for a violation of Section 23140 VC, 23152 VC, 23153 VC, 191.5 PC, 192(c)(3) PC.
      4. The person arrested has been given the opportunity to submit to a chemical test of his/her choice, as provided for in Section 23612 VC.
      5. The arresting deputy shall read verbatim the formal admonishment found on the DMV - DS 367, and the arrestee shall have refused to submit to a chemical test.
      6. The arrestee shall be admonished that refusal to voluntarily submit to, or complete, a chemical test of his/her choice will result in the forcible withdrawal of a blood sample, and that the mandatory license suspension pursuant to Sections 13353 (Implied Consent) and 13353.2 VC (Administrative Per Se) will be invoked.
      7. The arresting deputy shall obtain supervisory approval prior to the arrestee being physically compelled to submit to a blood test. The approving supervisor shall be present during the procedure. Supervisors shall also ensure that no more force or restraint than reasonably necessary is used to accomplish the procedure.
8. The medically qualified person who will be extracting the blood must consent to the procedure, notwithstanding the arrestee’s refusal or resistance. The sample shall be obtained in a reasonable and medically approved manner.

9. The Chemical Test Refusal Statement located on the DMV - DS 367 form shall be completed.

10. A statement shall be made in the arrest report that it became necessary to forcibly remove a blood sample from the subject. The procedure used shall be articulated in the report (e.g., how the subject was secured, resistance [if any], amount of force used [if any], and location from where sample was taken).

c.) Use of Force: The amount of force used (if any) to overcome the resistance shall be limited to that which is reasonable and necessary, and is not disproportionate to the need. A sufficient number of law enforcement personnel shall be available to adequately restrain the arrestee. The number of deputies necessary will depend upon the physical abilities of the subject to be tested (e.g., muscular, sick, injured, disabled, elderly). Sound professional judgment shall be used when forcibly removing a blood sample from the subject, and care should be taken to guard against injuries to the subject or the deputies involved.

2). Persons Exempt from Forcible Blood Draws

Prohibited Subjects: Blood samples shall not be withdrawn from persons who are hemophiliacs, or who have a heart condition and are using a prescribed anticoagulant (23612 VC). A statement by the arrestee that he/she is subject to one of these medical conditions is sufficient for the deputy to assume that the subject qualifies for exemption. It is recommended that deputies make this determination early in the arrest procedure, to assist with determining which chemical tests are applicable to the subject.

3). Consensual Test

1. Offering of Chemical Tests: It is important to ascertain which chemical test the arrestee will submit to as early in the arrest process as possible. Advise the arrestee that the test he/she chooses will determine where the test will be administered.

2. Consent to Chemical Test: If the subject is cooperative and selects a chemical test, he/she shall be transported to the closest testing facility available for the chosen test.

4). Suspicious Substance Response Protocol

Purpose: The purpose of this section is to establish a response protocol to reported incidences of a suspected chemical or biological substance found in an item of mail, or in and around a particular object, where the origin of the substance is unknown. This protocol is in response to the recent suspected Anthrax cases that have occurred across the United States.

1. First Responder Duties: A deputy shall be the first responder to all reported cases of an unknown substance that occurs within the jurisdiction of the Sutter County Sheriff’s Office. The responding deputy shall treat every case as a potential criminal investigation with appropriate precautions taken to preserve evidence for future prosecution, unless the investigation eliminates the likelihood that criminal activity has been involved.
Chapter 5: Operational Response

2. **Scene Assessment:** The responding deputy shall assess the situation to determine if the reported substance is contained within a specific object (i.e. item of mail or package). If so, the deputy shall handle the object as follows:

3. **Protective Equipment:** The deputy shall wear a pair of latex gloves. A pollen/dust mask may be worn at the deputy’s option. Latex gloves, plastic bags and pollen/dust masks are available from the sergeants’ office.
   a. The deputy shall follow the attached Update for First Responders: Procedures for Suspicious Envelopes, Packages, Powder from the California State Office of Emergency Services, dated October 23, 2001. The shift supervisor shall be responsible for notifying the FBI for Patterns 1-3 cases under the attached guidelines.
   b. The deputy shall assign an evidence number to the sealed bag and write an incident report identifying the incident as a “suspicious substance”.
   c. The deputy shall transport the sealed bag to the Sheriff’s Office where the deputy will then notify the Sutter County Human Services - Health Division Health Officer.

All packages will be placed into the Sheriff’s evidence intake unless otherwise directed by health department officials.

4. **Uncontained Substance:** If the suspicious substance has been deployed outside the packaging and has contaminated an area too large to seal in plastic bags, or the contaminated object is permanently fixed in its location, then the appropriate fire department shall be called to respond to the scene to handle the situation. In such incidents the deputy shall do the following:
   a. Notify the shift supervisor of the situation.
   b. Establish a safe perimeter around the object, removing all persons from the contaminated area, and await the arrival of the fire department personnel.
   c. The deputy shall write an incident report as a “suspicious substance”, collecting any evidence found at the scene of a non-contaminated nature, and placing the evidence into the evidence intake locker.

5. **Suspicious Substance Turned into Office:** If a citizen brings a suspicious item into the Sheriff’s Office lobby meeting the above listed criteria, the above listed protocol shall be adhered to. Dispatch and reception personnel are prohibited from taking personal possession of the suspected item.
Chapter 5: Operational Response

5) Use of Naloxone (Narcan)

1. Policy: It is the policy of the Sutter County Sheriff’s Office that all Deputies/Officers are required to be trained in the use of naloxone (Narcan) to treat and reduce the injury and fatality from opiate overdoses whether it be to an employee or a member of the public.

2. Purpose and Scope: To establish guidelines and regulations governing utilization of Naloxone (Narcan) used by the Sutter County Sheriff’s Office.

3. Definition: Naloxone is a drug that antagonizes morphine and other opiates. Naloxone is a pure opiate antagonist and prevents or reverses the effects of opioids, including respiratory depression, sedation and hypotension.

4. Training: All sworn deputy sheriffs and correctional officers will receive initial training that will include an overview of 2014's Senate Bill 1438 that permits law enforcement’s use of Naloxone, patient assessment (e.g., signs/symptoms of overdose), universal precautions, rescue breathing, seeking medical attention, and the use of intra-nasal Naloxone, as detailed in the standing order. Upon completion of training, officers will have their training recorded with the Sutter County Sheriff’s Office Training Manager.

The Training Supervisor shall ensure initial and refresher training is provided to sworn Deputy Sheriff’s and Correction Officers authorized to administer opioid overdose medication. Training shall be coordinated with the contracted nursing provider for the Sutter County Jail and comply with the requirements in 22 CCR 100019 and any applicable POST standards (Civil Code Section 1714.22).

5. Administration of Opioid Overdose Medication (naloxone): Sworn deputy sheriffs and correctional officers may administer opioid overdose medication in accordance with protocol specified by the licensed health care provider who prescribed the overdose medication for use by the Sworn Deputy Sheriff’s and the Correction Officers per (Civil Code Section 1714.22, 22 CCR 100019):

a. When trained and tested to demonstrate competence following initial instruction.
b. In accordance with California Peace Officer Standards and Training (POST) standards.

6. User Responsibilities: Sworn deputy sheriffs and correctional officers, who are qualified to administer opioid overdose medication, such as naloxone, should handle, store and administer the medication consistent with their training. Sworn deputies and correctional officers shall check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment shall be removed from service and given to the shift supervisor.

Any sworn deputy sheriff or correctional officer who administers an opioid overdose medication shall contact the communications center (SCSO Dispatch) as soon as possible and request response by EMS.

7. Reporting: Upon completing the medical assist with the deployment of an opioid overdose medication, the officer will submit an incident report detailing the nature of the incident, the care the patient received and the fact that Naloxone was deployed. The
Chapter 5: Operational Response

incident report shall be forwarded to the on-duty supervisor. The supervisor will ensure that the incident report form provides enough information to meet applicable state reporting requirements. The shift supervisor will forward the report to the California Department of Public Health (CDPH) Liaison deputy for later reporting as required by their “Naloxone Standing Order.”

6). Field Testing of Suspected Controlled Substances

The purpose of this section is to identify safety procedures to be utilized and the location where controlled substances may be field tested by specified members of the Sheriff’s Office. Additionally, this section identifies a specific location for processing of evidence.

In 1991 the California Department of Health Services classified cocaine as a hazardous material and mandated that it must be handled in a specific manner. Most, if not all of the controlled substances commonly seized by deputies may fall within this category. The following shall be the policy of the Sutter County Sheriff’s Office and will be strictly enforced:

1. Transfer of Suspected Controlled Substances: The only personnel within this Office authorized to transfer controlled substances from one container to another, open containers to obtain samples, or handle controlled substances that are not packaged shall be those person certified by the California Department of Justice to perform drug screen identification tests.

2. Required Protective Equipment: Certified personnel shall wear protective equipment at all times when handling uncontained controlled substances, opening closed containers to obtain a sample, or transferring controlled substances from one container to another. This requirement will also be followed when processing evidence at the main office.
   a. Protective goggles
   b. Disposable gloves
   c. Respirator “Dust Type” Mask
   d. Protective aprons

3. Discard of Used Protective Equipment: The protective equipment, except for the protective goggles and protective apron, shall be used once and then disposed of in an approved and clearly marked container. The protective goggles and apron may be used repeatedly unless substantial contamination warrants their disposal, or at the direction of the Office safety officer.

4. Evidence Processing Room Location: All drug screen field testing transfer of controlled substances from one container to another, and all evidence processing (fingerprinting) will be done in room#10. This room is directly across from the evidence intake entry door.

7). Sutter County Medical Marijuana Inter-Agency Protocol Overview

1. Purpose and Introduction: On January 1, 2004, Senate Bill 420 became effective after it was signed into law by then-Governor Gray Davis, which among other things, establishes maximum amounts of marijuana – in both plant and processed (dried) form – that may be legally possessed by individuals who qualify under Proposition 215, the “Compassionate Use Act of 1996”. Senate Bill 420 prohibits law enforcement from confiscating marijuana and/or arresting the individual in possession thereof, provided that the individual meets all of the specifications required by SB 420. If the individual does not meet the requirements of SB 420, they are subject to arrest and their marijuana may be seized as evidence.
Chapter 5: Operational Response

In order to comply with this new law, the attached Sutter County Medical Marijuana Inter-Agency Protocol has been jointly developed and signed by Sutter County District Attorney Carl Adams, Yuba City Police Chief Rob Landon and me (Sheriff Parker). This protocol establishes uniformed guidelines for law enforcement agencies in Sutter County in order to comply with this new law.

Therefore, effective immediately the attached Sutter County Medical Marijuana Inter-Agency Protocol shall become the approved policy for the Sutter County Sheriff’s Office whenever marijuana is found in any form in Sutter County. District Attorney Adams and Chief Landon will be adopting the same protocol for their respective agencies as well.

8). Medical Marijuana Protocol Procedures

Purpose: Investigations into the possession and/or cultivation of marijuana for medical purposes require different approaches as a result of the passage of Proposition 215, the “Compassionate Use Act of 1996” and Senate Bill 420, which became effective on January 1, 2004. The Act added section 11362.5 to the Health and Safety Code, allowing marijuana for medicinal purposes in certain circumstances. Possession and/or cultivation of marijuana for non-medicinal purposes will remain illegal. For purposes of this Inter-Agency Protocol, all the above referenced legislation shall be referred to as “Health and Safety Code section 11362.5 et. seq.”

Although this document represents the requirements set forth in Health and Safety Code Section 11362.5 et. seq., it is not intended to increase the civil or criminal liability of member agencies or their employees. Agencies represented will review their related policies and make efforts to modify them to avoid conflict with this document.

9). Legislative Background

1. Intent of Legislation: The passage of Proposition 215, the Compassionate Use Act of 1996, added section 11362.5 to the Health and Safety Code, allowing possession of marijuana for medicinal purposes in certain circumstances. This document will clarify what instances of marijuana possession will be considered for personal medical use versus illegal possession and/or cultivation and establish consistent investigative techniques.

2. Requirement on State Department of Health Services: The passage of Senate Bill 420 requires the State Department of Health Services to establish and maintain a voluntary program for the issuance of identification cards to qualified patients. A patient need not possess a state identification card in order to claim the protection afforded by Health and Safety Code Section 11362.5.

3. Authority for Medical Use of Marijuana: The purpose of this document is to establish uniform criteria for verification of medical marijuana cases and thereby not infringe on legitimate possession of marijuana for medicinal purposes as set forth in Health and Safety Code Section 11362.5 et. seq., and to help assure that all marijuana cases are investigated completely, impartially, and that proper disposition of such cases made based upon all the legally available and relevant evidence.

10). Enforcement Options/Enforcement and Prosecution

1. Health & Safety Code Section 11362.5: Persons authorized to possess marijuana pursuant to 11362.5 et. seq. is the following:
Chapter 5: Operational Response

a. Person with an identification card as defined in Health and Safety Code section 11362.7(c).
b. Primary caregiver as defined in Health and Safety Code section 11362.7(d)/(e).
c. Qualified patient as defined in Health and Safety Code section 11362.7(f).

2. Amounts Allowed for Possession: Deputies investigating a possession, possession for sales, transportation and/or cultivation of marijuana scenario must ascertain, as part of the investigation, whether the suspect in actual or constructive possession of the marijuana is declaring any rights under Health and Safety Code section 11362.5 et. seq.

a. Once a suspect has made an assertion under Health and Safety Code section 11362.5 et. seq., the deputy shall investigate the validity of the claim.
b. The possessor, transporter, cultivator, and/or the primary caregiver may have no more than the following:
   1). Six mature plants or twelve immature plants and;
   2). Eight ounces of mature processed (dried) flowers of the female cannabis plant.
   3). 11362.7(b) H&S – The amounts may only be exceeded if a qualified patient or primary caregiver has a doctor’s recommendation that this quantity does not meet the qualified patient’s medical need. The qualified patient or primary caregiver may possess an amount of marijuana consistent with the patient’s needs.

3. Assessing Valid Recommendations: The suspect must be able to validate the claim in one of the following ways:

a. Providing a valid identification card for medical marijuana issued pursuant to Health and Safety Code sections 11362.5, 11362.71, 11362.715, and 11362.7. Investigating Deputy(s) may make reasonable inquiry into valid use of the identification card. The identification card must include:
   1). A unique user identification number of the applicant.
   2). The date of expiration of the identification card.
   3). The name and telephone number of the approving county Office.
   4). The toll-free number that will enable deputy to verify the card.
   5). Photograph of the cardholder.
b. Providing a written recommendation from an “Attending Physician” as defined in Health and Safety Code section 11362.7. Investigating Deputy(s) may make reasonable inquiry into the validity of the recommendation. A valid written recommendation must include:
   1). Date of the recommendation and the patient’s name.
   2). The” Serious Medical Condition” as defined in Health and Safety Code Section 11362.7 (g).
   3). The prescribed or recommended dosage, quantity, and frequency of usage.
   4). Duration of the recommendation.
c. Providing the name and contact information for the recommending physician. Investigating Deputy(s) should attempt to verify the physician information as soon as practical by asking the suspect the following questions:
   1). What is the date of the recommendation and the patient’s name?
Chapter 5: Operational Response

2. What is the “Serious Medical Condition” as defined in Health and Safety Code section 11362.7(g)?

3. What are the prescribed or recommended dosage, quantity, and frequency of usage?

4. What is the duration of the recommendation?

4. Valid Recommendation/Permissible Amount: If a suspect has provided legally sufficient information as described above, and possesses no more than the maximum quantity allowed under Health and Safety Code section 11362.77(a) or in the alternative, as specified by the recommending physician pursuant to Health and Safety Code section 11362.77(b), and verified as described above, the Investigating Deputy(s) shall not seize the marijuana.

5. Valid Recommendation/More than Permissible Amount: If the suspect has more than the legally permissible amounts as specified in Health and Safety Code sections 11362.77(a) and (b), but has a legitimate and verified need, the Investigating Deputy(s) may seize all marijuana above the maximum standards, and continue a criminal investigation for possession, possession for sales, transportation and/or cultivation of marijuana for the excess amount at the Investigating Deputy(s) discretion.

6. Questionable, Fraudulent or Legally Deficient Recommendation: If a suspect has supplied an identification card, a written recommendation by a physician, or an oral recommendation as specified above, that the Investigating Deputy(s), after a reasonable investigation, have reason to believe is false, fraudulent, or in any other way does not comply with H.S. 11362.5 et. seq., the Investigating Deputy(s) may, in their discretion, seize the marijuana pending further investigation for the validity of the recommendation and for criminal conduct involving possession, possession for sales, transportation and/or cultivation of marijuana. Circumstances that, “in any other way” do not comply with H.S. 11362.5 et. seq.” includes, but is not limited to, the cultivation, transportation, or possession for profit of marijuana, as prohibited by Health and Safety Code section 11362.765(a).

7. No Valid Recommendation: In any investigation for possession, possession for sales, transportation and/or cultivation of marijuana in which the suspect does not claim a medicinal use or have a verified oral or written recommendation or identification card the case shall proceed as a normal criminal investigation.

8. Miscellaneous: Although H.S. 11362.5 et. seq. allows for the use of medical marijuana in a jail facility under certain circumstances, Sutter County will not allow use of medical marijuana in any custody facility or allow such use at any time or place a suspect is in custody.

9. District Attorney Notification: In all cases in which there is a criminal investigation, a written report shall be forwarded to the District Attorney’s Office for consideration of prosecution. The ultimate discretion whether to bring criminal charges in any case rests solely with the District Attorney. No report is required for cases wherein the suspect was determined to have complied with the requirements of H.S. 11362.5 et. seq.

10. Use Restrictions: Nothing in H.S. 11362.5 et. seq. shall authorize a qualified patient to engage in smoking marijuana under any of the following circumstances:

a. In any place where smoking is prohibited

b. In or within 1000 feet of the grounds of a school, recreation center, or youth center, unless the medical use occurs within a residence of an authorized user
c. On a school bus

d. While in a motor vehicle that is being operated

e. While operating a boat
Hate Crimes
The Sutter County Sheriff’s Office recognizes the rights of all individuals guaranteed under the Constitution and the laws of this State. Among those constitutional guarantees is the right of all people to live without fear of attack by or threat from an individual or group due to hatred or prejudice. An act or threat of violence motivated by hatred or prejudice threatens this constitutional guarantee and generates fear and concern among victims and the public. When any act motivated by hatred or prejudice occurs, the Office will ensure that it is dealt with on a priority basis and use every necessary legal resource to rapidly and decisively identify the suspects and bring them to justice.

1). Definition of Hate Crime/Incident
1. **Hate Crime**: Consist of any act of intimidation, harassment, physical force or threat of physical force directed against any person, group, family, community organization or property motivated in whole or in part by hostility toward real or perceived race, ethnic background, national origin, religious belief, gender, age, disability, sexual orientation or political affiliation with the intent of causing fear, injury, intimidation or to deter the free exercise and enjoyment of any right secured by the Constitution or the law.

2. **Hatred Incident**: A hatred incident is any non-criminal act including words directed against a person(s) based on that person’s actual or perceived race, nationality, religion, sexual orientation, disability, or gender. Hatred incidents include, but are not limited to, epithets, distribution of hate material in public places, posting of hate material that does not result in property damage, and the display of offensive material on one’s own property.

2). Applicable Civil Statutes
1. **Civil Code Section 51.7**: Except for statements made during otherwise lawful labor picketing, all persons in this state have the right to be free from any violence or intimidation by threat of violence against their person or property because of actual or perceived race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, disability or position in a labor dispute.

2. **Civil Code Section 52**: Provides for civil suit by individual, Attorney General, District Attorney or City Attorney for violation of 51.7, including damages and injunctive relief.

3. **Civil Code Section 52.1**: Provides for injunctions for violations of individual and Constitutional rights enforceable as criminal conduct under Penal Code 422.9.

3). Applicable Criminal Statutes
1. **Penal Code Section 422**: Prohibits verbal, written or electronically transmitted threats to commit great bodily injury or death to another or his/her immediate family.

2. **Penal Code Section 422.6(a)**: Prohibits the use of force or threats of force to willfully injure, intimidate, interfere with, oppress, or threaten any person in the free exercise or enjoyment of rights and privileges secured by the Constitution or law because of the person’s real or perceived race, color, religion, ancestry, national origin, disability, gender or sexual orientation. (Note: Speech alone does not constitute a violation of this section except when the speech itself threatened violence and the defendant had the apparent ability to carry out the threat.)
Chapter 5: Operational Response

3. **Penal Code Section 422.6(b):** Prohibits knowingly defacing, damaging or destroying the real or personal property of any person for any of the purposes set forth in 422.6(a) PC.

4. **Penal Code Section 422.7:** Provides for other criminal offenses involving threats, violence or property damage in excess of $500.00 to become felonies if committed for any of the purposes set forth in 422.6 PC.

5. **Penal Code Section 422.9:** Provides for the criminal enforcement of any order issued pursuant to Civil Code 52.1.

6. **Penal Code Section 594.3:** Prohibits vandalism to religious buildings or places of worship.

7. **Penal Code Section 11411:** Prohibits terrorizing by placing or displaying any unauthorized sign, mark, symbol, emblem or other physical impression (including Nazi swastika or burning cross) on another person’s private property.

8. **Penal Code Section 11412:** Prohibits threats terrorizing threats of injury or property damage to interfere with exercise of religious beliefs.

9. **Penal Code Section 11413:** Prohibits use of explosives or other destructive devices for terrorizing another at health facilities, places of religion, group facilities and other specified locations.

4). Initial Response Procedures

**Response to Report of Hate Crime:** Whenever any member of this Office receives a report of a suspected hate crime or other activity which reasonably appears to involve a potential hate crime, the following shall occur:

1. Deputy(s) will be promptly assigned to contact the victim, witness or reporting party to investigate the matter further as circumstances may dictate.

2. The supervisor shall be notified of the circumstances as soon as practical.

3. Once “in progress” aspects of any such situation have been stabilized (e.g. treatment of victims, apprehension of present suspects, etc.), the assigned deputy(s) will take all reasonable steps to preserve available evidence which may tend to establish that a hate crime was involved.

4. The assigned deputy(s) will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.

5. Depending on the situation, the supervisor may request additional assistance from detectives or other resources to further the investigation.

6. All reports will be clearly marked as “Hate Crimes” by marking the appropriate box on the report form. The report will be completed and submitted by the assigned deputy(s) before the end of shift unless approved by the supervisor to hold such report.

7. The assigned deputy(s) shall provide the victim(s) of any suspected hate crime with a brochure on hate crimes per California Penal Code Section 13873 (Such brochures will also be available to members of the general public upon request). The assigned deputy(s) should also make reasonable efforts to assist the victim(s) by providing available information on local assistance programs and organizations.

8. The assigned deputy(s) and supervisor shall take reasonable steps to insure that any such situation does not escalate further.
5). Investigation Responsibility

Detective Response: If a case is assigned to a detective, the assigned detective will be responsible for following up on the reported Hate Crime as follows:

1. Coordinate further investigation with the District Attorney and other appropriate law enforcement agencies.
2. Maintain contact with the victim(s) and other involved individuals as needed.
3. Investigate until leads are exhausted.
Chapter 5: Operational Response

SECTION 15: Bomb Threats

1). Response to Bomb/Bomb Threats

This section addresses procedures to follow when a suspected bomb has been discovered on County property or when a bomb threat has been received. This policy should be followed unless unusual circumstances exist and good judgment dictates otherwise. The goal is to prevent injury and ensure the safety of County employees, the general public, and County property. This procedure shall apply to all County locations.

2). When Suspected Bomb is Located

1. Found Explosive Device: If a suspected bomb is found, the object SHOULD NOT be moved or touched in any way. The employee who discovers the object should immediately notify the head of the department or senior manager present.

2. Management Response: The department head or manager will take steps to secure the immediate area where the object is located to ensure that it is not disturbed.
   a. The department head or manager will notify the following, in order shown:
      1). Law Enforcement: 911
      2). County Administrator: 822-7100
      3). Personnel Director and Risk Manager: 822-7113.
   b. When contacting the above offices, the caller should immediately inform the dispatcher or receptionist that he/she is reporting a suspected bomb.

3. On-Scene Command: The responding law enforcement agency shall assume the direction and control of the bomb incident situation. All personnel shall follow law enforcement instructions.

4. Department Head Responsibilities: If law enforcement does not order a partial or complete evacuation of the building, the department head or manager will order either a partial or complete evacuation and immediately inform the County Administrator’s office. In buildings occupied by more than one department, the department head or manager should also consult with the other departments regarding evacuation.

5. Mail Bomb Indicators: Any employee who opens mail in the office should be aware of mail bomb dangers. The following are letter and parcel bomb recognition points:
   a. Foreign mail, air mail and special delivery mail.
   b. Restrictive markings such as CONFIDENTIAL, PERSONAL.
   c. Excessive postage (stamps, not postal strips).
   d. Oily stains and discolorations.
   e. Unofficial or no return address.
   f. Excessive weight or density (more than 1/8” thick).
   g. Rigid envelope (caused by interior cardboard brace).
   h. Lopsided or uneven envelope.
   i. Protruding wires or tinfoil.
   j. Excessive securing material such as masking tape.
   k. Sounds such as ticking, whirring, etc.
Chapter 5: Operational Response

6. **Response to Suspicious Letter or Parcel:** If a suspicious envelope or parcel is found, the employee should refrain from further handling the object, secure the location where the object is and notify the department head or senior manager present. If the department head or manager determines that the letter or parcel may contain a bomb, the procedures specified above will be followed.

7. **Public Information Deputy/News Releases:** The County Administrator or designee will be the public information officer and shall issue any news coverage surrounding any incident.
SECTION 17: Tow Procedures (Executive Order #8-2011)

1). **Vehicle Tow Procedures**
   Procedures: This section will outline the procedures for towing of vehicles by members of the Sutter County Sheriff’s Office from public and private property.

2). **Public Property Tow Procedure**
   Considerations: When an arrest is made out of a vehicle other than private property you shall:
   1. Tow the vehicle under the appropriate California Vehicle Code Section or other legal statute, OR
   2. Ask the arrested person if he/she wishes to release the vehicle to a person who possesses a valid driver’s license and can respond in a reasonable time frame. (Twenty minutes or less).
   3. If the vehicle is NOT a traffic hazard, such as blocking a roadway, the deputy may ask the driver if he/she would prefer the vehicle be locked up and left parked. If the driver/arrested person request the vehicle be locked and left at the scene, the deputy will inform the driver/arrested person that the Sheriff’s Office WILL NOT be responsible for the security of the vehicle.

3). **Driving Under the Influence Tows**
   Deputy Responsibility: A person whose faculties are impaired to the point that they are arrested for drunk driving, cannot be expected to make an intelligent waiver. If the car is burglarized, damaged, or stolen after being parked, we can be civilly liable. Under the above conditions the vehicle shall be towed. If they have a sober occupant in the vehicle, which is licensed, then the option to release to that individual may be exercised.

4). **Private Property Tow Procedures**
   Deputy Responsibility: When an arrest is made out of a vehicle on private property, you shall:
   1. Ask the arrested person if he/she wants to release the vehicle to another licensed person, OR
   2. Ask the arrested person if he/she would like the vehicle towed, at their expense.
   3. Secure and leave the vehicle, advising the arrested person that this office WILL NOT be responsible for the security of the vehicle.
   4. If the private property owner request the vehicle be towed from his property, this will be done at the arrested person and or the registered owner’s expense.
   5. Private Property Tow procedures do not apply when the enforcement action was initiated from a public place and the driver stops the vehicle on private property.
Chapter 5: Operational Response

5). Inventory Procedures

1. Deputy Responsibility: When deputies of this agency encounter circumstances wherein we order a vehicle towed we must remain mindful of the protection afforded citizens against unreasonable search and seizure granted in the Fourth Amendment to the Federal Constitution as well as our potential responsibility for property taken into our control.

2. Court Interpretation of Inventory Search: It has been stated by the U.S. Supreme Court, “the policies behind a warrant requirement, and the related concept of probable cause, are not implicated in an inventory search, which serves the strong governmental interests in protecting an owner’s property while it is in police custody, insuring against claim of lost, stolen, or vandalized property, and guarding the police from danger”.

3. Scope of Inventory Search: Deputies of this Office will make good faith effort to inventory the contents of vehicles they ordered towed, making note of items of significance and recognizing that closed containers may be repositories of valuable and/or dangerous items.

6.) Vehicles Stored on Sheriff’s Office Premises

1. When a vehicle is towed and stored on the sheriff’s office premises, vehicle(s) will be stored in the fenced area of the sheriff’s office behind the Minimum Security or Single Cell sections of the Jail. In extreme cases where the vehicle requires a higher level of security or needs to be out of the elements, the vehicle may be stored inside the Command Van building for a short period of time, room permitting.

2. The person storing the vehicle(s) will affix a self-adhering evidence label to the outside of the upper left corner of the windshield on the driver’s side. The label will include the date stored and an event number written in black indelible marker. If the label cannot be affixed to the windshield the label will be affixed to a window in descending order: driver’s window, rear driver’s window, rear passenger window or passenger side window. If, for any reason the label cannot be affixed to any window, the label will be affixed to the hood next to the driver’s front window.
SECTION 18: Digital Media Executive Orders #1-2011, #02-2011

DIGITAL EVIDENCE POLICY
The following shall be the policy of the Sutter County Sheriff’s Office for the use and preservation of digital evidence.

SUMMARY:

1. Use the highest quality settings available on digital cameras and audio recorders.
2. Book the Floppy Disc, Compact Flash, Digital Media, Memory Stick, Digital Video Tape or other medium into evidence.
3. Make any requests for prints at the time the evidence is booked.
4. The evidence deputy shall transfer images, without alteration, to CD-R disk and document the process and chain of custody.
5. Only one case will be downloaded per CD-R. No multiple cases on one CD-R.
6. After verifying that files have been successfully transferred, the original media will be erased and reused.
7. Any requests for discovery, copies, etc. shall be made through the evidence deputy.

I. BACKGROUND:
Developments in digital technology in recent years has provided Law Enforcement with more efficient and precise methods of recording evidence in digital formats for photographic, video, and audio evidence. The technology provides photographic images which can be incorporated into reports and also stored and transmitted electronically. Digital audio provides higher quality recording which can be duplicated exactly with no degradation in sound quality.

Digital data, like any form of evidence, is subject to manipulation. For this reason, care must be taken to preserve and authenticate digital evidence from cameras and audio recorders so that the evidence may be successfully introduced into Court.

II. POLICY STATEMENT:
A. All evidence recorded by digital electronic devices will be handled and processed according to this policy of standardized procedures so as to insure a precise record of “chain of custody” and integrity of evidence.

III. STORAGE MEDIA
A. Recordable Compact Disk. (CD-R) Recordable CD’s (CD-R) shall be the permanent storage media for digital evidence.
B. Floppy Disks are prohibited for use as permanent storage of digital evidence.

IV. DIGITAL CAMERAS
A. Image Resolution.
In all criminal cases, when using digital cameras, use the setting for the highest quality image available. Although this will reduce the number of images which can be stored in memory, it will produce a better
quality enlargement for evidence and courtroom purposes. When taking digital images for events other than criminal cases, a lower image resolution is permissible. Digital data will be written to the permanent storage media using direct transfer software and not by use of software with edit capabilities.

B. Removable Media.
   1. Digital Cameras are typically equipped with removable memory storage for capturing images. These may include floppy disks, memory sticks, compact flash or other memory cards. (See examples - Attachment A)
   2. Although removable memory/media expands the capacity of images collected, it is not well suited for retention as evidence. Data on floppy disks can be manipulated and memory cards are susceptible to damage or accidental erasure.

C. Reports.
   1. The evidence deputy will be responsible for making requested prints, copies of CD-R’s, etc. for requesting deputies or agencies. Deputies and Detectives may make prints from a working copy of a CD-R provided by the evidence deputy.
   2. The process of copying and preserving the digital evidence shall be documented by the evidence deputy.

D. Transferring the images onto a CD-R.
   1. All transferring of data from original media onto CD-R shall be the responsibility of the evidence deputy.
   2. The evidence deputy shall create a data CD-R and transfer all the images from the camera or movable media data onto the CD-R.
   3. The computer used to create the CD-R shall be located within the secured area of the evidence office.
   4. A common picture format like JPEG should be used so that proprietary software is not needed to view the images.
   5. The evidence deputy shall create copies as needed for evidence and or working copies if requested. The number of copies made shall be recorded by the evidence deputy.
   6. All CD-R’s shall be marked by the evidence deputy with a permanent marker on the CD-R itself indicating:
      a. Case number.
      b. The date on the evidence envelope.
      c. The name of the deputy taking the images as per the evidence envelope.
      d. Evidence deputies’ initials.
   7. The evidence deputy will keep the original CD-R in a secure, logical, numerical system for storage and retrieval.
   8. There shall be only one (1) case per CD-R.
      a. If more than one removable media (memory stick, flash card, etc.) comes in for the same case, it is permissible to put multiple media images onto the same CD-R, however, each download from each separate media shall be placed within its own separate file folder on the CD-R.
      b. If subsequent images are submitted on the same case number, they will be downloaded onto separate CD-R’s.

E. Authenticate the copied images.
   1. The evidence deputy shall verify that the copied images are accurate before deleting or overwriting the images on the removable media.
   2. The evidence deputy shall document the process of preserving the images on the submission form that will accompany the removable media. This form shall be kept filed with the CD-R’s.
   3. If someone other than the evidence deputy transfers the images to CD-R, that information shall be documented on the submission form provided with the original removable media.
Chapter 5: Operational Response

F. Filenames and Intentional Alterations

1. Copies of images that are made for evidentiary or discovery purposes should be exact copies, and whenever possible, should bear the same filenames as the originals. Changing the filename may create confusion and require explanation. To avoid duplicate filenames (i.e.: when images on the same case come from multiple sources), they should be downloaded into separately named file folders.

2. If an image is enhanced or altered for demonstrative purposes (cropped, zoom view, color or contrast adjusted, etc.) work with a working copy CD only and document such changes via a supplement to the original report. Do not crop, zoom, color or contrast adjust any image from the original CD-R retained in evidence.

G. Copying Digital Images for Outside Agency.

1. When copies of digital images are requested by outside agencies, they shall be given one CD copy of the original CD-R. The outside agency staff will create additional copies as needed for their purposes. The exception will be a request by the District Attorney in where they will receive two (2) CD copies of the original CD-R, one for them and one as needed for discovery.

2. It is not necessary to print out color copies of the images for the District Attorney, other outside agency or to be booked into evidence. D.A. staff will print out copies of the images needed for their purposes.

3. If due to time restraints, the District Attorney may request that images be transmitted electronically as attachments to emails. When this occurs, the deputy transmitting the images shall include in the email:
   a. Indicate the number if images being sent.
   b. Include a statement that the images have not been altered or modified.

4. Images shall only be electronically transmitted by the evidence deputy, detective or by permission of a division commander.

5. Transmitted or copied images and files shall be for official purposes only.

H. Courtroom Testimony.

Deputies may want to review copies of images from their investigations prior to going to court.

V. Digital Audio Recorders

A. When using a digital audio recorder, limit interviews to no more than 60 minutes per data disc.

B. Digital audio files will not routinely be copied and the original MD (mini-disc) used to record the data shall be stored as the original.

C. The process for copying digital sound files as evidence shall be the same as described in sections IV, subsections D and E of this policy.

D. When copying digital sound files, a common format such as a “.wav file” should be used rather than a proprietary format.

E. The copying process shall be documented is the same manner as digital images.

VI. Digital Video Recorders

Under the current state of technology, video files recorded on digital video recorders may be too large to be preserved onto CD-R.

A. Digital video files will not routinely be copied. Once recorded, the original digital media, whether it be mini DV or Digital 8 tape used to record the video shall be rendered “safe” by sliding the safety tab and then booked into evidence and kept as the original.
B. If copies are needed, the evidence deputy shall copy the original video onto a VHS tape or DVD as technology permits. The process for copying digital video files as evidence shall be the same as described in sections IV, subsections D and E of this policy.
C. The copying process shall be documented in the same manner as digital images.

VII. Procedures for Digital Evidence

A. Photographs

1. All homicide cases will be back-up photographed by the detective unit using regular 35mm photography and adhering to regular evidence procedures.

2. Completely familiarize yourself with the operation of the digital camera you will be operating prior to use.

3. While at the crime scene, you may preview pictures taken, erase and redo photographs to obtain optimal scene depiction, **however, once you evacuate the crime scene, you may not erase, change, download or in any way alter the photographs taken at the scene.** Observe and document the number of images taken.

4. Upon departure from the crime scene, and after taking the pictures, take out the removable media (memory stick, compact flash, etc.) and place it into a special media envelope in the evidence intake room. The regular paper property form is not needed. You do have to log this in the property page of the HTE report.

5. Fill out all corresponding data in the top shaded box on the evidence verification form.

6. Staple the media envelope to the verification form and place both into the evidence intake slot.

7. Requests for prints, copies, contact prints, etc. shall be made in writing to the evidence deputy.

B. Digital Audio Recordings

When using a digital audio recorder without removable media, be conscious of the time limitations on the CD-R data discs, which is commonly about 700 MB/70 minutes. A two or three hour interview created as one file can be copied onto multiple CD-R's with the use of audio editing software but try to keep interview sessions to 60 minutes per session to maintain continuity for each disc.

At the end of the interview, the Deputy will take the Digital Voice Recorder and utilize an appropriate Office computer to write the digital sound file to a standard compact disc and the disc used to record the data shall be stored as the original.

When copying digital sound files, a common format such as ".wav file" should be used rather than a proprietary format. The copying process shall be documented in the same manner as digital images with the exception that the Deputy will be responsible for verifying that copied sound files are accurate before deleting or overwriting the images on the Digital Voice Recorder.

Write the date, case number and your initials on the paper envelope provided with the CD. A permanent marking pen will be utilized to write the same information on the CD. CDs will be logged into evidence with a standard property sheet.

Requests for copies shall be made in writing to the evidence deputy.
C. Digital Video Recordings

1. When using a digital audio recorder, be conscious of the time limitations on CD-R data discs which are currently about 70 minutes. A two hour interview created as one file cannot be copied onto multiple CD-R’s without the use of audio editing software. Keep your interview to 60 minutes per mini disc.

2. At the end of the interview, write the date, case number and your initials on the sticker provided with the mini disc and affix it to the disc.

3. Do not erase, download or otherwise manipulate the audio disc.

4. Place the disc into a special media envelope in the evidence intake room. The regular paper property form is not needed. You do have to log this in the property page of the HTE report.

5. Fill out all corresponding data in the top shaded box on the evidence verification form.

6. Staple the media envelope to the verification form and place both into the evidence intake slot.

7. Requests for copies shall be made in writing to the evidence deputy.
SECTION 19: Digital Forensic High-Technology Policy (Executive Order# 05-2014)

1. **PURPOSE:** The purpose of this policy is to outline the responsibilities for the Sutter County Sheriff’s Office (SCSO) Detective(s) assigned to digital forensics investigations. In addition, this is a guide for outside agencies requesting assistance in handling and requesting digital forensics examinations by the sheriff’s office detective unit.

2. **RESPONSIBILITY:** The investigator(s) assigned to examine any digital forensics evidence is responsible for processing and for maintaining the chain of evidence. Below is a comprehensive list that can be used as a guide that is not all inclusive but may be used in making decisions to process evidence:
   a. Computer related crimes (502 P.C.)
   b. Major thefts, robberies, embezzlements from businesses, manufacturers, or governmental agencies, of technology hardware, software, and intellectual properties
   c. Identity theft when accomplished with use of electronic media and hardware (530.5 P.C.)
   d. Child pornography (311 P.C.) offenses when accomplished with a computer, cell phone, digital media and/or Internet usage
   e. Gray market manufacturing, sales, and possession of counterfeit technology products
   f. Money laundering when accomplished with the use of a computer or electronic banking transfer
   g. Unlawful access, destruction of or unauthorized entry into use of private, corporate, or government computers and networks
   h. Cellular phone extractions related to all types of criminal and civil cases.

3. **TECHNICAL ASSISTANCE:** Investigator(s) assigned to the Detective Unit may provide technical assistance and case evidence processing to the outside law enforcement agencies in following priority order:
   a. Sutter County Sheriff’s Office criminal and internal affairs investigations related extractions/examinations.
   b. Sutter County agencies for investigations not directly related to an SCSO case.
   c. Outside agency examination requests.

4. **SERVICES PROVIDED:** SCSO Digital Forensic investigator may, at the discretion of the SCSO administration, provide the following technical expertise assistance to another law enforcement agency, City or County government, or to the high technology community:
   a. For assistance with digital evidence and search warrant templates for digital crime.
   b. In seizing, analyzing, and/or copying of digital computer information.
   c. Training to other law enforcement agencies in the recognition and investigation of high technology crimes, as well as proper methods of handling high technology evidence, so that it maintains its evidentiary value for court prosecution.
   d. Informational bulletins regarding current crime trends in the high technology arena
e. Specialized technical training for new personnel in the proper identifying, handling and seizure of all types of digital hardware and software during their Field Training Officer (F.T.O.) program.

5. **PERSONNEL MATTERS:** The Digital Forensics investigator may be required to conduct forensic examinations of computers, cell phones, or other digital media for the Sutter County Sheriff’s Office, Sutter County Government agencies or outside agency assistance, concerning criminal or civil related internal affairs investigations.

   a. Personnel matters will be handled in the manner prescribed below:
   b. The Digital Forensic investigator will handle and treat all internal affairs investigations assigned as sensitive and privileged. The assigned examiner will only discuss relative information discovered in the investigation to assigned case investigator, Undersheriff or Sheriff.
   c. Sutter County agencies or outside agency assistance concerning to forensic examination of County or entity owned digital hardware or software, where it relates to civil or criminal internal affairs investigations, shall be approved by the Division Commander, Undersheriff or Sheriff with signed authorization from the effecting agency. The request shall contain information detailing the nature and scope of the investigation. Signed copies of search warrants or other lawful written authorization shall be provided prior to the commencement of the examination.

6. **MEDIA RELEASES:** Media releases will be done in accordance to the Sutter County Sheriff’s Office media policy as outlined in the Sutter County Sheriff’s Operations Manual.

7. **EVIDENCE HANDLING:** Every person requesting digital forensic examination shall provide to the investigator, evidence that has been properly entered and recorded with the SCSO evidence system.

   a. If an outside agency submits digital evidence for examination, they may use their respected agencies evidence system, however, they must provide their agencies evidence number, along with proper chain of command documentation.
   b. There may be times when immediate examination of cell phones and some computer evidence may need to be examined in an emergency. These examinations will be limited to “hot pursuit” situations involving:

      1.) Just occurred/discovered homicide(s).
      2.) Just occurred/discovered child or person(s) abduction.
      3.) Or any investigation deemed necessary by the Detective Lieutenant, Division Commander, Undersheriff or Sheriff.
8. **REQUESTING DIGITAL FORENSIC EXAMINATIONS:** Every person requesting digital forensic examination shall properly complete a "Forensic Examination Request Form," and provide it to the forensic investigator prior to all examinations.
# Sutter County Sheriff's Office

## Forensic Examination Request Form

### TO BE COMPLETED BY REQUESTOR

<table>
<thead>
<tr>
<th>Requesting Agency</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requesting Agency Det. Name: (first and last)</td>
<td>Date Needed i.e.: court, probation expiring, arrest pending, potential for additional victimization (not ASAP)Footnote #1:</td>
</tr>
<tr>
<td>Requesting Agency Direct Phone #:</td>
<td>Requesting Non-SCSO Agency Report #:</td>
</tr>
<tr>
<td>Requesting Agency Report Type (PC):</td>
<td></td>
</tr>
</tbody>
</table>

| Suspect Name: | List of names/info to look for is attached Y / N |
| Victim Name: | Address/Location of Occurrence |

| Authorization to search computer: Search Warrant or Consent (must be attached) / Probation / Parole |
| # of Computer(s) | # of LAPTOP(s) | # of Hard Drive(s) | # of DISK/DVD/CD(s) |
| # of CELL PHONE(s) | # of Tablets(s) | OTHER(describe) |

| SCSO Crime Report Face Sheet Done? (circle one) | YES | NO |

| Nature Of Request: | |

### TO BE COMPLETED BY EXAMINER

<table>
<thead>
<tr>
<th>Examiner Name:</th>
<th>Date assigned to examiner:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of hours spent on forensic including report writing:</td>
<td></td>
</tr>
</tbody>
</table>

| Results: | |

<table>
<thead>
<tr>
<th>Supp written?</th>
<th>Copy of Supp forwarded to Case Agent?</th>
<th>Case Agent notified by Phone?</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Case Agent notified by Voice Mail Message?</th>
<th>Asset Seized Y / N</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Property back to agency?</th>
<th>Date</th>
</tr>
</thead>
</table>

| Back to SCSO Evidence? | Date |

| Date completed: | |

---

SCSO EVENT #
SECTION 20: Active Shooter

1). Active Shooter Response

1. Purpose: The goal of law enforcement intervention in active shooter incidents is to quickly neutralize the threat(s) by preventing access to potential victims, rescuing injured persons and potential victims, or a movement to neutralize the shooter(s). This goal can be achieved by various means up to and including the use of deadly physical force.

2. Definitions:
   a. **Immediate Action Rapid Deployment:** The swift and immediate deployment of law enforcement resources to on-going, life-threatening situations where delayed deployment could otherwise result in death or great bodily injury to innocent persons. Immediate Action Rapid Deployment tactics are not a substitute for conventional response tactics to a barricaded gunman.
   
   b. **Active Shooter:** One or more subjects who participate in a random or systematic shooting spree, demonstrating their intent to continuously harm others. Their overriding objective appears to be that of mass murder, rather than other criminal conduct such as robbery, hostage taking, etc. This individual is willing to exchange fire with deputies and kill unarmed citizens.
SECTION 21: Service Dog

1). Service Dog Operational Procedure

1. Purpose:
   a. The Police Service Dog Program was established to augment police services to the community. Highly skilled and trained teams of handlers and police service dogs have evolved from the program and are used to supplement police operations to locate and apprehend criminal offenders.
   b. The purpose of this policy is:
      1. To establish policies and procedures for the authorized use of Sutter County Sheriff’s Office Service Dog Teams.
      2. To provide guidelines for employees while interacting with Sutter County Sheriff Service Dog Teams.

2. Background:
   a. There are three types of service dogs utilized by the Sutter County Sheriff’s Office:
      1. The Service Dog
      2. The Drug Detector Service Dog
      3. The Cross-Trained Service/Drug Detector Dog
   b. The Police Service Dog Unit Operations Manual will give all personnel information about the Sheriff Service Dog and the Drug Detector Dog Programs. The manual will set out job responsibilities, performance standards, training, handler and dog selection, certification and general knowledge about handling and caring for Office service dogs. All dog handlers are responsible for reading and understanding the Sheriff Service Dog Unit Operations policy.
      1. The manual will be updated as necessary due to program revisions, or upon direction of the Sheriff.

3. Sheriff Service Dog Use: The Sheriff Service Dog may be used to locate and apprehend a suspect if the dog handler reasonably believes that the individual has either committed or is about to commit any offense and if any of the following conditions exist:
   a. There is a reasonable belief that the individual poses an immediate threat or violence or serious harm to the public, any deputy, or the handler.
   b. The individual is physically resisting arrest and the use of a police service dog reasonably appears necessary to overcome such resistance.
   c. The individual(s) is/are believed to be concealed in an area where entry by other than the police service dog would pose a threat to the safety of deputies or the public.
   d. The individual(s) is/are believed to be a danger to themselves and/or others and the use of a police service dog may reduce the risk to the individual(s), deputies and/or others.
   e. It is recognized that situations may arise which not fall within the provisions set forth in this Executive Order. In any such case, a standard of objective reasonableness shall be used to review the decision to use a police service dog in view of the totality of the circumstances.

NOTE: Absent the presence of one or more of the above conditions, mere flight from pursuing deputy(s) shall not serve good cause for the use of a Sheriff Service dog to apprehend an individual.

f. A Sheriff Service Dog may additionally be used under the following conditions:
Chapter 5: Operational Response

1. For crowd control with a supervisor's approval and direction.
2. To search for property or evidence.
3. To track crime offenders or lost persons. Unless the individual(s) falls within paragraph (A) above, the tracking shall be conducted on lead.

g. The Sheriff Service Dog shall not be used to search for, or stop the flight of, a person who is known to be under 14 years of age. Exception: In defense of the deputy or other persons who may be in immediate danger.

h. When an outside agency requests assistance of a Sheriff Service dog, it must be approved by the on-duty Watch Commander or Sheriff Service dog Supervisor. Such use shall conform to the same policies and procedures as if the search were to be performed by the Sutter County Sheriff’s Office.

4. Preparations for Utilizing a Sheriff Service Dog:
   a. Prior to the use of a Sheriff Service dog to search for or apprehend any individual, the handler and/or the supervisor on scene shall carefully consider all pertinent information reasonably available at the time. The information shall include, but is not limited to, the following:
      1. The individual's age or estimate thereof.
      2. The nature of the suspected offense.
      3. Any potential danger to the public and/or other deputies at the scene if the police service dog is released.
      4. The degree of resistance, if any, the individual has shown.
      5. The potential for escape or flight if the police service dog is not utilized.
      6. The potential for injury to deputies or the public caused by the suspect if the police service dog is not utilized.

b. Generally, the decision to deploy the dog shall remain with the handler; however, a supervisor sufficiently apprised of the situation may decide not to deploy the dog.

c. The dog handler will evaluate each situation and determine if the use of a dog is technically feasible. No person knows the abilities of a specific dog better than the handler. For this reason, the dog handler shall have the ultimate authority not to deploy the dog.

5. Reporting Use of a Sheriff Service Dog: Each time a Sheriff Service dog is deployed, the handler shall document the circumstances in reference to the use of his dog. A copy of the documentation shall be sent to the Sheriff Service Dog Unit Supervisor.

6. Warnings Given to Announce the Use of a Sheriff Service Dog:
   a. A clearly audible warning to announce that a Sheriff Service dog will be released if the person does not come forth shall be made prior to releasing the dog.

b. The following warning shall be given:

   "THIS IS THE SUTTER COUNTY SHERIFF’S OFFICE CANINE UNIT. YOU WILL SURRENDER NOW OR THE DOG WILL FIND YOU AND MAY BITE YOU."

3. Reporting Policy Service Dog Bites or Injuries

   1. Incident Report: If a bite or injury results from the use of the Sheriff Service dog, that information shall be documented on an incident report. The report shall include, at the minimum, the following:

      In all cases of bites or injuries resulting from the use of a Sheriff Service dog, photographs shall be taken of the bite or injury after first tending to the immediate needs of the injured party. The photographs will be labeled “Sheriff’s Service Dog Incident-
Do Not Destroy,” and booked into evidence. If the injury requires medical attention, the subject should be transported to an appropriate medical facility. In the event an in-custody suspect requires medical attention, a deputy should standby with the suspect until treatment has been rendered.

a. Whenever a dog bite occurs, the handler shall notify animal control as soon after the incident as practical.
b. Whenever a dog bite occurs, the handler shall notify the on-shift supervisor immediately.
c. All dog bite reports shall be completed by the end of shift and a copy given to the Operations Division Commander.
d. If the subject alleges an injury that is not visible, notification shall be made to a supervisor and the location of the alleged injury should be photographed.

2. Reporting Sheriff Service, Drug Detector or Cross-Trained Dog Injuries: In the event that a Sheriff Service dog is injured, the injury will be immediately reported to the shift Sergeant or deputy in charge (OIC).

Depending on the severity of the injury, the Sheriff Service dog shall either be treated by the designated veterinarian or transported to a designated emergency medical facility for treatment. If the handler and the dog are out of the area, the handler may use the nearest veterinarian.

4). Rules of Conduct While in the Presence of any Office Service Dog

The following rules of conduct apply to all Office personnel and violations are subject to appropriate corrective or disciplinary action.

1. DO's

a. Treat the Sheriff Service dog as you would a dog owned by a friend. Be friendly but do not pet the dog without permission of the dog handler.
b. Respect the handler's wishes with respect to the police service dog.
c. Stay away from the Sheriff Service dog during training unless assisting the handler.
d. Stand still if you are bitten or think you are about to be bitten.
e. Avoid furtive or sudden movements in the presence of the Sheriff Service dog.

2. DON'TS

a. Don't tease the Sheriff Service dog.
b. Don't try to entice the Sheriff Service dog to break away or disobey commands.
c. Don't use any command you have heard the handler use.
d. Don't try to agitate the Sheriff Service dog while in the Sheriff vehicle or elsewhere.
e. Don't feed the Sheriff Service dog without permission of the handler.
f. Don't engage in violent or simulated violent behavior with the handler in the Sheriff Service dog's presence.
g. Don't bring another dog or Sheriff Service dog around the Sheriff Service dog vehicle.
h. Don't enter the Sheriff Service dog vehicle unless there is an emergency, or at the direction of the handler.
i. Don't stare intensely at the Sheriff Service dog.
Chapter 5: Operational Response

5). Care for the Sheriff Service Dog and Equipment

It is the handler's responsibility to keep the Sheriff Service dog properly fed, groomed, bathed, parasite free and given proper medical care, affection, and living conditions. Additionally, the handler will be responsible for the following:

1. When off-duty, Sheriff Service dogs shall be maintained at the homes of their handler. The Sheriff Service dog will be provided with a warm and dry sleeping area within the handler’s residence. The yard must be fenced and an outdoor exercise area will be available to the dog.
2. The dog will be fed a nutritious balanced diet, supplemented with vitamins and minerals based on veterinary advise.
3. On-site inspections of affected areas of their residences as well as the Sheriff Service dog unit may occur to verify that conditions and equipment conform to this policy.

Any changes in the living status of the handler which may affect the lodging or the environment of the Sheriff Service dog shall be reported to the unit coordinator as soon as possible.

6). Unsafe Sheriff Service Dog Behavior

1. Any field supervisor observing grossly inappropriate Sheriff Service dog behavior shall direct the handler to remove the dog from operational duty status until such time as the Sheriff Service Dog Unit Supervisor trainer can evaluate the behavior.
2. The field supervisor shall notify the Sheriff Service Dog Unit Supervisor in writing of the above removal from duty status and shall attempt to notify the Sheriff Service Dog Unit Supervisor as soon as possible via telephone or personal contact.

7). Guidelines for Drug Detection Sheriff Service Dog - Training Aids

1. Drug Detection Sheriff Service Dog Use: Drug Detection Dog may be used in accordance with current law to:
   a. Assist in the search for drugs during a search warrant service.
   b. Assist in the search for drugs during a consent search, during any lawful detention or whenever probable cause exists for the search.
   c. Obtain a search warrant by using the Drug Detection Dog in support probable cause.
   d. To assist deputies in asset seizure investigations.
   e. When an outside agency requests assistance of a Drug Detection Dog, it must be approved by the on-duty Watch Commander, or Sheriff Service Dog Supervisor. Such use shall conform to the same policies and procedures as if the search were to be performed by the Sutter County Sheriff’s Office.
3. The Law:
   a. Health and Safety Code section 11367.5(a) states in part that any Sheriff, or a designee thereof, may, in his or her discretion, provide controlled substances in his or her possession and control, to any duly authorized peace deputy or civilian drug detection Sheriff Service Dog trainer for the purpose of Sheriff service dog drug detection training or substance abuse training, provided the controlled substances are no longer needed as evidence in criminal proceedings.
   b. Health and Safety Code section 11367 .5(b) states that all duly authorized Peace Officers, while providing substance abuse training, or while providing Sheriff service dog drug detection training, in the performance of their duties, and any person
working under their immediate direction, supervision, or instruction, are immune from prosecution.

c. Health and Safety Code section 11367.5(c) (1) states that any person receiving controlled substances pursuant to subdivision (a) shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.

d. Health and Safety Code section 11367.5(c) (2) states that all controlled substances shall be maintained in a secure location approved by the dispensing agency.

e. Health and Safety Code section 11367.5(c) (3) states that any loss shall be reported immediately to the dispensing agency.

f. Health and Safety Code section 11367.5(c) (4) states that all controlled substances shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

4. Procedure:

a. All controlled substances possessed for Drug Detection Dog training shall be supplied by the Sutter County Sheriff’s Office Evidence & Property Facility or by another authorized law enforcement agency.

b. Prior to issuing any controlled substance for Drug Detection Dog training, Property/Evidence personnel and/or the Sheriff Service Dog Unit Supervisor and/or the Coordinator shall complete an affidavit requesting an Order of Disposition. This affidavit shall specify each substance to be used for training and identify the specific case number from which the substance was originally seized. Property/Evidence personnel and/or the Police service dog Unit Supervisor and/or the Coordinator shall ensure:

1. The order for disposition is signed by a judge;
2. The order for disposition authorizes the release of specific controlled substances for law enforcement training;
3. No controlled substances are released for law enforcement training without a disposition order; and
4. The controlled substance released for law enforcement training is marked with the specific case number as identified in the court order.

5. Controlled Substance Issue: When a controlled substance is issued, Property/Evidence personnel and/or the Sheriff Service Dog Unit Supervisor and/or the Coordinator shall seal it. This seal shall remain unbroken throughout the duration that it is in the deputy’s possession.

a. If at any time, the seal is broken, or the controlled substance packaging is damaged to the extent that it is no longer in a sealed condition, the deputy shall prepare a written memo to the Sheriff Service Dog Unit Supervisor and/or the Coordinator outlining the circumstances.

b. The controlled substance will then be returned and reissued in a sealed condition as soon as reasonably possible.

6. Controlled Substance Log: All controlled substances issued shall be recorded on a log, which indicates the case number, type and weight of each controlled substance.

a. Both the issuing deputy and the receiving deputy shall print their names legibly, sign and date the log.

b. Upon return of the controlled substance, the case number, type and weight of each controlled substance shall be logged. Both the returning deputy and the receiving deputy will print their names legibly, sign and date the log. The log will be maintained in a secure location within the Evidence room.
7. Reporting Discrepancies: The Sheriff Service Dog Unit Supervisor and/or the Coordinator shall be present during the issuance and return of the controlled substances. Discrepancies shall be immediately reported in writing to the Operations Division Commander.

8. Training Kits:
   a. The controlled substances shall be assigned to the individual Deputy, and maintained in a training kit assigned to the Deputy.
   b. The training kit should provide protection for the controlled substances and should be locked at all times when not in use.
   c. When not on duty, or at training, deputies shall store their training kits in secured lockers maintained at the Sutter County Sheriff’s Office.
   d. Each training kit and storage locker shall be individually secured with only the assigned Deputy to be in possession of the lock key or combination.

9. Training Aid Care: Deputy’s should take reasonable steps to ensure the packaging of controlled substances remains undamaged.

   It is recognized that due to moisture and unforeseen circumstances, that the weight of the training aid may be slightly different during different times of the day or different times of the training exercise. These discrepancies, however, are normally very slight and shall nonetheless be reported and investigated as described in paragraph 5.99, 05, above.

10. Training Aid Security: Training aids shall not be left unsecured unless in the immediate possession of the deputy.

11. Audits:
   a. Audits of the training aid issuance log, as well as the actual training Kits, shall be conducted randomly by the Sheriff Service Dog Unit Supervisor and/or Coordinator.
   b. During the monthly audits, the Sheriff Service Dog Unit Supervisor and/or Coordinator will inspect the training kits to ensure the proper item numbers are contained within the kit, and the type and weight of each controlled substance will be compared to the log. The Sheriff Service Dog Unit Supervisor and/or Coordinator will also check the security of the storage lockers and the condition of the kits. The Sheriff Service Dog Unit Supervisor and/or Coordinator will forward a report to the Sheriff with the results of the monthly audit.
SECTION 22: Gang Investigations (Executive Order #4-2014)

PURPOSE

The purpose of this policy is to establish a procedure for identifying, prosecuting and documenting criminal street gangs, participants of criminal street gangs and patterns of criminal activity as outlined in sections §186.20 through §186.33 of the California Penal Code, in accordance with the, “Terrorism Enforcement and Prevention Act.”

The intent of this policy is to establish procedures and guidelines to be used by patrol to properly gather credible gang intelligence for the purpose of passing the information on to the Net-5/Gang Task Force to be placed in their intelligence files or to be used for enhancing criminal prosecution of criminal street gang participants.

1.) DEFINITIONS

1. **PATTERN OF CRIMINAL GANG ACTIVITY** – Shall mean the commission, attempted commission, conspiracy to commit, sustained juvenile petition for, or conviction of two or more of any offenses as described in section §186.22(e) of the California Penal Code.

2. **CRIMINAL STREET GANG** – Shall mean any on-going organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more of the criminal acts enumerated in section §186.22(e), of the California Penal Code and which has a common name or common identifying sign or symbol, and whose members individually or collectively engage or have engaged in a pattern of criminal street gang activity.

3. **GANG RELATED CRIME** – Shall mean any crime which is committed for the benefit of, at the direction of, or in association with a criminal street gang with the intent to promote, further or assist any criminal street gang.

2.) IDENTIFICATION OF CRIMINAL STREET GANGS/PARTICIPANTS: The Sutter County Sheriff’s personnel shall be authorized to collect information on individuals who are suspected of participating in a criminal street gang and groups that are suspected of being criminal street gangs.

1. A group of three or more individuals shall be designated a criminal street gang when:

   a. They have a common name or common identifying sign or symbol.
   b. There is evidence, substantiated by crime and informational reports, that a primary activity of the group is the commission of one or more criminal acts enumerated in Penal Code §186.20 through §186.33.
   c. One or more members individually or collectively have engaged in a pattern of criminal gang activity as defined in Penal Code §186.20 through §186.33.
   d. A designated representative of the District Attorney’s Office reviews the available evidence and concurs with sheriff’s office finding that the group meets the criteria for being a criminal street gang.
   e. An individual shall be designated as a participant in a criminal street gang and included in a gang file, when two or more of the following elements have been
verified by a member of the sheriff’s office and a reasonable basis for believing such affiliation has been established and approved by a supervisor.

1. Subject has admitted to being a gang member.
2. Subject has been arrested with known gang members for offenses consistent with gang activity.
3. Subject has been identified as a gang member by a reliable informant/source.
4. Subject has been identified as a gang member by an untested informant.
5. Subject has been seen affiliating with documented gang members.
6. Subject has been seen displaying or writing gang symbols and/or hand signs.
7. Subject has been seen frequenting gang areas.
8. Subject has been seen wearing gang dress.
9. Subject is known to have gang tattoos.
10. In custody Classification interview. (All others require two criteria).

2. An individual may be designated as a gang affiliate only when the individual is known to affiliate with active criminal gang members and a sheriff’s deputy has established that there is reasonable suspicion that the individual is involved in criminal activity. The deputies belief must be premised upon reasoning and logic coupled with sound judgment based upon law enforcement experience, rather than a mere hunch or whim.

3. CRIMINAL STREET GANG FILE

1. All intelligence information gathered on criminal street gang participants shall be forwarded to the NET-5/Gang Task Force who will maintain that information. As a minimum the information should contain the following:

   a. Names, aliases, monikers, addresses, and other relevant identifying information;
   b. Gang name;
   c. Justification used to identify an individual as a criminal street gang participant;
   d. Vehicle(s) known to be used;
   e. Cross references to other identified gangs or gang members.

4. FIELD CONTACTS

1. Field Interviews

   a. Deputies who contact individuals who are, or may be participants in criminal street gang activity should complete a Field Interview Report (FIR) and document the reasonable suspicion underlying the contact and the exact circumstances leading to the suspicion that the individual is a criminal street gang participant (e.g., subject states he or she is a member of xyz gang; xyz tattoo on right hand near thumb; wearing ball cap with gang name printed in blue or red ink).
b. Photographing known or suspected criminal street gang participants shall be done with the consent of the individual.

5. **DISSEMINATION OF THE FILE INFORMATION**

The Gang task Force may furnish information from criminal street gang participant files to office personal and other public law enforcement agencies only on a need-to-know basis. This means information that may be of use in the prevention of gang-related criminal activity or in the investigation of gang-related crimes shall be released to members of this department and other law enforcement agencies.

6. **REPORTING CRITERIA AND ROUTING**

   1. Incidents that appear to be criminal street gang related shall be documented on a report form and shall at minimum include the following:

   a. A description of any document, statements, actions, dress or other information that would tend to support the deputies belief that the incident may be related to the activities of a criminal street gang.

   b. Whether any photographs were taken and a brief description of what they depict.

   c. What physical evidence, if any, was observed, collected or booked.

   d. A specific request that a copy of the report be routed to the gang unit.

   e. Any photographs taken or evidence collected shall be booked in accordance with current evidence booking procedures.
Chapter 6: Reporting Procedures
SECTION 1: Fraudulent Document (NSF CHECK) Procedure

1). Fraudulent Document (NSF CHECK) Procedure

1. Purpose:
   a. The purpose of this section is to provide guidelines in the handling of non-sufficient funds (NSF) checks that come under the jurisdiction of the Sutter County Sheriff’s Office. This section shall apply within the confines of Section 476a of the California State Penal Code, with modifications as necessary, as the law evolves and/or changes. The Sutter County District Attorney’s Office has entered into an agreement with a check restitution / prosecution program called “Check Enforcement Program”. If merchants or citizens call in, Sheriff’s personnel will provide them with the phone number of the check restitution / prosecution program 1-888-820-4173 or the internet web page www.hotchecks.net/sutter. Citizens that come into our office will be provided the attached packet entitled “Sutter County District Attorney’s Check Restitution.” If they do not wish to participate in the District Attorney’s program, then provide them with the Sutter County Sheriff’s requirement packet which is entitled “Sutter County Merchants,” and a copy of our “Check Acceptance Policy.” The following shall be the official policy of this Office on receiving, routing, filing, and investigation of fraudulent documents.

2). Receiving of Fraudulent Documents

1. NSF Check Procedure: Non-sufficient fund (NSF) checks will only be accepted under the following conditions:
   a. Checks total over $200.00 from same suspect.
   b. Must have Suspects Thumb Print.
   c. Forms must be filled out completely and legible.

2. Check Rejection: The following are reasons a submitter check may be rejected:
   a. Prior agreement to hold check-civil compromise effecting prosecution.
   b. Two party checks – unless forged.
   c. Post dated or written 100 days prior to submission to the Sutter County Sheriff’s Office.
   d. Out of state checks.
   e. No Suspect Thumbprint on check.
   f. Non-sufficient checks will only be accepted after the victim has made efforts by mail, telephone, or personal contact with the responsible party and been allowed time to make restitution. If the responsible party fails to make restitution then the check may be released to the Sheriff’s Office for investigation.
   g. Personnel (detectives, patrol deputies, and dispatchers) in the Sutter County Sheriff’s Office are authorized to receive the completed fraudulent document form with the original returned check. The check is to be placed in a plastic envelope.
   h. All fraudulent documents possessed, uttered, or passed within the jurisdiction of the Sutter County Sheriff’s Office shall be accepted, provided they meet our acceptance policy guidelines.
i. Personnel receiving the completed fraudulent document form will write their initials and the date in the location provided for on the form.

j. The completed fraudulent document form and the original check will be forwarded to the Detective Unit for processing and investigation.
SECTION 2: Investigation

1. **Investigation**

1. **Criminal Code Sections:** Acceptance of the check will be based on the authority of California Penal code sections 476a.(a) and 476a.(d) (2).

2. **Investigative Steps:** The completed fraudulent document form (form #1) and the original check will be forwarded to the Detective Unit for further follow-up investigations.
   
a. Upon receiving the fraudulent document, the investigator will be assigned a control number and appropriate information will be entered in the Master Check Log.

b. The fraudulent document form and/or check will be examined to determine if they contain all of the information required on the submission form. The check and/or form will also be reviewed to determine if they contain sufficient evidence necessary for criminal prosecution pursuant to Penal Code Section 476a, such as statutes of limitations, two party check, wrong jurisdiction, postdated check, (etc.). If it is determined that the submission form and/or check is deficient in any of these areas, the check will be sent back to the victim with the appropriate explanation and the investigation terminated. (Form #4).

c. If the investigation is to be continued, a letter (Form #2) to the responsible party will be prepared outlining the violation and giving detailed instructions concerning how to rectify the NSF check. The letter will outline the maximum days provided to the responsible party (7 days) after receipt of the registered mail in which to contact this Office.

d. If the responsible party does not contact the investigator or the victim in a timely manner to pay restitution, bank records of the responsible party will be requested (form #3).

e. The investigator will review the bank records to determine if they contain sufficient evidence necessary for criminal prosecution pursuant to Penal Code Section 476a. If it determined that there is a deficiency in this area (per District Attorney’s instructions), the check will be sent back to the victim with the appropriate explanation and the investigation terminated (Form #4).
SECTION 3: Restitution

1). **Restitution Payments:** Restitution is total payment for the amount of the NSF check and $10.00 (per check) “Return Check Bank Fee”. “Partial” restitution for a check will not be accepted.

a. Restitution is payable to the Sutter County Sheriff’s Office or directly to the victim.

b. Restitution is accepted in the form of cash, cashier’s check, or money order.

c. A fee of $25.00 (per check) is charged to the suspect for check processing. The fee is charged pursuant to section 476a(g) of the California Penal Code and is payable to the Sutter County Sheriff’s Office.

d. During normal business hours restitution paid to the Sutter County Sheriff’s Office will be accepted and receipted by the Civil Department. After hours, holidays and weekends, personnel in Dispatch will advised the party to return during normal business hours.

e. The Civil Department will notify the Detective Unit of the restitution payment. The investigating deputy will return the NSF check back to the suspect, and will make necessary entries in the Master Check Log and close the investigation.
SECTION 4: Forms

1). Fraudulent Document (Form #1)
   The fraudulent document form is to be completed by the victim, person who accepted the check, or person releasing the check to the Sutter County Sheriff’s Office. The original check is to accompany the form.

2). Notice by Mail (Form #2)
   The notice is a letter sent to the responsible party with the instructions how to resolve the NSF complaint.

3). Account Records Request (Form #3)
   The account records request is a letter sent to the bank requesting monthly transaction records of the NSF check account.

4). Return Check Explanation (Form #4)
   The return check explanation is a letter sent to the victim explaining that the check is being returned as a non-prosecutable check.
SECTION 5: Gunshot Wound Reporting

1) Gunshot Wound Reporting

1. Purpose:
   a. The purpose of this section is to comply with state law (Penal Code section 12008.5) requiring law enforcement to report victims of gunshot wounds, 18 years of age or younger, to the Department of Justice.

2. Reporting Requirements: It shall be the practice of Patrol Unit to fill out the California Firearms Injury report form. This form is to be filled out if law enforcement is investigating an incident of unintentional or self-inflicted gunshot wounds of a victim 18 years of age or younger. This report will then be routed to dispatch, which will then mail the white copy of the form to Department of Justice (DOJ) Firearms Division address, which is on the form. The yellow copy will be forwarded to records, which will file the form with the original report.
SECTION 6: Processing of Work Related Injuries

1). Processing of Work Related Injuries

1. Purpose:
   a. To provide a clear, consistent, and timely response to work related injuries to employees of the Sheriff’s Office. The following procedures will cause to be enacted when the employee reports an injury to the Office. If needed, the on-duty shift supervisor will be responsible for the proper service of the claim for workers compensation and proof of service. If medical attention is not sought or needed, the on-duty shift supervisor will be responsible for the prompt completion of the employee injury investigation form. For the purpose of this order, “employees” will also define those inmates assigned to work details administered by the Sutter County Sheriff’s Office. Those inmates under the supervision of other county departments or outside agencies shall assume the responsibility of properly providing and processing the workers’ compensation paperwork.

2. Procedure:
   a. When a report of injury is received, the on-duty supervisor must determine if the employee is in need of medical care. If medical attention is not required or refused by the employee, it will be the responsibility of the on-duty shift supervisor to complete the employee injury investigation form. This form will be forwarded to the Office safety officer. The employee injury investigation form will be completed prior to the supervisor going off-duty. Medical care is described as being seen by a physician, not a visit to the jail nurse.

3. Medical Treatment: If the employee requires medical care or informs the supervisor of an intended visit to a physician regarding the injury, the on-duty shift supervisor will be responsible for the following:
   a. The injured employee should be referred to Fremont-Rideout Occupational Health at 326 G Street, Marysville (530) 749-4411. If the employee is on duty and goes to Occupational Health, the time away from the job site will be considered on duty.
   b. If the employee elects to be examined by their private physician, the time spent away from the job site will be credited against the employee’s leave balances.
   c. Proper service to the employee of the claim for workers compensation benefits (DWC Form 1); facts for injured workers pamphlet, and related proof of service. The supervisor will fax the proof of service to the Sutter County Human Resources Department (822-7191) and the original provided to the Sheriff’s Secretary.

4. On-Duty Supervisor Duties: The on-duty shift supervisor will complete the employer’s report of occupational injury or illness (Form 5020) with as much detail as possible and provide to the Sheriff’s Secretary for completion. This report must be completed before going off-duty. This form is not to be given to the employee to complete.
   a. The on-duty shift supervisor will complete the employee injury investigation form prior to going off-duty. The form will then be directed to the Office safety officer for review.
   b. The shift supervisor will leave a copy of the employee injury investigation form for the Division Commander, who will then notify the Undersheriff of any injuries to staff or inmates on work details.
c. The responsibility to insure the policy is adhered to falls upon each on-duty supervisor in the respective divisions. In the absence of the shift supervisor, the officer-in-charge will assume those duties.
Chapter 7: Traffic Investigation
SECTION 1: Traffic Accident Reporting

1) Traffic Accident Reporting

1. Purpose: The purpose of this policy is to establish procedures for conducting traffic accident investigations in the annexed area of Yuba City and the contract area of Live Oak.

2. Policy:
The Sutter County Sheriff’s Office will be responsible for all traffic enforcement in the Yuba City annexation area and the City of Live Oak. This includes, but is not limited to, driving under the influence (DUI) investigations, radar speed enforcement, and traffic accident investigation.

The Sutter County Sheriff’s Office will investigate all traffic accidents involving property damage, injury, hit and run, and intoxicating liquor and/or drugs. If, during the investigation, individuals involved in a property damage only collision insist on exchanging required information in lieu of a formal collision report, parties will be allowed to do so after a deputy has advised them of the financial responsibility requirements of Vehicle Code Section 16000. However, deputies shall not solicit individuals to exchange required information in lieu of a formal collision report.

When the involved parties agree to exchange required information, the deputy handling the call for service, will notify dispatch and advise them the accident was investigated and the disposition will be “Name Exchange Only.” The deputy will also provide all involved vehicle license plate numbers and at a minimum, the driver’s license number of all involved parties so that it can be placed in the narrative of the call.

The format for accident reporting will be as outlined in the California State Collision Investigation Manual (CIM). The California Automated Reporting System, known as CARS, will be used to document all completed traffic accident investigations.

When a traffic accident is investigated and it is determined the accident is property damage only, the investigation narrative format will have the following headings at a minimum: Notification, Summary, Area of Impact, Cause, and Recommendations.

When a traffic accident is investigated and it is determined there is an injury or death, the investigation narrative format will have the following headings at a minimum: Notification, Scene Description, Parties, Physical Evidence, Statements, Opinions and Conclusions, and Recommendations. The Opinions and Conclusions section will consist of the following headings at a minimum: Summary, Area of Impact, and Cause.

Injuries will be classified in the following categories:

1) Fatal Injury – Death as a result of injuries sustained in a collision, or an injury resulting in death within 30 days of the collision.
2) Severe Injury – An injury, other than fatal injury, which results in broken, dislocated, or distorted limbs, severe lacerations, or unconsciousness at/or when taken from the collision scene.

3) Other Visible Injuries – Includes bruises, abrasions and minor lacerations.

4) Complaint of Pain – Authentic internal or other non-visible injuries (dazed, confused, incoherent, limping, persons stating injury, but do not appear injured.

During the investigation in which the only injury or injuries involve a “Complaint of Pain” claim the deputy may treat the accident investigation as a property damage only accident, provided the party exhibits no visible physical injuries, refuses medical treatment at the scene, and is not transported to a medical facility. However, the deputy shall document in the report the complaint of pain and that the party refused medical treatment and transport.

If the accident involves a hit and run resulting in arrest, or an injury collision, a traffic accident report will be completed in the same narrative format as an injury report with the additional heading of “Hit and Run” after the “Physical Evidence” heading. If the accident does not involve a criminal violation, or if it is a misdemeanor hit and run violation with no suspect information or evidence, a traffic accident report will be written in the property damage only narrative format with the additional heading of “Hit and Run” after the “Notification” heading.

In the “Hit and Run” section, the deputy will document the information obtained during the investigation showing suspect information and/or evidence or the lack of suspect information and evidence.

When a traffic accident is investigated and an intoxicated driver is arrested, the investigating deputy will document the accident using the injury narrative format. The traffic accident report will reflect the details of the accident and contain information regarding the DUI under the heading of “Intoxication” after the “Summary” section in the “Opinions and Conclusions” section. The field sobriety test, investigation interview and objective symptoms will be listed on the DUI investigation report (CHP 202 form) with a synopsis of the event and description of the field sobriety test given listed in the narrative section of the 202 form.

For tracking purposes, the Incident Information page and the Offense page in the Report Manager/ AS400 needs to be completed by the deputy handling the investigation if the traffic accident is determined to be a “Hit and Run” or involves an intoxicated driver.

When the deputy has completed the documentation process for the traffic accident, there will no requirement for the “Sketch” on page two of the CHP 555 form. However, if there is an injury or if the report is being forwarded to the District Attorney for prosecution of any kind, the “Factual Diagram” on page four of the CHP 555 form, will be prepared by the deputy and attached to the report.

When a deputy needs to issue a citation as a result of a vehicle accident and is not qualified to do so, Pursuant to Section 40600 (a) of the Vehicle Code, the report will be forwarded to the sergeant designated as the traffic supervisor for the Operations
Division. The party at fault in an accident should only receive a citation when there is a clear violation. However, discretion and good judgment will always be the rule in the decision to write a citation for an accident.

3). Release of Reports:
Traffic accident reports shall be released in accordance with the California Vehicle Code section 20012 to persons who have a proper interest therein. The crime report shall be released if the conditions of release have been met as outlined in California Government Code section 6254. The Sutter County Sheriff’s Office - Records Unit will release the traffic accident report as outlined, keeping the DUI or Arrest forms separate until they can be released.
Chapter 8: Specialized Units
SECTION 1: Office Make-Up

1. Office Make-Up:
   a. The purpose of specialized units within the Sutter County Sheriff’s Office is to address special needs that cannot be accomplished with the general assignment of Office members. A secondary benefit derived from participation in a specialized unit is training and experience that is achieved from participation in that specialized unit.

2. Specialized Units:
   a. The specialized units within the Sheriff’s Office provide trained members who provide special needs concerning the public safety of the community and Office in general. Assignment to a special unit such as Court Bailiff or Live Oak will require assignment other than the main office. Nothing precludes members for application to special units within other divisions if the minimum qualifications are met. The specialized units are identified as the following but may also include other assignments not identified below:
      a). Operation Division:
         1). Live Oak Assignment  
         2). Boat Patrol Unit  
         3). Underwater Recovery Team  
         4). Swift Water Rescue  
         5). Field Training Officer  
         6). Special Enforcement Detail  
         7). Hostage Negotiation Team  
         8). Bicycle Patrol Team  
         9). K-9 Team  
        10). Range master
      b). Jail Unit:
         1). Jail Training Deputy  
         2). Jail Extraction Team  
         3). Court Bailiff  
      c.) Support Services Division
         1.) Civil  
         2.) Dispatch Training Deputies

3. Length of Duty Time: In general, assignment to a special unit is for a period of three years. A fourth year may be requested at the agreement of the Sheriff, the Division Commander, and the employee. The agreement would be contingent on a review of the employee’s evaluation during the assignment and contribution to the unit.
   a. Some specialized units such as K-9, Office range master, SED, and training officer are not regulated with the three year time limit. These types of special units are based on willingness and ability to continue in the function of the unit and on performance levels.
Chapter 9: Coroner Responsibilities
SECTION 1: Sheriff-Coroner Authority and Responsibility (Executive Order #03-2015)

1). Authority

1. Code Authority:
   a. The policies/protocol established herein is adopted pursuant to Section 102850 of the California Health & Safety Code and Sections 27491-27491.3 of the California Government Code.

2. Authority to Conduct Examination: No post-mortem examination, photographing, removal of clothing or effects, or handling of bodies in any manner whatsoever except that necessary for preservation of lives and safety of others shall be performed except by the specific authorization of the representatives of the Sheriff Coroner.

2). Sheriff-Coroner Responsibility

1. Oversight: The administration, coordination and operation of this plan will be the responsibility of the Sheriff-Coroner of Sutter County.

2. Mandatory Reporting of Deaths: In the event of deaths within the above criteria, the persons becoming aware of such deaths shall report them immediately to the Sutter County Sheriff’s Office.
SECTION 2: Coroner Operational and Procedural Protocol

1. **Coroner Operational and Procedural Protocol**

   1. **Purpose:**
      a. To provide broad guidelines relative to the reporting of deaths to the Coroner by all law enforcement jurisdictions within Sutter County.

   2. **Protocol:** The operating protocol and procedures contained in this manual are recommended for use by all law enforcement officers in Sutter County as follows:
      a. Deaths that are reportable to the Coroner:
         1. All deaths outside of medical facilities are immediately reportable to the Coroner, as are all traumatic deaths in medical facilities as defined in Section 27491 C.G.C.
      b. Notification Requirements:
         1. Law mandates that the Coroner be notified immediately by any person having custody and control of a deceased person’s body and finding the death to fall within any classifications listed in C.G.C. 27491.
         2. The agency with primary jurisdiction over the location of death shall have responsibility for notification to the Coroner as required by this section. (Note: if the body has been transported to a medical facility outside of the jurisdiction that has primary investigative responsibility the case should be reported by the investigating agency.)

   3. **Reporting Procedure:**
      a. Deputy Coroners will write all Coroner reports into the Crimes Management System (CMS) utilizing the report writing software, or by direct entry in the CMS. An event number will be assigned to each Coroner and Reportable Coroner case. The Department Classification table now includes a selection for “Coroner Report” and a selection for “Reportable Coroner Report.”
      b. When filling the boxes in the report, the “Occur From Date” box will be the date the decedent was last seen alive. The “Occur to Date” box will be the date the decedent was found deceased.
      c. The Person Table now includes Decedent, Informant, and Physician as choices to be used in completing a report.
      d. Deputy Coroners will write the narrative using the attached Coroner’s Checklist as a guide (SCSO CO Form#1). The checklist has a series of questions needed for the coroner investigation, the property of the deceased, and the death certificate. The body of the narrative will include all pertinent details and the report will be forwarded to the Detective Unit.
      e. The “Case Status” will be left “Active.” The assigned detective will be responsible for changing the status of the case.
      f. All property will be reported in the property section.
      g. All documents related to the investigation will be routed to the Detective Unit.

   4. **Reporting Considerations:** Considerations that need to be addressed when reporting deaths:
a. When circumstances create a delay in accessing the body.
   1. Search Warrant: Coroner may enter the crime scene and examine the body for Postmortem changes and dissipating evidence prior to warrant. (Mincey v Arizona) 27491.2(a) C.G.C.
   2. Necessity to collect evidence in pathway to body.
   3. Delays in response by other investigative agencies such as a Homicide Detective responding from out of county.
   4. When time of death is unknown.
   5. Un-witnessed deaths
   6. Unreliable witnesses
b. The above considerations need to be discussed with the Coroner when the death is reported. The Coroner will then determine when to respond to the scene based on the information provided by the reporting party. This decision shall not be made for the Coroner by law enforcement agencies, as medical legal considerations need to be evaluated by the Coroner as is required by law.

5. Processing of the crime scene by law enforcement agencies: California Government Code Section 27491.3(c) provides for the processing of death scenes by law enforcement agencies on criminal deaths. This section states that “the Coroner shall allow reasonable time at the scene for the investigation by other law enforcement agencies.” Although the Coroner may elect not to respond to a crime scene immediately, due to processing by other law enforcement agencies, the case should be discussed with the Coroner prior to the collection of any property, weapons, moneys, or other valuable items, as required by law.

   Photographing scene: Photographs will only be taken using a Sheriff’s Office issued camera. Staff shall not take any photographs, video or audio recordings with a personal camera, personal recorder or a telephone. Deputies shall not share any photographs, video or audio recordings taken in the course of duty with the Sheriff’s Office with anyone other than Sheriff’s Office staff who have an official investigative need.

6. Bodies in public view: Consideration shall be given to protect the dignity of the victim without the loss of, or destruction of, physical evidence.
   a. Body may be covered with an unused plastic emergency blanket (under ideal circumstances the body should be left uncovered). A decision to cover the body should be made only when absolutely necessary.
   b. Body should be processed as soon as possible for evidence that may be lost in transport, but only after arrival of the Coroner.
   c. Transport of the body should be permitted as soon as possible, giving full consideration of the need to protect or collect physical evidence.

7. Bodies creating a public hazard: In any case where the presence of the body is creating a hazard, the Coroner shall be advised immediately by phone, and will evaluate the circumstances. If circumstances warrant, the Coroner will authorize the body to be moved to a nearby location.
   a. Body in the roadway where extreme traffic conditions exist and the scene cannot reasonably be rendered safe.
   b. Violent homicide scenes with suspects still in the area and upon request of officers at the scene.
   c. Bodies in hospital emergency rooms occupying space needed to treat other patients.
   d. Bodies blocking access by rescue personnel.

8. Criminal deaths in hospital emergency rooms: The body is a valuable piece of evidence
in a homicide case and chain of custody must be maintained. Whenever possible an officer should accompany the body to the emergency room and insure that the Coroner is notified immediately upon pronouncement of death and remain with the body until the Deputy Coroner arrives.

a. Once the body has been pronounced dead it falls within the Coroner’s jurisdiction and it may not further be disturbed by hospital staff.

9. Post Mortem Examinations: The Detective Unit is responsible for scheduling and attending Post Mortem examinations in accordance with the below policies.

a. Upon a determination for the need for a Post Mortem examination, the on-call detective will telephone Forensic Medical Group (FMG) and schedule the exam. In the event no one answers, the detective will leave a detailed message.

b. Prior to the scheduled exam, the on-call detective will coordinate with FMG to ensure they have all the necessary paperwork for the Post Mortem examination.

c. The on-call detective will attend only those Post Mortem Examinations involving a homicide, suicide or suspicious death.

d. The on-call detective will respond to the on-call mortuary to retrieve any tissue samples or documents on as needed basis.

e. The on-call detective will initiate the death certificate through the Electronic Death Certificate System (EDRS).
SECTION 3: Coroner Training

1). Coroner Training

1. Training: The Detective Unit of the Sheriff-Coroner Office will provide continuing education to law enforcement agencies in current laws, policies, and procedures for the reporting and investigation of deaths falling within the jurisdiction of the Coroner.

   a. Training will be provided and scheduled at the request of the law enforcement agency.

   b. Continuing education courses or coroner updates will be provided as laws are amended or as policy changes require.
SECTION 4: In-Custody Deaths

1). In-Custody Deaths

1. Deputy Involved/In-Custody Deaths: Deputy involved and in-custody deaths generally involve multiple considerations. It is recognized that several separate but parallel and often overlapping investigations may be conducted.

   a. On cases where death has occurred while in custody of the, or at the hands of a Sheriff’s employee, the Sheriff-Coroner will assume responsibility for the Coroner’s investigation. The California Department of Justice, or the State Attorney General’s Office, or other independent law enforcement agency will assume responsibility for the Criminal Investigation.

   b. The Sheriff-Coroner Office will provide a Deputy Coroner Investigator to assist in the State agencies investigation, if such request is made.

   c. When death occurs while in custody of a Law Enforcement Deputy other than those employed by the Sheriff-Coroner, the Coroner’s investigation shall be conducted by the Deputy Coroner Investigator in cooperation with any other agency having investigative jurisdiction.
SECTION 5: Death Notification to Next of Kin

1). Death Notification to Next of Kin

1. Responsibility: It shall be the responsibility of the Deputy Coroner Investigator to insure that the family of the deceased has been promptly notified of the death following a sudden and unexpected death as defined in C.G.C. 27491.

2. Protocol:
   a. Cases where the decedent’s next of kin lives outside of Sutter County: The Deputy Coroner will contact the appropriate law enforcement agency having jurisdiction over the area in which the next of kin reside and request they make notification in person whenever possible.
   b. Cases involving homicide: The Deputy Coroner will discuss the case with the investigating officers having jurisdiction over the criminal investigation. A mutual decision will then be made as to who will make notification based on the following:
      1. Is the next of kin a possible suspect in the criminal investigation?
      2. Is there information that needs to be obtained by the criminal investigators at the time of notification?
      3. Are the circumstances such that it would benefit the medicolegal and the criminal investigation if both the Deputy Coroner and Criminal Investigator make the notification together?
         (Note: In all non-criminal deaths, and in criminal cases where it is agreed upon by both the Criminal Investigators and the Deputy Coroner, the Deputy Coroner will make every effort to notify the next of kin in person as soon as practically possible.)
   c. Cases involving In-Custody and Officer Involved Deaths: In cases involving Sheriff’s Office custody or Sheriff’s personnel, the Sheriff-Coroner will have primary responsibility for notification of next of kin. In all other in-custody and officer involved cases refer to the above Section b, of this protocol.
SECTION 6: Non-Coroner Hospice and Terminally Ill Investigations

1. **Non-Coroner Hospice and Terminally Ill Investigations**

   1. **Purpose:** To define the policy and procedures when dealing with non-coroner Hospice and terminally ill patients.

   2. **Communications Responsibility:** Dispatch will maintain a list of eligible patients who have been diagnosed as terminally ill by a licensed physician. The word Hospice and terminally ill shall mean the same thing. This list shall be known as the Hospice/terminally ill list.

      a. Dispatchers receiving a call from a doctor or a nurse wishing to place a patient on the Hospice/terminally ill list must obtain the following information on the attached form entitled “Hospice/Terminally Ill Information Sheet.” Dispatch will maintain these forms alphabetically in the dispatch center.

      b. When notified of a hospice/terminally ill death, dispatch will obtain the following information on reportable deaths.

         1. Full name and date of birth of the decedent.
         2. Date and time of death.
         3. Name and phone number of the doctor that will sign the death certificate.
         4. Mortuary that they (family) expect to call.
         5. Name of reporting party, care home, and phone number reporting the death.
         6. An RCO number shall be issued and a copy of the CAD call will then be printed and provided to the Chief Deputy Coroner.
         7. In most cases, Hospice patients or those terminally ill are often diagnosed with six months or less expectation of life. Dispatch will need to verify the patient’s status every six months with the Doctor of Record or the Hospice Center.

3. **Deputy Coroner Responsibility:** Currently, a Deputy does not respond to a Hospice call for the sole purpose of pronouncing the person deceased. This is the responsibility of the medical doctor, admission nurse or home-care nurse. The Hospice patient has previously provided, through the doctor of record or caregiver, the cause of expected death. If need be, this information will be confirmed by the Chief Deputy Coroner.

   a. In the event that someone is terminally ill, they may have their name placed on our Hospice/terminally ill list. The only difference will be that a deputy may be called upon to respond to a private residence and pronounce the death. At no time will a deputy need to respond to the larger licensed care facilities such as Emanuel, The Fountains, or Live Oak Manor for the sole purpose of pronouncing death. At some of the smaller rest homes that do not have a licensed nurse on staff 24 hours a day, a Deputy may have to respond to pronounce death.
1). **Coroner’s Disaster Plan**

   1. **Objective:** The objective of this section is to define and coordinate the responsibilities and duties of the Coroner Section relative to providing care of dead bodies following a large scale disaster or accident.
   
   2. **Authority:** The California Government Code, Section 27491 directs the Coroner to inquire into and determine the circumstances, manner and cause of death resulting by an accident.
      
      a. It is the responsibility of the Coroner to take custody of dead bodies, determine identity, cause and circumstances of death. Such responsibility shall be in force for all deceased disaster victims whether such persons die as a result of traumatic injury, chemical exposure, and epidemic disease, unknown or other causes.
   
   3. **Definition:** For the purpose of this plan, and for effective implementation of related disaster plans:
      
      a. A disaster is defined as any single or combined event causing the deaths of six or more persons; or causing the bodies of four or more persons not to be visually identifiable.
SECTION 8: Morgue

1). Morgue Facilities:

   1. Overview: Functions of body examination, identification, storage and release will be conducted within a morgue or temporary morgue operated by the staff of the Sutter County Sheriff Coroner.

2). Morgue Operations:

   1. Facilities: A morgue facility should be selected with the following in mind:

      a. The size and extent of the disaster, and the number of bodies to be handled.
      b. The available utilities must include light, communications capability, running water and electric power for Stryker saws and tools. Whiteaker Hall Training Center could be used for most large disasters such as an airliner crash.
      c. Storage facilities providing an average 24 hour ambient temperature of 35 to 40 degrees F. Refrigerated trucks are an expedient solution.
      d. Working space and surrounding work areas require approximately 6 by 6 feet, or 36 square feet, per body to be examined at any given time. Tables for each body are necessary.
      e. Available space is required for separating incoming bodies, bodies under examination and bodies having completed examinations.
      f. A loading dock or ramp is necessary if refrigerated trucks are utilized.
      g. Morgue area security must also be maintained.
      h. Procedure, body examination and identification will be separated into three functions:
          1. Section A: Incoming information/manifest review.
          2. Section B: Body examination/Generation of information.
          3. Section C: Comparison, Identification and Restore.

2. Incoming Information/Manifest Review: Section A will receive all incoming information, notice of persons missing, manifest, physical descriptions, fingerprint and dental records, etc., and will compile this information into chart form for comparison to information generated by Section B.

3. Evidence Recordation: Section B will receive each body or item of collected material from the disaster site, described and record such physical description, clothing, and personal effects as may be observed and compile this information into chart form for comparison to Section A.

4. Autopsy Examination: This section will complete autopsy examination, specimen collection and dental charting or fingerprinting. All effects observed with bodies will be individually bagged and inventoried, but will be left with the remains until cataloguing by Section B.

5. Recordation: Section C will compare and compile the information collected by Section A and B. Additionally, Section C will be responsible for documentation, certification and receipting, as well as notification to other sections when identifications are established.
SECTION 9: Standard Operation Procedures

1. Declaration of Emergency: Upon receipt of a declaration of an emergency, the Sutter County Sheriff Coroner or his representative will accomplish the following:
   a. Insure the Chief Deputy Coroner is advised and on duty.
   b. Alert all Sutter County Detectives, the Evidence Officer and make them available to assist as needed for investigation, removal and identification.
   c. The Chief Deputy Coroner will arrange for equipment and specialized supplies.
   d. The Chief Deputy Coroner, when necessary, will make provisions for the activation of additional services or assistance for additional agencies for identification and examination of bodies.

2. Crime Scene Protection: Effective, rapid identification of remains in disasters is contingent upon maintaining personal effects and debris intact with the remains and free of contamination prior to examination.
   a. Establish a perimeter around the scene to prevent disturbance of the remains and physical evidence. [Responsibility of local law enforcement agency.]
   b. Maintain security of the area and establish identification procedures for necessary personnel to enter the area. [Responsibility of local law enforcement agency.]
   c. Establish a local communication center. [Responsibility of local law enforcement agency.]
   d. Obtain consecutive identification numbers and containers for each body or body part. [Coroner’s responsibility.]
   e. Consecutively number all bodies or body parts. [Chief Deputy Coroner’s responsibility.]
   f. Chart and photograph the location of the bodies or body parts with respect to debris. [Chief Deputy Coroner’s responsibility.]
   g. Photograph the scene with identifying number stakes on bodies and debris. [Chief Deputy Coroner and law enforcement responsibility.]
   h. Remove the bodies with all attached debris, adjacent body fragments and effects as one unit. [Chief Deputy Coroner responsibility.]
   i. Place bodies in refrigeration, preferably near the scene. [Chief Deputy Coroner’s responsibility.]
SECTION 10: Removal of Remains

1. **Removal of Remains**

   1. **Coroner Responsibility:** The Chief Deputy Coroner will supervise all body removal from the disaster scene in accordance with the following procedures:
      
      a. No removal shall be attempted prior to photography and charting of the disaster scene.
      
      b. All bodies shall have an identification tag securely attached.
      
      c. The Chief Deputy Coroner, or Deputy Coroner, shall assign the removal number [name if known] before the body is moved from the place of death.
      
      d. Portions of bodies found together shall be removed together under one removal tag. Each body part shall be tagged with same assigned number.
      
      e. Bodies will be located at one specified dispatching point and removed only after clearance by the Chief Deputy Coroner or designee.
      
      f. Bodies will not be removed until a mortuary or temporary morgue is established.
      
      g. Qualified Deputy Coroner’s will inspect bodies and assign a Coroner’s case number.

   2. **Concurrent Jurisdictions:** Upon notification of a disaster, the Sutter County Sheriff Coroner’s Office will assume responsibility for notification of agencies with concurrent jurisdiction or investigative responsibilities. [i.e., Federal Aviation Administration, National Transportation Safety Board, FBI Disaster Squad, Center for Disease Control, Military Authority, etc..]
1). Release of Information

1. Body Identification Release: Bodies identified or tentatively identified early during the course of the investigation and information regarding the same will not be released until completion of the entire identification and investigation process or appropriate segments thereof.

2. Information Request: All requests for positive identification and/or release of bodies to relatives will be referred to the Chief Deputy Coroner. Bodies, effects and identification information will be released only at the direction of the Coroner.
SECTION 12: Contamination

1. **Contamination**

   1. **WMD Contamination:** If contamination from radioactive, chemical or bacterial substances is suspected, identification procedures will be conducted out-of-doors, if possible.

   2. **Hazardous Clothing/Articles:** Contaminated clothing and article removal will be accomplished before bodies are moved inside, or the entire contaminated body will be wrapped in protective material for transportation.

   3. **Safety Concerns:** Contaminated clothing and bodies will be handled in a manner as to prevent other areas and people from being contaminated.

   4. **Radioactive Clearance:** In the event of radioactive contamination, the nuclear medicine department of a hospital is best qualified to provide clearance before removal of bodies.
SECTION 13: Resources

1). Resources

   1. Determining Need: The Coroner reserves the option of determining the extent of the disaster and requesting additional services or assistance from additional agencies for identification and examination of bodies as needed.

   2. Basic Equipment: The Sutter County Sheriff-Coroner maintains a standby dental expert, post-mortem fingerprint equipment, body bags and autopsy equipment for use upon notification of the circumstances of a disaster.

      a. This ready reserve will accommodate the first 25 bodies.
SECTION 14: Organ and Tissue Donation Policy

1). Organ and Tissue Donation Policy (Executive Order #03-2008):

Subject: Organ and Tissue Donation Program

Authority
CALIFORNIA HEALTH AND SAFETY CODE Chapter 3.5 (Uniform Anatomical Gift Act) CALIFORNIA GOVERNMENT CODE §27491.44

Policy Statement

The Coroner’s Office supports the Uniform Anatomical Gift Act and shall work closely with community organizations (i.e., Golden State Donor Services and Sierra Eye and Tissue Donor Services) for recovery of as many organs and tissues as possible for cases under the Coroner’s jurisdiction.

Special attention shall be given to Coroner cases where homicide and suicide are known or suspected because of law enforcement involvement and the potential of subsequent litigation. In these cases the Coroner’s Office must ensure the circumstances, manner, and cause of death can be determined prior to release of the deceased to donor organizations for organ and tissue removal.

Procedure

DCI DONOR SERVICES

DCI Donor Services is a conglomerate of the following:
- Golden State Donor Services
- Sierra Eye & Tissue Donor Services
- Tennessee Donor Services
- New Mexico Donor Services
- Mountain Region Donor Services

They will receive reports at no charge.

AUTHORIZATION TO RELEASE

Deputy Coroners are authorized to release organs and tissues for recovery to the extent the following criteria permit. Such permission applies only to the giving of the Coroner’s release authorization. Actual recovery requires the permission of the legal next-of-kin of the deceased as defined in Health and Safety Code §7151. This Health and Safety Code definition applies throughout this policy and procedure when “legal next-of-kin” is stated.
In compliance with SB 1403, donor organizations shall obtain the written consent of the legal next-of-kin prior to organ and/or tissue removal. Non-written consents (i.e., telephonic consents) must be documented according to the requirement of SB 1403 and submitted to the Coroner’s Office for permanent retention.

**Pre-autopsy Recovery:** These criteria apply to pre-autopsy recovery of tissue and organs. After the autopsy is completed and the body is released, all requested recoveries are outside the jurisdiction of the Coroner’s Office. For potential organ donations, the transplant coordinator shall obtain consent from the legal next-of-kin prior to contacting the Coroner’s Office for permission to cover the organs.

**REQUEST FOR EXAMINATION**

The Transplant Coordinator may, on occasion, request that a forensic pathologist examine a patient in the hospital prior to the Coroner’s Office deciding whether or not to release a decedent for organ and/or tissue recovery. In those cases, the Transplant Coordinator will arrange for this examination and be present with the Forensic Pathologist at the hospital to examine the patient. The requesting donor organization shall assume full financial responsibility for any charges and/or expenses associated with this external examination.

**POTENTIAL DONORS**

For potential tissue donations, the donor organization will contact a Deputy Coroner to determine the classification of the Coroner’s case. Once the classification has been made, releasable tissue will be determined by the criteria contained in this policy and procedure. The donor organization shall obtain consent from the decedent’s legal next-of-kin prior to contacting the Coroner’s Office again for the required release authorization for tissue recovery. **All tissue not included in the policy may be recovered once the forensic autopsy or external examination is completed by the pathologist.**

**VITREOUS FLUID/PERIPHERAL BLOOD SAMPLES**

On all Coroner’s cases, the donor organization will draw vitreous fluid samples (if an eye donor) and peripheral blood and hand-deliver them to the Coroner’s Office according to the Office’s procedure to ensure chain of custody requirements. If both organ and tissue donor organizations are involved in the recovery, one set of blood tubes is sufficient for both. In addition, after all organ donations, GSDS will fax a completed “Coroner’s Notice of Organ Procurement” form to the Coroner’s Office.

**APPEAL** (see Appeal Process on Recovery Requests Flowchart)

Donor organizations may appeal a Deputy Coroner’s decision to prohibit organ and/or tissue recovery of a particular Coroner case. If the attending and/or trauma physician wants to discuss medical issues related to the appeal, the Deputy Coroner shall contact the Pathologist on duty or on-call and request that the Pathologist contact the physician to review the medical aspects of the case. The Pathologist will convey the medical recommendations to the Deputy Coroner responsible for the case.
Final Decision: The supervising Coroner, who may consult with a Pathologist as appropriate, will make the final decision when the donor organization appeals the decision of a Deputy Coroner.

EVIDENCE OF TRAUMA

Transplant surgeons and Tissue Recovery Coordinators shall cease surgical removal procedures if evidence of significant trauma to the affected area is encountered. When internal trauma is identified, the surgeon and/or coordinator shall immediately contact the Coroner’s Office and speak directly to a Deputy Coroner for instructions on how to proceed. All traumas will be fully documented by the transplant team and submitted to the Coroner’s Office.

GUIDELINES

The following guidelines will be observed in determining which Coroner cases are suitable for organ and tissue recovery. The intent of these guidelines is to maximize the cases that can be referred to donor organizations for recovery while ensuring that the mandated functions of the Coroner’s Office are carried out.

CATEGORY 1 CHILDREN – (Under 12 years of Age)

- A. PUBLIC WITNESSED NEAR DROWNING
  Allowed: Eyes and anything below the neck

- B. CASES COVERED IN CATEGORIES 2, 3, 4 and 5
  Will be determined after consultation with the Coroner’s Office.

- C. SIDS and INFECTIOUS CASES
  No recovery allowed.

CATEGORY 2 HOMICIDES – (Includes deputy-involved shootings)

- A. CHILD ABUSE
  No donation will be permitted.

- B. GUNSHOT WOUNDS OF THE HEAD
  Anything below the neck, following receipt of adequate oral report from attending physician or OPO (Organ Processing Organization) representative documenting lack of trauma to other areas of the body. If history or medical documentation is equivocal, consultation with pathology may be necessary.

- C. OTHER GUNSHOT WOUNDS
  Anything not affected by the track of the gunshot, following receipt of adequate oral report from attending physician or OPO (Organ Processing Organization) representative documenting lack of trauma to other areas of the body. If history or medical documentation is equivocal, consultation with pathology may be necessary.

- D. NON-GUNSHOT WOUND HOMICIDES (blunt trauma, stab wounds, etc.)
Anything not affected by trauma, following receipt of adequate oral report from attending physician or OPO representative documenting lack of trauma to other areas of the body. If history or medical documentation is equivocal, consultation with pathology may be necessary.

E. EYES IN ALL HOMICIDES CASES
   Allowed, after body is received by Coroner’s Office and subsequently viewed by pathologist during normal hours.

**CATEGORY 3  ACCIDENTS** – (Including Motor Vehicle Accidents)

A. VEHICLE vs. PEDESTRIAN (Includes bicycle and motorcycle)
   If, after the deputy has obtained relevant information from the concerned law enforcement agency, it is clear that criminal charges are not pending, donation is allowed for organs and tissues uninvolved by trauma. If criminal charges are being considered, consultation with pathology is required.

B. ALL OTHER ACCIDENTS
   1. Head trauma only
      Allowed: Eyes and anything below the neck.
   2. Chest or chest/abdominal trauma
      Allowed: Eyes and anything below diaphragm if confirmed undamaged.
   3. Abdominal trauma only
      Allowed: Eyes and anything confirmed undamaged.
   4. Minimal trauma or if the investigation suggests a cardiovascular event
      Allowed: Eyes, heart and anything below the diaphragm not affected by injury after consultation with Pathology. The donor service will provide a cardiac pathology report if the heart is recovered for valves.

C. ASPHYXIAL ACCIDENTS (including positional asphyxiation)
   Every case requires consultation with Pathology.

**CATEGORY 4  SUICIDES**

A. GSW (Gunshot Wound)
   Allowed: Anything uninvolved by trauma.

B. OVERDOSE
   Allowed: Eyes, leg veins and long bones of the arms, bones of the pelvis and lower extremities and heart for valves taken without consultation. Other organs after consultation with Pathology. The donor services will provide a cardiac pathology report if the heart is recovered for valves.

C. SHARP INJURIES
Chapter 9: Coroner Responsibilities

Allowed: Eyes, leg veins, long bones of the arms, bones of the pelvis and lower extremities, heart for valves and anything not in the area of, or affected by, the injury. The donor service will provide a cardiac pathology report if the heart is recovered for valves.

D. ASPHYXIATION (including HANGINGS)

Allowed:

1. Eyes after viewing by Pathology. Other tissues acceptable prior to viewing include leg veins and long bones of the arms, bones of the pelvis and lower extremities and heart for valves. The donor service will provide a cardiac pathology report if the heart is recovered for valves.

2. Hospital in-patient cases:
   Following discussion with Pathology.
   Chart review cases: any organs or tissue allowed.

3. External exams
   Leg veins and long bones of the arms, bones of the pelvis and lower extremities and heart for valves. The donor service will provide a cardiac pathology report if the heart is recovered for valves.

CATEGORY 5  NATURALS

Allowed:
Eyes, leg veins, long bones of the arms, bones of the pelvis and lower extremities. No internal organs will be allowed before autopsy.

CATEGORY 6  UNDETERMINED

It is understood that by the nature of an initial classification of “Undetermined” no organs will be donated.
Chapter 9: Coroner Responsibilities

DEFINITIONS

A. CHEST
The part of the body located between the neck, the ribs and the breastbone. The organs and tissues are located above the diaphragm.

Includes: Heart, heart valves, lungs.

B. ABDOMEN
The area between the thorax and the pelvis that encloses the visceral organs below the diaphragm.

Includes: Liver, pancreas, spleen, kidneys, adrenal glands, intestines, vertebral bodies, and abdominal aorta.

C. EYES
The organ of vision.

Includes: The globe, sclera and cornea. Vitreous fluid sample should be retained for possible testing.

D. BELOW DIAPHRAGM
The area below the lungs.

Includes: All of the abdominal organs plus the bones of the pelvis and lower extremities.
Chapter 9: Coroner Responsibilities

Family Consents

Procurement Agency Calls Deputy Coroner for permission

Yes → Proceed with Recovery → FND

No → Accepted by Procurement Agency?

Yes → FND

No → Deputy calls Supervisor

Supervisor makes a Decision

Deputy Informs Procurement Agency → FND

Deputy calls Pathologist with telephone or pager number of attending physician

Pathologist calls Attending Physician to discuss

Pathologist calls Deputy with result and reasoning

Deputy agrees with result?

Yes → Deputy calls Agency → FND

No → Deputy calls Supervisor

Supervisor decides on course of action

Deputy Informs Procurement Agency → FND

Appeal Process on Recovery Requests

Yes

Yes

Yes

Yes

No

No

No

No
INDEX

Conduct in Making Arrests or Toward Prisoners .......................................................... 19
Conduct in Public ........................................................................................................... 3
Conduct on Duty .......................................................................................................... 9
Conduct Toward Other Members .............................................................................. 10
Conduct with Public ................................................................................................... 14
Conduct: Introduction and Purpose ........................................................................... 6
Confidential Information .............................................................................................. 27
Conflicting Orders ....................................................................................................... 13
Conformity to Rules and Regulations ....................................................................... 10
Consensual Test ........................................................................................................... 162
Consequences of Use of Force ................................................................................... 88
Consumption of Intoxicants ......................................................................................... 7
Contact with Board of Supervisors ........................................................................... 7
Contamination ............................................................................................................ 221
Continuation of Command ......................................................................................... 5
Contributions ............................................................................................................... 8
Cooperation ................................................................................................................ 9
Cosmetics .................................................................................................................... 9
Court Appearances ...................................................................................................... 21
Courtliness .................................................................................................................. 9
Criteria for Assignment to Light Duty ........................................................................ 37
Criticism of Orders ....................................................................................................... 12
Criticism of the Department and/or Members ............................................................. 6
Criticism of the Office and/or Members ...................................................................... 6
Defensive Weapons and Use of Force ........................................................................ 3
Definition - Coordination ......................................................................................... 104
Definition - Failure to Yield ....................................................................................... 104
Definition - Initiating Pursuit Unit ............................................................................. 104
Definition - Light Duty ............................................................................................... 36
Definition - Pursuit .................................................................................................... 104
Definition - Secondary Pursuit Unit .......................................................................... 104
Definition - Supervisor .............................................................................................. 104
Definition: “Light Duty” ............................................................................................ 36
Definitions - Pursuit ................................................................................................. 104
Delegation of Responsibilities .................................................................................... 4
Department Business Cards ......................................................................................... 23
Department or Duty Schedule ..................................................................................... 10
Department Radio Call Numbers .............................................................................. 25
Department Response Code ...................................................................................... 29
Departmental Radio System ....................................................................................... 25
Deployment and use of Pepperball Compliance System ............................................. 95
Deployment locations ................................................................................................. 111
Deputies at Crime Scene ............................................................................................. 18
Destruction of Records ............................................................................................... 23
Disaster - Resources .................................................................................................. 222
Disaster Scene - Morgue Operations ......................................................................... 217
Disaster Scene - Resources ......................................................................................... 222
Discard of Used Protective Equipment ..................................................................... 164
Discharge of Firearms – Injury and/or Death ............................................................ 85
Discharge of Firearms-No Injury or Death ................................................................. 86
Discharging of Firearms ............................................................................................. 85
Dispatcher Response to Domestic Violence and Violation of Court Orders Calls .................. 155
Dispatchers – Duties and Responsibilities .................................................................. 26
Disposition of Contributions and Unauthorized Gifts or Gratuities ................................. 8
Dissemination of Departmental Information ................................................................ 7
Dissemination of Office Information .......................................................................... 7
Disturbances - Dispersal Order ................................................................................... 119
Disturbances - Initial Handling of Calls ..................................................................... 117
Disturbances - Operational Procedure ..................................................................... 117
Disturbances - Plain Sight Observations .................................................................... 118
Disturbances - Plain Sight Observations .................................................................... 118
Disturbances - Refusal to Quiet Down ...................................................................... 118
Disturbances - Repeat Calls ...................................................................................... 118
Disturbances - Sufficient Opportunity to Leave ....................................................... 119
Domestic Violence ...................................................................................................... 145
Domestic Violence - Children .................................................................................... 158
Domestic Violence - Citations in lieu of Physical Arrest ............................................. 153
Domestic Violence - Citizen Arrest .......................................................................... 159
Domestic Violence - Citizen Arrest .......................................................................... 152
Domestic Violence - Deputy Safety .......................................................................... 155
Domestic Violence - Officer Safety ........................................................................... 156
Domestic Violence - Reports ..................................................................................... 157
Domestic Violence - Right to Confidentiality ............................................................. 157
Domestic Violence - Tenancy ...................................................................................... 155
Domestic Violence - Victim Assistance Mandates ..................................................... 156
Domestic Violence - Weapons and Deputy Safety ...................................................... 155
Domestic Violence - Weapons and Officer Safety ....................................................... 155
Domestic Violence - Written Notice to Victims .......................................................... 156
Drawing and Exhibiting Firearms ............................................................................... 84
Duration Light Duty ................................................................................................. 36
Duties and Responsibilities of All Members ............................................................... 3
Duties and Responsibilities of Command Officers and Supervisors .............................. 3
Duties and Responsibilities of Individual Deputies ...................................................... 5
INDEX

Duties and Responsibilities of Individual

Officers ................................................. 5

Duty Assignment ................................................................. 10

Duty Information ................................................................. 15

Duty Presence ................................................................. 10

Duty Responsibility ............................................................. 6

Emergency Assistance to Victims ............................................. 156

Emergency Call Responses .......................................................... 102

Emergency Protective Orders ..................................................... 154

Emergency Response .............................................................. 102

Emergency Response - Authorized Response

Calls ........................................................................... 103

Emergency Response - Common Calls ........................................... 103

Emergency Response - Common Calls: ........................................... 103

Emergency Response - Deputy Responsibility ................................. 102

Emergency Response - Number of Vehicles to Respond .................. 102

Emergency Response - Officer Responsibility .................................. 102

Emergency Response Authority .................................................... 102

Emergency Response Authority .............................................. 102

Emergency Response Authority .................................................... 102

Emergency Response Route .......................................................... 102

Enforcing Laws Relating to Domestic Violence .................................... 150

Evaluation of Use of Force Continuum ........................................... 89

Evidence and Property ................................................................. 14

Evidence Processing Room Location ............................................. 164

Exception ................................................................. 9; Body Art

Exchange of Shifts ................................................................. 16

Exemptions to Wearing the Uniform ............................................. 54

Exercise of Authority ................................................................. 4

Felony Traffic Stop ................................................................. 113

Felony Traffic Stop - Justification ................................................... 113

Felony Traffic Stop Procedures .......................................................... 113

Felony Traffic Stops ................................................................. 113

Female Prisoners or Suspects ............................................................ 19

Field Testing of Suspected Controlled Substances ................................ 164

Fingernails ................................................................. 9

Firearms Policy ................................................................. 84

Firearms Training Policy .......................................................... 82

Food and Beverages ................................................................. 11

Forwarding Communications to Higher Commands ................................ 23

Functional Supervision ............................................................... 5

General Radio Procedures .......................................................... 27

Generalization of Weapons Use ................................................... 84

Giving Orders ................................................................. 4

Goatee ................................................................. 9

Hair and Grooming Standards ..................................................... 8

Holidays ................................................................. 12

Hollow Spike Strips ................................................................. 111

Honesty and Efficiency .............................................................. 6

Hours of Duty ................................................................. 10

Identification as Sheriff’s Deputies .................................................. 18

Identification to Public ............................................................... 13

Identity of the Press ............................................................... 42

Improper Use of Department Address .............................................. 7

Improper Use of Office Address .................................................... 7

Incompetence ................................................................. 10

Information Dissemination ............................................................ 7

Information to Citizens ............................................................. 14

Initiating Administrative Action ...................................................... 5

Initiating the C.A.R.E. Alert .......................................................... 139

In-Service ........................................................................ 15

Insubordination ................................................................. 12

Intervention - Authorized During Pursuit ......................................... 109

Intervention - Definitions ............................................................. 109

Intervention - During Pursuit .......................................................... 109

Intervention - Use of Firearms ..................................................... 109

Intervention Standards ............................................................... 109

Intoxicants – in Uniform ............................................................. 16

Intoxicants on Departmental Premises ............................................. 13

Intoxicants on Office Premises ...................................................... 13

Intoxication ................................................................. 13

Introduction and Purpose ............................................................. 3, 42

Investigation, Arrest and Detention .................................................. 18

Issued Duty Weapons ............................................................... 75

Juvenile Driving While Intoxicated ................................................... 137

Juvenile’s Welfare ................................................................. 16

Juveniles ................................................................. 133

Juveniles - 26 Penal Code ........................................................ 133

Juveniles - 300 W&I Code ........................................................ 133

Juveniles - 305 W&I Code ........................................................ 133

Juveniles - 308 W&I .............................................................. 133

Juveniles - 601 W&I Code ........................................................ 133

Juveniles - 739 W&I Code ........................................................ 133

Juveniles - Arrest Procedures ......................................................... 134

Juveniles Under the Influence .......................................................... 133

Knowledge of Beat ................................................................. 15

Law Enforcement Code of Ethics ................................................. 2

Law Enforcement Radio System ................................................... 25

Laxity of Duty Performance .......................................................... 4

Less Than Lethal Force ............................................................... 88

Lethal Force ................................................................. 88
INDEX

Liaison for News Media ........................................... 43
Light Duty Policy .............................................. 36
Loitering .......................................................... 11
Loyalty .................................................................. 6
Maintaining Communications ............................... 15
Maintaining Morale .............................................. 4
Maintaining the Uniform and Equipment .......... 55
Maintenance Guidelines for Laptop
  Computers ................................................................ 35
Mandatory Rifle Training ........................................ 79
Manner of Issuing Orders ..................................... 12
Media Access to Inmates ..................................... 44
Media-Report Access ............................................ 43
Medical Care of Minors ......................................... 133
Megan’s Law .......................................................... 142
Megan’s Law - Departmental Notification
  About Serious Sex Offenders ............................... 142
Megan's Law - Information available for
disclosure .................................................................. 142
Megan’s Law - Office Notification About
  Serious Sex Offenders ........................................ 142
Memberships in Organizations ............................ 7
Message Length ..................................................... 27
Mishandling of Evidence ..................................... 14
Missing and Runaway Juveniles ............................ 136
Mission Statement ................................................. 1
MISSION STATEMENT ........................................... 1
Misuse of Information .......................................... 23
Mobile and/or Portable Radio Units ................. 26
Mobile Data Computer Use .................................. 33
Mobile Data Computers ....................................... 32, 33
Mobile Video Recording Equipment Policy ........ 45
Mustaches ................................................................ 9
MVR - Miscellaneous Procedures .......................... 47
MVR - Supervisory Responsibility ......................... 46
MVR-Miscellaneous Procedures ............................. 47
MVR-Supervisory Responsibility ......................... 46
Neighborhood Disputes ........................................ 14
News Media Access .............................................. 42
News Media Policy and Procedure ....................... 42
Newspaper – Periodicals – Reading on Duty .......... 11
Non-consensual Chemical Test Procedures .......... 161
Non-Occupational Injury, Illness, or Disability .... 36
Notice of Code 3 Response .................................... 102
Notices .................................................................. 24
Notification of Code 3 Units .................................. 102
Notification of Sheriff ............................................ 14
Notification: Major Incidents ............................... 43
NSF - Forms ........................................................ 197
Obedience to Unjust or Improper Orders .............. 13
Obedience to Unlawful Orders ............................ 13
Obedying Orders .................................................... 3
Occupational Injury or Illness ............................. 36
Off-Duty ............................................................... 6
Off-Duty Weapons ............................................... 79
Offense Reports ...................................................... 43
Office Business Cards .......................................... 23
Office or Duty Schedule ....................................... 10
Office Radio Call Numbers ................................... 25
Officer-in-Charge .................................................. 16
Official Correspondence ...................................... 23
Official Radio Traffic ............................................. 27
Operating Procedures for MVAR ....................... 45
Optional Holsters .................................................... 75
Orders ................................................................. 12
Organ and Tissue Donation Policy ................. 223
OSHA Requirements ............................................ 38
Other Child Abuse Cases .................................... 135
Other Reports ......................................................... 44
Out of Jurisdiction-Deputy Involved Shootings .. 87
Out of Service ......................................................... 26
Passengers in County Vehicles ....................... 14
Patrolling of Area .................................................. 15
Pepperball - Evaluation ........................................ 95
Pepperball - Reporting .......................................... 96
Pepperball - Training ............................................ 95
Personal Appearance and Grooming ..................... 8
Personal Preferment ............................................. 7
Personal Use of Property ...................................... 14
Persons Exempt from Forcible Blood
  Draws ............................................................... 162
Phonetic Alphabet ............................................... 28
Photographing Scene by News Media ............... 42
Police Action .......................................................... 13
Political Activity .................................................... 7
Political and Religious Views ............................... 7
Portable Radio Units ............................................. 26
Position: Outside Work Release Coordinator ........ 5
Position Outside Work Release Coordinator ........ 5
Post Pursuit Reporting ......................................... 109
Pre-deployment Responsibilities ....................... 96
Press Relations at Crime Scene ......................... 19
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Press Release</td>
<td>43</td>
</tr>
<tr>
<td>Procedure</td>
<td>96</td>
</tr>
<tr>
<td>Professional Conduct and Responsibilities</td>
<td>6</td>
</tr>
<tr>
<td>Prohibited Release</td>
<td>44</td>
</tr>
<tr>
<td>Protection of Life</td>
<td>84</td>
</tr>
<tr>
<td>Protective Equipment</td>
<td>163</td>
</tr>
<tr>
<td>Providing Information to News Media</td>
<td>42</td>
</tr>
<tr>
<td>Providing Supervision</td>
<td>3</td>
</tr>
<tr>
<td>Public Information Officer</td>
<td>42</td>
</tr>
<tr>
<td>Public Information Officer Responsibilities</td>
<td>42</td>
</tr>
<tr>
<td>Public Service Reporting</td>
<td>16</td>
</tr>
<tr>
<td>Public Safety Dispatchers DUTIES</td>
<td>12</td>
</tr>
<tr>
<td>Public Safety Dispatchers DUTIES</td>
<td>12</td>
</tr>
<tr>
<td>Purpose</td>
<td>18</td>
</tr>
<tr>
<td>Pursuit - Actions of Uninvolved Units</td>
<td>106</td>
</tr>
<tr>
<td>Pursuit - Communications</td>
<td>108</td>
</tr>
<tr>
<td>Pursuit - Inter-Jurisdictional Considerations</td>
<td>108</td>
</tr>
<tr>
<td>Pursuit - Loss of Suspect Vehicle</td>
<td>108</td>
</tr>
<tr>
<td>Pursuit - Outside Agency Take Over Pursuit</td>
<td>108</td>
</tr>
<tr>
<td>Pursuit - Primary Unit Responsibilities</td>
<td>106</td>
</tr>
<tr>
<td>Pursuit - Secondary Unit responsibilities</td>
<td>106</td>
</tr>
<tr>
<td>Pursuit - Secondary Unit Responsibilities</td>
<td>106</td>
</tr>
<tr>
<td>Pursuit - Supervisor Responsibility</td>
<td>107</td>
</tr>
<tr>
<td>Pursuit - Use of Aircraft</td>
<td>107</td>
</tr>
<tr>
<td>Pursuit - When to Pursue</td>
<td>104</td>
</tr>
<tr>
<td>Pursuit Driving</td>
<td>106</td>
</tr>
<tr>
<td>Pursuit Termination</td>
<td>105</td>
</tr>
<tr>
<td>Pursuit Training</td>
<td>107</td>
</tr>
<tr>
<td>Pursuit Training</td>
<td>110</td>
</tr>
<tr>
<td>Pursuit units</td>
<td>105</td>
</tr>
<tr>
<td>Pursuits Entering Sutter County</td>
<td>108</td>
</tr>
<tr>
<td>Questions Regarding Assignment</td>
<td>10</td>
</tr>
<tr>
<td>Quoting Bail or Fines</td>
<td>14</td>
</tr>
<tr>
<td>Radio Courtesy</td>
<td>27</td>
</tr>
<tr>
<td>Radio Discipline</td>
<td>13</td>
</tr>
<tr>
<td>Radio Number Prefixes</td>
<td>25</td>
</tr>
<tr>
<td>Radio Procedure and Guidelines</td>
<td>25</td>
</tr>
<tr>
<td>Radio Repair</td>
<td>27</td>
</tr>
<tr>
<td>Receiving of Fraudulent Documents</td>
<td>193</td>
</tr>
<tr>
<td>Recognition of Accomplishments</td>
<td>4</td>
</tr>
<tr>
<td>Recommending Attorneys or Bondsmen</td>
<td>8</td>
</tr>
<tr>
<td>Records of Exposure and Medical Records</td>
<td>36, 37</td>
</tr>
<tr>
<td>Recovery Time Off</td>
<td>87</td>
</tr>
<tr>
<td>Refreshments on Duty</td>
<td>11</td>
</tr>
<tr>
<td>Refusal of Chemical Test</td>
<td>161</td>
</tr>
<tr>
<td>Refusal to Accept Custody</td>
<td>159</td>
</tr>
<tr>
<td>Registration of Convicted Gang Members</td>
<td>39</td>
</tr>
<tr>
<td>Regulation of MDC’s</td>
<td>32</td>
</tr>
<tr>
<td>Regulations Concerning Time-Off and Time Worked</td>
<td>12</td>
</tr>
<tr>
<td>Release of Information</td>
<td>41, 220</td>
</tr>
<tr>
<td>Release of Member’s Address and/or Telephone Number</td>
<td>8</td>
</tr>
<tr>
<td>Relief</td>
<td>15</td>
</tr>
<tr>
<td>Removal of Remains</td>
<td>219</td>
</tr>
<tr>
<td>Reportable Force Defined</td>
<td>93</td>
</tr>
<tr>
<td>Reporting and Reviewing Use of Force Incidents</td>
<td>93</td>
</tr>
<tr>
<td>Reporting for Court</td>
<td>21</td>
</tr>
<tr>
<td>Reporting for Duty</td>
<td>10, 55</td>
</tr>
<tr>
<td>Reports and Bookings</td>
<td>23</td>
</tr>
<tr>
<td>Request for Review: Exposure Records</td>
<td>38</td>
</tr>
<tr>
<td>Request for Review Exposure Records</td>
<td>38</td>
</tr>
<tr>
<td>Required Duty</td>
<td>9</td>
</tr>
<tr>
<td>Required Protective Equipment</td>
<td>164</td>
</tr>
<tr>
<td>Residency Requirement</td>
<td>7</td>
</tr>
<tr>
<td>Respect for Superiors and Associates</td>
<td>3</td>
</tr>
<tr>
<td>Responding to Calls</td>
<td>15</td>
</tr>
<tr>
<td>Responses to Media</td>
<td>43</td>
</tr>
<tr>
<td>Responsibilities of Assigned Deputies at Crime Scenes</td>
<td>18</td>
</tr>
<tr>
<td>Responsibility for Actions</td>
<td>3</td>
</tr>
<tr>
<td>Responsibility for Departmental Objectives</td>
<td>3</td>
</tr>
<tr>
<td>Responsibility for Discipline</td>
<td>5</td>
</tr>
<tr>
<td>Responsibility for Operation of the Radio</td>
<td>26</td>
</tr>
<tr>
<td>Responsibility for Use of Firearm</td>
<td>84</td>
</tr>
<tr>
<td>Restraining and Protective Orders</td>
<td>153</td>
</tr>
<tr>
<td>Restricted Terms</td>
<td>30</td>
</tr>
<tr>
<td>Restriction of the News Media</td>
<td>42</td>
</tr>
<tr>
<td>Review of Exposure Records</td>
<td>38</td>
</tr>
<tr>
<td>Review of Exposure Records</td>
<td>38</td>
</tr>
<tr>
<td>Right of Appeal</td>
<td>10</td>
</tr>
<tr>
<td>Roll Call</td>
<td>10</td>
</tr>
<tr>
<td>Safe Response</td>
<td>102</td>
</tr>
<tr>
<td>Schedules</td>
<td>15</td>
</tr>
<tr>
<td>SECTION 1: Crime Scene</td>
<td>18</td>
</tr>
<tr>
<td>SECTION 1: Vehicles</td>
<td>51</td>
</tr>
<tr>
<td>SECTION 10: Call Out</td>
<td>48</td>
</tr>
<tr>
<td>SECTION 2: Conduct</td>
<td>6</td>
</tr>
<tr>
<td>SECTION 2: Court Appearance and Legal Action</td>
<td>21</td>
</tr>
<tr>
<td>SECTION 2: Uniforms</td>
<td>54</td>
</tr>
<tr>
<td>Topic</td>
<td>Page(s)</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>Weapons</td>
<td>19, 75</td>
</tr>
<tr>
<td>Weapons-General Guidelines</td>
<td>80</td>
</tr>
<tr>
<td>Withholding Criminal Information</td>
<td>23</td>
</tr>
<tr>
<td>Written Request and Medical Support</td>
<td>36</td>
</tr>
</tbody>
</table>