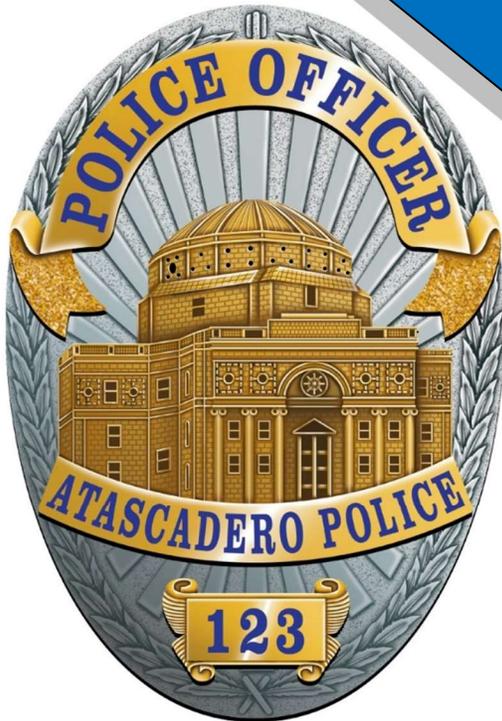


ATASCADERO POLICE



STANDARD OPERATING PROCEDURES

The Standard Operating Procedures of the Atascadero Police Department have been developed and issued under the authority of the Chief of Police for the purpose of maintaining the highest possible level of service to our community. This Standard Operating Procedures Manual is provided as a guideline for the operational and enforcement functions of the Atascadero Police Department. If any of the provisions of this procedure manual are in conflict with the department's Lexipol policy manual, the Lexipol policy manual shall be controlling. Nothing in this manual shall relieve personnel from being held to the highest standards of conduct and ethics as prescribed by the department's mission, vision, and values statement.

The following Standard Operating Procedures have been reviewed and approved by the Chief of Police:

Chief of Police

Date

Operations Commander

Date

Administrative Commander

Date

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ATASCADERO POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE



#1 DUI PROTOCOL

Statement of Purpose:

This procedure outlines the protocol for the investigation of DUI incidents.

Lexipol Policy:

Lexipol policy 514 Drunk Driving and Evidence Collection

Procedure:

- Initial observations and vehicle stop. Any probable cause for the vehicle stop is sufficient. A DUI driving pattern is not necessary however it is preferred.
- Any probable cause for a vehicle stop that can be articulated in a report. “Gut feeling” or simply leaving the area of a bar or liquor store is not sufficient cause to initiate a vehicle stop.
- Observations after the vehicle stop. An officer cannot assume that a driver is DUI based solely on driving pattern. The officer must establish the elements of the DUI after the stop.
- Look for the objective symptoms of impairment during the initial contact with the driver. Such objective physical symptoms include, but are not limited to:
 - The odor of an alcoholic beverage
 - Red, watery, and/or bloodshot eyes
 - Slurred, mumbling, or unreasonably slow speech
 - Unreasonably slow or deliberate movements
 - Inability or difficulty in following basic instructions, e.g. a request to provide a driver’s license or vehicle registration documentation.
 - Lack of manual dexterity or coordination, e.g. fumbling through vehicle registration documents or not locating a clearly visible driver’s license in a wallet.
 - Impaired walking or standing balance
 - Objective physical symptoms of drug impairment.

DUI arrests per 40300.5 CVC:

- Arrests for 23152 may be made by a police officer when the crime is not committed in the officer's presence. The authority allowing for an arrest is VC 40300.5:

*In addition to the authority to make an arrest without a warrant pursuant to paragraph (1) of subdivision (a) of Section 836 of the Penal Code, a peace officer may, without a warrant, arrest a person when the officer has reasonable cause to believe that the person had been driving while under the influence of an alcoholic beverage or any drug, or under the combined influence of an alcoholic beverage and any drug when **any** of the following exists:*

- *The person is involved in a traffic accident. The person is observed in or about a **vehicle** that is obstructing a roadway.*
- *The person will not be apprehended unless immediately arrested.*
- *The person may cause injury to himself or herself or damage property unless immediately arrested.*
- *The person may destroy or conceal evidence of the crime unless immediately arrested.*

When affecting an arrest for 23152 pursuant to 40300.5 there are several considerations that must be made. The first thing and officers must understand is when choosing to affect an arrest they must complete a thorough investigation. They must establish reasonable cause in order to prove that the driver was in fact the individual who was operating the motor vehicle and that they were doing so under the influence of drugs and/or alcohol.

Many times, probable cause can be established by: the driver's proximity to the vehicle, proof of ownership or possession (i.e. keys, registration, pink slip) and driver's statements. The investigating officer can also look at injuries of a person in the case of a vehicle accident or an officer may utilize witness statements placing the driver behind the wheel.

Once an officer has identified that the individual was in fact driving the motor vehicle they must establish a timeline to identify if the driver was operating a motor vehicle under the influence of drugs and/or alcohol. Thorough questioning by the investigating officer will assist in determining when and how much alcohol the driver has consumed. The officer must then rely on training and experience to determine if the driver was operating a motor vehicle under the influence of alcohol. Below is a practical example:

An officer responds to the scene of a disabled vehicle in the rural area of the city. When officers arrive, there is a single individual standing outside of the vehicle. The suspect states they fell asleep behind the wheel and drifted off the road, causing a flat tire. They are currently holding the keys to the vehicle. The investigating officer smells alcohol on their breath. The officer conducts an interview and determines the suspect left the bar earlier in the evening and while driving home they had a flat tire. The suspect has not

consumed any alcohol since leaving the bar approximately 30 minutes earlier. Based on objective symptoms the officer conducts FST's and later a PAS, which registers .12. Based on the facts of this case and officer could affect an arrest for 23152(a) & (b) pursuant to 40300.5 VC.

Many times, while conducting follow-up on hit and run collisions officers obtain information to believe a suspect was operating the motor vehicle while consuming alcohol and/or drugs. Often times when officers develop this suspicion, the suspect is already back at their residence. When this occurs, the officer must understand they have an obligation to complete their investigation. They must also realize that case law supports their effort in obtaining evidence to support their investigation.

Field Sobriety Tests (FST's):

Field Sobriety Tests or Standardized Field Sobriety Tests is the correct terminology. The officer is evaluating a driver's sobriety, not his/her coordination. Refer to the tests as FST's or SFST's in the arrest report.

The federal government National Highway and Transportation Safety Administration (NHTSA) has validated a series of tests entitled "Field Sobriety Tests". Those tests only include the horizontal gaze nystagmus (HGN), the Walk and Turn, and the One Leg Stand as alcohol impairment tests. No other tests are validated or supported by the NHTSA.

Drug Recognition Expert (DRE) protocol has added the Rhomberg and the Finger to nose tests. In a high-profile DUI arrest, the NHTSA is able to send an expert to testify to the validity of the tests, but only to the three NHTSA approved tests.

It is recommended that all officers who have received advanced DUI training should use the three NHTSA approved tests as part of their DUI investigation.

- Select a location for the FST's that is best suited for the safety of the officer and the driver. Fully describe the location of the FST's in the report or on the DUI form.
- Probable cause field interview questions are located on the department approved DUI form and should be asked in their entirety.
- The generally preferred manner is to complete the field interview prior to the FST's, although that sequence is not mandated by statute.
- Each segment of the FST's should be explained and demonstrated separately prior to asking the driver to complete the test.
- Safety of the driver is critical. If the level of his/her intoxication is such that it would reasonably prevent him/her from safely performing a test or tests, or if he/she can't reasonably perform a test due to injury or disability, another test should be used.

Preliminary Alcohol Screening (PAS) devices:

The PAS should be utilized when appropriate and as a final FST. Do not rely primarily upon the PAS device result to determine DUI. The PAS device is only one of the voluntary tests to help establish DUI. The totality of the situation, e.g. driving pattern, objective physical symptoms, FST's and/or PAS device results, should be the guideline for determining DUI. There is no requirement to inform the driver the test is voluntary, it is only necessary to inform them of implied consent.

- CVC 23162(i) states the driver must be informed that they can refuse to take the PAS test and must understand that it is not their implied consent test.
- *Stating something similar to; "The next test I'm going to ask you to complete is a PAS test." This is sufficient enough to inform them of their opportunity to refuse.*
- Two PAS device result shall be obtained with all DUI arrests and a new mouthpiece shall be used with each PAS test.
- Officers should be familiar with CCR Title 17 regarding the operation of the PAS and Draeger AlcoTest.

DUI Drugs:

When arresting someone for Driving under the influence of a control substance other than alcohol officers may do one of the following:

- If the arrest is for DUI drugs such as prescription medication or "Spice" officers may do the aforementioned SFST's and obtain a blood sample. If officers elect to do a more comprehensive H&S 11550 examination in addition to the SFST's and probable cause exists to support the charge of H&S 11550 then both CVC 23152(e) and H&S 11550 may be filed. If the officer elects to do only the SFST's because the suspect is under the influence of prescription medication or "Spice" then on the charge of CVC 23152(e) is applicable.
- If the arrest is for DUI drugs such as methamphetamine, Heroin, Cocaine etc. then the officer may conduct a H&S 11550 investigation in addition to the normal SFST's. If probable cause exists to support the charge of H&S 11550 then a legal blood sample should be obtained and the charges should be CVC 23152(e) and H&S 11550.
- If charging both CVC 23152(e) and H&S 11550 the DUI form and H&S 11550 form should be completed.

After the arrest / Implied Consent:

- It is not necessary to read the Implied Consent in its entirety unless the driver is refusing to provide a sample.
- If the driver refuses a chemical test, read the Implied Consent in its entirety from the back of the DMV form DS 367 and record the driver's responses in the spaces provided.
- If the driver chooses breath it can be conducted at the department.
- If the driver is unable to complete a breath test, whether due to injury or disability, then he/she must submit to a blood test.
- Blood tests can be administered at TCCH or Sierra Vista Hospital.
- A urine test is no longer offered in arrest involving DUI. If the driver is DUI drugs a blood sample shall be obtained.
- If someone is being charged with their fourth or subsequent DUI within the past 10 years officers shall book them at County Jail under the appropriate CVC 23152 charge as a felony charge. Do not book for 23153 or use the enhancement of 23550, instead book 23152 as a felony in these cases.

DMV Form DS 367:

- Refer to the APD Report Writing Manual for details regarding the Admin per se Form.

DUI arrests after a traffic collision:

- If a traffic collision involves a DUI incident and a possible felony offense, e.g. felony DUI or vehicular manslaughter, an officer may draw blood from an individual who is hospitalized without making a physical arrest, thereby avoiding the situation where the Department may become responsible for the medical expenses incurred by the driver.
- A physical arrest occurs when an officer physical detains an individual and restricts his/her freedom of movement with the intent of booking the individual into a jail facility.
- CVC 23612(C) states that the testing of a suspect's blood shall be incidental to a lawful arrest for CVC 23140, 23152, or 23153.
- An officer should issue a citation and release the individual to hospital staff.

ATASCADERO POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



#2 IMPOUNDING VEHICLES AS EVIDENCE

Statement of Purpose:

This procedure outlines the protocol of impounding vehicles for evidence purposes.

Lexipol Policy:

Lexipol Policy 510 covers vehicle tows.

Procedure:

- A vehicle towed/impounded for evidence must be lawfully seized for an appropriate reason.
- Prior approval for a vehicle to be impounded/towed under Sections 22655, 22655.3, and 22655.5 of the California Vehicle Code (CVC) must be obtained from the Watch Commander.
- The individual authorizing the vehicle impound/towing under Sections 22655, 22655.3, or 22655.5 CVC will notify the Crime Scene Investigations (CSI) personnel if they are needed for evidence processing/recovery.

Section 22655 (a) CVC:

- A hit and run vehicle may be impounded/towed under section 22655(a) CVC if:
 - The vehicle is on a roadway or on a private property open to general public. ○ Removal is necessary for inspection purposes only.
 - The vehicle is not removed from a closed structure that is not open to the general public.

- If a vehicle is impounded/towed under section 22655 CVC all fees associated with the vehicle impound/tow are paid by the registered owner, unless the vehicle is reported as stolen.

Section 22655.3 CVC:

- A vehicle may be impounded/towed under Section 22655.3 CVC as an abandoned fleeing vehicle.
- If the vehicle is located on property other than the registered owner's property. For purposes of investigation and for the identification and/or apprehension of the driver.
- If the vehicle is abandoned, i.e. unattended.
- If a vehicle is impounded/towed under section 22655.3 CVC all fees associated with the vehicle impound/tow are paid by the registered owner, unless the vehicle is reported as stolen.
- The vehicle should not be impounded/towed under section 22655.3 CVC if the driver is arrested before the arrival of the tow company.
- If the driver is arrested, then section 22651H (1) CVC would be the appropriate CVC section to use to tow the vehicle if it meets the Community Care Taking Doctrine.

Section 22655.5 CVC:

The vehicle may be impounded/towed for a criminal investigation under Section 22655.5 CVC:

- If the vehicle is on the highway, public property, or private property.
- If there is probable cause to believe the vehicle was used as the means to commit a public offense.
- If there is probable cause to believe the vehicle is evidence that tends to show a crime has been committed or the vehicle contains evidence that cannot be readily removed.
- In the event of a major injury traffic collision that might result in a fatality, or in the case of a confirmed fatality, if there is probable cause to believe that a crime has been committed and the vehicle or vehicles contain evidence.
- In the event of a DUI related traffic collision where two or more parties are involved and the driver(s), pedestrians(s), or passengers(s) are injured, the vehicles of the suspected DUI driver(s) may be impounded/towed for evidentiary purposes under Section 22655.5 CVC.
- In a major traffic collision involving a DUI or fatality, the "at fault" party is not determined until the entire investigation is completed.

- If it is determined that a vehicle should be towed per CVC 22655.5 and approved by the Watch Commander the following notifications shall be made.
- By the end of the shift both the Traffic Sergeant and Detective Sergeant shall be notified that a vehicle was impounded per CVC 22655.5.
- It should be noted that all fee associated with vehicles towed per CVC 22655.5 will be paid by the City of Atascadero until the vehicle is released by police department personnel. Therefore, the vehicle shall be released by the WC as soon as possible so that excessive fees are not incurred.
- Tracking of payment and restitution.
- Once a vehicle has been towed the vehicle will be processed for evidence by either CSI personnel or traffic collision investigators.
- At the conclusion of the evidence processing the tow company shall be notified as well as the Traffic Sergeant.
- The invoices from the Tow companies shall be forwarded to the Traffic Sergeant prior to payment being made. The Traffic Sergeant will ensure the invoices matches the correct time of storage under the evidence section. Once the Traffic Sergeant confirmed the invoice to be correct, the invoice shall be routed to the Finance Department for payment.
- The Traffic Sergeant, or his/her designee, will maintain record of the invoice and the associated case status. If the perpetrator of the crime is convicted, the Traffic Sergeant will submit restitution paperwork to the Probation Department pursuant to CVC 22655.5(d).

California Highway Patrol (CHP) 180 Forms:

- On the top line of the CHP 180 form, check the “owner notified” box ONLY if the registered owner or legal owner was provided with a copy of the half-sheet of the form at the scene. Always note the legal owner of the vehicle on the CHP 180 form if one is available through CLETS. This is necessary if the legal owner wants to retrieve the vehicle in a timely manner if he/she wants to repossess it.
- Always note a value of the vehicle on the CHP 180 form. Keeping in mind the condition and mileage of the vehicle.

Examples:

CVC 22655(a):

- A minor hit and run vehicle is located in the driveway of a private residence. The driveway is not open to the general public; therefore, impounding/towing the vehicle under CVC 22655(a) is not appropriate. However, if there was a major traffic collision in which a party was seriously injured and the vehicle is now in the same driveway, impounding/towing the vehicle can be articulated under CVC 22655.5 because the vehicle was used in the commission of a crime. The vehicle

is evidence and may contain evidence that cannot be processed or recovered in a reasonable period of time by reasonable means.

- A major hit and run traffic collision has occurred. The vehicle is located in an unlocked garage. Section 22655(a) CVC is not applicable because the vehicle is on private property and inside a closed structure that is not open to the general public. The scene should be “frozen”, constantly surveilled and a warrant should be obtained to impound/tow the vehicle.

CVC 22655.3

- An officer has pursued a vehicle but loses sight of the vehicle and is unable to locate it. The officer checks the DMV record on the license plate and using the information locates the vehicle in the driveway of the registered owner. If the vehicle is unoccupied, it may not be impounded/towed under CVC 22655.3.
- After a vehicle pursuit, an officer locates the vehicle on private property not belonging to the registered owner near the termination point of the vehicle pursuit. The vehicle is unoccupied. The vehicle may be impounded/towed under CVC 22655.3.

CVC 22655.5

- There is probable cause to believe a vehicle was used in a 459 PC. The vehicle is left unoccupied in a driveway of a private residence or on the roadway. Inside the vehicle, in plain view, is property reported stolen in the burglary. The evidence inside the vehicle may be seized, without impounding/towing the vehicle the vehicle, as this evidence can be readily removed. However, if CSI is needed on the vehicle and the CSI is unable to respond to the scene, the vehicle may be impounded/towed and processed as soon as possible under CVC 22655.5.

ATASCADERO POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE



#3 FAILURE TO RETURN “LOANED VEHICLE”

Statement of Purpose:

This procedure outlines the protocol for reporting/documenting the failure to return a vehicle “loaned” by one subject to another subject, **other than a contractual relationship with a rental company (for rented vehicles see CVC section 10855)**, or the unauthorized use of a vehicle by a subject to a previous authorization to use the vehicle, in dating or friendship relationships. This procedure should clarify whether or not a situation such as described above should be considered a civil matter. This procedure has been used by the California Highway Patrol and accepted by the San Luis Obispo County District Attorney’s Office.

Procedure:

- Determine if the reporting party is the sole registered owner of the vehicle.
- If the subject who is operating the “loaned” vehicle or the vehicle being operated without authorization is a registered owner the vehicle, advise reporting party that the issue is a civil matter.
- If the subject who is operating the “loaned” vehicle or the vehicle being operated without authorization has a legal relationship with the reporting party, married couple advise the reporting party that the issue is a civil matter.
- Determine the date upon which the vehicle is loaned to the subject or when the last use the vehicle was authorized by the reporting party. Five days must have elapsed since the agreed upon date of the return the vehicle before the reporting party may file a police report.

- If reasonably possible, determine the type and frequency of the methods by which the reporting party is already attempted to have vehicles returned, telephone calls, letters, or personal contacts and how many times.
- Advise the reporting party of the potential consequences of filing a 503 PC report, felony charges against the subject. However, do not discourage the reporting party from filing the report by stating that the situation is a civil matter.
- Obtain a case number and complete the 503 PC-embezzlement report. Indicate on the CHP 180 noting the vehicle as being embezzled.
- Include all the relevant information regarding the circumstances of the incident and complete a description of the subject to whom the vehicle was loaned to, or who was operating a vehicle without current authorization. The description should include a minimum of the name date of birth, physical description and residence address
- Do not enter the vehicle into CLETS as a 503 PC vehicle.
- Enter the vehicle into CLETS as a missing/lost vehicle which may facilitate the vehicle possibly being located and returned to the owner before the required 503 PC reporting and documentation purposes are complete.
- Do not issue an 836 PC for the subject or enter the subject into wanted persons.
- Advise the reporting party to send a letter to the subject demanding a return of the vehicle by a specific date, if such a letter has not yet been sent.
 - The letter should be sent by certified mail to the last known address of the subject. It's the reporting party's responsibility to determine the last known address of the subject.
 - The reporting party should retain a copy of the demand letter.
 - The reporting party will return to the police station with a copy of the demand letter and any response he/she receives from the certified mail delivery attempt.
 - If the reporting party already has sent a demand letter and received a response or proof of certified mail delivery attempts, include the information in the report and submit those documents in accordance with the procedures outlined below.

- Advise the reporting party that the case will not be submitted to the District Attorney's Office for review for filing without a copy of the demand letter and proof of a certified mail delivery attempt.
- Submit the reports for approval. Once approved, the reports will be received, reviewed, and retained in records, pending receipt of a copy of the demand letter and proof of a certified mail delivery attempt.

Follow up Procedure:

- If the reporting party returns to the police department with a copy of the demand letter and a proof of certified mail delivery attempt, a supplemental report will be completed noting a receipt of those documents. Request filing of charges of 503 PC against the subject. The supplemental report will be submitted for approval. Once a supplemental report is approved, records will submit the 503 PC crime report, the CHP 180 form, and a copy of the demand letter and any proof of certified mail delivery to the District Attorney's Office.
 - The officer completing a supplemental report shall book the copy of the demand letter and any proof of certified mail.
- Delivery attempt documentation received from the reporting party property is evidence. Advise reporting party to immediately inform the department if the vehicle returns so the investigation may be closed.
- The support service supervisor will maintain a photocopy of the report package for follow-up, if necessary.
- If the District Attorney's Office determines that a filing of 503 PC, or any other charges, as appropriate, the support service supervisor will advise the original reporting officer of the decision.
- The reporting officer, or designated follow-up investigation officer, will verify that the vehicle has not been returned. If such is the case, the officer will request that dispatch remove the vehicle from CLETS as a missing/lost vehicle and enter the vehicle into CLETS as in embezzled vehicle. The reporting officer or the designated follow-up investigation officer should document and report to the reporting party. If the vehicle is located by the Reporting Party, advise them they should not drive into law enforcement agency until a law enforcement agency is notified.
- The report will be routed through the normal channels of investigations unit for any appropriate follow-up investigation. The standard operating procedure was approved in distributed by training by:

ATASCADERO POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE



#4 FOUND PROPERTY

Statement of Purpose:

This procedure outlines the protocol for accepting found property

Lexipol Policy

802

Definitions:

- Found Property: property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted.
- Per California Civil Code 2080.1 if the found property is valued at less than \$100, it does not have to be turned in to a law enforcement agency. If the item is valued of \$100 or more the finder must complete an affidavit stating when and where he or she found the property, also that the finder has no information regarding the owner and has not withheld any information that could help identify the owner.
- A field property receipt must be completed if the finder wants to claim the found property if unclaimed or if the found property is of value of \$100 or more.
- Intentionally abandoned property is not considered found property. The provisions in California Code of Civil Procedures Section 2080 et. Seq. are not applicable to items that have been intentionally abandoned or discarded. Such items do not need to be accepted by the Department or booked into property.

- Per Lexipol Policy 804 requires a Department member receiving found property to complete a property report. If a field property receipt is completed, the original copy (white) should be turned into the Property Department.

Procedure:

- Verify the property meets the definition of found property
- Verify the owner of the property is unknown or the property has no markings
Identify the person submitting the found property
- Determine if the property is valued at less than \$100
- A field property receipt must be completed if the finder wants to claim the property after 90 days, or if the found property is of value of \$100 or more.
- Explain the Field Property Receipt and ask the person submitting the property to complete the affidavit for found property section and sign the form.
- Provide the person submitting the found property with the pink copy of the Field Property Receipt.
- Book the found property into the Property Room in accordance with Lexipol Policy 804.
- Complete a found property report in EIS Entry noting the person submitting the property, a detailed item description, and the location where the property was found.
- Attach the yellow copy of the Field Property Receipt to the property report
- Attach the white copy (original) of the Field Property Receipt with your property submission sheet and placed in the bin near the property lockers.

ATASCADERO POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



#5 DEFENDANTS POSTING BAIL (BAIL BONDS)

Statement of Purpose:

This procedure outlines the protocol for accepting bails from defendants and bonds persons.

Procedure:

The current bail schedule adopted by the San Luis Obispo courts is maintained in the department detention facility on the counter and at the front desk. A supply of Release on Promise to Appear/Own Recognizance Forms is maintained at the front desk in a file folder.

Cash Bail

- Exact cash is accepted. Money orders or cashier checks payable to the San Luis Obispo Superior Court, or any branch of that court, or to the court with jurisdiction over and out-of-area warrant are also accepted. Personal checks and credit cards are not accepted.
- The receipt shall be completed when accepting cash bail. The account number PD100. 26005 shall be included on the receipt. Any member of the department may issue the receipt.
- A cash bail exemplar is attached. When completed, distribute the forms in accordance with the below procedure regarding "Distribution."

Cash bail-forfeiture of appearance

- The same procedure as outlined above is followed, with a minor change as noted on the attached an exemplar. When completed, distribute the forms in accordance with the below procedure regarding "Distribution."

Bail bond

- The department member accepting a bail bond must verify that the bonds person is currently licensed and in possession of identification and credentials.
- The watch commander should accept the bond to confirm the amount and witnessed the transaction.
- A City of Atascadero receipt is not required when accepting a bond.
- The courts do not accept erasures on bonds. Strike-outs and corrections with the initials of all involved parties signing the bond are accepted.
- A bail bond exemplar is attached. When completed, distribute the forms in accordance with the below procedure regarding “Distribution.”

Distribution

- Complete the Release on Promise to Appear/Own Recognizance Form in blue ink, copies of which are maintained at the front desk. When all the information, signatures, and initials are on the document, complete the following procedure:
 1. Make four (4) Photocopies of the form.
 - a. Attach a photocopy to the arrest report.
 - b. Issue a photocopy to the Defendant
 - c. Place a photocopy in the pink audit folder marked “Bail Receipts”
 2. Place the remaining photocopy with the original form in an envelope with the cash, bond, money order, or cashier check and insert the envelope into the “bail drawer” slot in the front desk.

 COURT CASE NO. Atascadero Police Department
 Agency

 VIOLATIONS

 BOOKING DATE _____ AGENCY CASE NO. _____ ARRESTING OFFICER / ID NO. _____
 \$ _____
 BAIL AMOUNT

 DEFENDANT _____ DOB _____

 STREET ADDRESS _____ MAILING ADDRESS (If Different from Street Address) _____

 CITY STATE ZIP CITY STATE ZIP

COURT APPEARANCE / CALENDAR INFORMATION

 SAN LUIS OBISPO SUPERIOR COURT
 San Luis Obispo Branch Criminal 781-5670 San Luis Obispo Branch Traffic 781-5696
 San Luis Obispo Courthouse Annex, Veterans Memorial Bldg.
 1050 Monterey, Room 220, San Luis Obispo, CA 801 Grand Ave., San Luis Obispo, CA
 Grover Beach Branch Criminal 473-7072 Paso Robles Branch Traffic 237-3070
 214 South 16th Street, Grover Beach, CA 901 Park Street, Paso Robles, CA

 DATE and TIME for Appearance _____ Other: _____
 Court Name _____

 COURT APPEARANCE IS MANDATORY _____ Street address _____
 BAIL MAY BE POSTED FOR FORFEITURE IN LIEU OF APPEARANCE. _____
 City State ZIP

CASH BAIL		BAIL BOND	
\$ _____	_____	\$ _____	_____
Cash Bail Amount	Receipt #	Bail Bond Amount	Bail Bond Number
Received From _____		Bonding Company _____	
Address _____		Address _____	
OFFICER _____ Date _____ Time _____		Bondsman _____ Date _____ Time _____	

RELEASE ON PROMISE TO APPEAR/OWN RECOGNIZANCE (853.6, 1318 P.C.)

_____ I hereby request that bail be forfeited and the case closed without appearance. NOT APPLICABLE IF MANDATORY APPEARANCE.
 _____ I promise I will not leave the State of California without the permission of the Court and that if I fail to appear and am apprehended outside of the State of California, I waive extradition.
 _____ For release on my own recognizance, I hereby agree that I will personally appear on the above date and time, and will appear personally at all times and places ordered by the Court. I understand the Court may revoke this order and require that I give bail or other assurance of my appearance.
 _____ I understand that if I willingly fail to appear as promised, such failure to appear is a separate violation for which I may be punished by up to 6 months in jail and/or up to a \$1,000.00 fine regardless of the disposition of this charge, and in the case of a felony, by up to three years in State Prison or up to one year in the County Jail, or up to a \$10,000.00 fine, or both.
 By initialing the boxes to the left of each statement above, I acknowledge that I understand the contents thereof and agree to the provisions thereof.

 Signature of the Defendant _____ Signature of the Officer _____

 Date _____ Time _____ Officer's ID Number _____

Alascadero Police Department
Agency

COURT CASE NO. 1203.2 PL FOR 23152 (b) PL

VIOLATIONS 12-7-12

BOOKING DATE _____

BAIL AMOUNT \$ 10,000.00

AGENCY CASE NO. _____

ARRESTING OFFICER / ID NO. K. Netz / 1047

DEFENDANT _____

DOB _____

STREET ADDRESS _____

MAILING ADDRESS (If Different from Street Address) _____

CITY STATE ZIP CITY STATE ZIP

COURT APPEARANCE / CALENDAR INFORMATION

SAN LUIS OBISPO SUPERIOR COURT

San Luis Obispo Branch Criminal 781-5670 San Luis Obispo Branch Traffic 781-5696
 San Luis Obispo Courthouse Annex, Veterans Memorial Bldg.
 1050 Monterey, Room 220, San Luis Obispo, CA 801 Grand Ave., San Luis Obispo, CA

Grover Beach Branch Criminal 473-7072 Paso Robles Branch Traffic 237-3070
 214 South 16th Street, Grover Beach, CA 901 Park Street, Paso Robles, CA

1-7-13 800 AM Other: _____
 DATE and TIME for Appearance Court Name _____

COURT APPEARANCE IS MANDATORY
 BAIL MAY BE POSTED FOR FORFEITURE IN LIEU OF APPEARANCE.

Street address _____
 City State ZIP _____

CASH BAIL		BAIL BOND	
\$ _____	Receipt # _____	\$ <u>10,000</u>	_____
Received From _____		Bail Bond Amount _____	Bail Bond Number _____
Address _____		Bonding Company _____	
OFFICER _____	Date _____ Time _____	Address _____	
		Bondsman _____	Date _____ Time _____

RELEASE ON PROMISE TO APPEAR/OWN RECOGNIZANCE (853.6, 1318 P.C.)

- I hereby request that bail be forfeited and the case closed without appearance. NOT APPLICABLE IF MANDATORY APPEARANCE.
 - I promise I will not leave the State of California without the permission of the Court and that if I fail to appear and am apprehended outside of the State of California, I waive extradition.
 - For release on my own recognizance, I hereby agree that I will personally appear on the above date and time, and will appear personally at all times and places ordered by the Court. I understand the Court may revoke this order and require that I give bail or other assurance of my appearance.
 - I understand that if I willingly fail to appear as promised, such failure to appear is a separate violation for which I may be punished by up to 6 months in jail and/or up to a \$1,000.00 fine regardless of the disposition of this charge, and in the case of a felony, by up to three years in State Prison or up to one year in the County Jail, or up to a \$10,000.00 fine, or both.
- By initialing the boxes to the left of each statement above, I acknowledge that I understand the contents thereof and agree to the provisions thereof.

Signature of the Defendant _____

Signature of the Officer K. Netz

Date _____ Time _____

Officer's ID Number 1047

COURT CASE NO. _____ AGENCY APD
WARRANT # [REDACTED]
VIOLATIONS _____
CITATION NO./DATE 8/4/09 AGENCY CASE NO. [REDACTED] ARRESTING AGENCY/OFFICER L. BENEDICTI # 1054
BAIL AMOUNT \$ 500.00

DEFENDANT [REDACTED]

ADDRESS [REDACTED]

COURT APPEARANCE / CALENDAR INFORMATION

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN LUIS OBISPO
San Luis Obispo Branch, Government Center, 1050 Monterey St. Other: _____
 Grover Beach Branch, 214 South 16th Street _____
 Paso Robles Branch, 549 10th Street _____

9/8/09 @ 8:00 am
DATE AND TIME FOR APPEARANCE

ARRAIGNMENT
PROCEEDINGS

COURT APPEARANCE IS MANDATORY

BAIL MAY BE POSTED FOR FORFEITURE IN LIEU OF APPEARANCE

BAIL DEPOSIT INFORMATION

CASH BAIL

\$ 500.00
Cash Bail Amount
Received From [REDACTED]
Address [REDACTED]
J. CABR # 1045
OFFICER
8/4/09 / 1547
DATE and TIME

BAIL BOND

\$ 500.00
Bail Bond Amount & Bond Number
Bonding Company [REDACTED]
Address [REDACTED]
Bondsman [REDACTED]
DATE and TIME

RELEASE ON PROMISE TO APPEAR/OWN RECOGNIZANCE (853.6, 1318 P.C.)

I hereby request that bail be forfeited and the case closed without appearance. **NOT APPLICABLE IF MANDATORY APPEARANCE.**

I promise I will not leave the State of California without the permission of the Court and that if I fail to appear and am apprehended outside of the State of California, I waive extradition.

For release on my own recognizance, I hereby agree that I will personally appear on the above date and time, and will appear personally at all times and places ordered by the Court. I understand the Court may revoke this order and require that I give bail or other assurance of my appearance.

I understand that if I willingly fail to appear as promised, such failure to appear is a separate violation for which I may be punished by up to 6 months in jail and/or up to a \$1,000.00 fine regardless of the disposition of this charge, and in the case of a felony, by up to three years in State Prison or up to one year in the County Jail, or up to a \$10,000 fine, or both.

By initialing the boxes to the left of each statement above, I acknowledge that I understand the contents thereof and agree to the provisions thereof.

Signature of the Defendant [REDACTED]

Date and Time 8-4-09 4:00

Signature of the Officer [REDACTED]

Officer's Badge Number 1045

ATASCADERO POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE



#6 RADIO PROCEDURES

Statement of Purpose:

This procedure outlines the protocol for the appropriate use of the department's radio communications system. The protocol has been developed to ensure the most reasonably effective radio communication system. Effective radio communication is directly related to the quality of police service provided to the community.

The department's image can either be enhanced or damaged by the manner in which department members use the radio communication system. The department's radio communications are monitored by other law enforcement agencies, the media, other city departments, and members of the community. It is critical that courtesy, professionalism, and efficiency be practiced at all times by all department members when using the radio communication system.

Procedure:

All department members shall:

- Monitor the primary radio channel, or the appropriate assigned alternate radio channel, on a continuous basis to reasonably ensure that transmissions are heard and that the members radio transmission does not unreasonably interfere with another transmission, unless the transmission is of an emergency nature.
- Use appropriate identification, E. G. the assigned radio designation, when transmitting.
- Transmit all messages in a reasonably clear manner. Speak distinctly and enunciate clearly at a speed between 60 and 70 words per minute. (Note: the average speed of normal conversation is between 150 and 180 words per minute; therefore, radio transmissions should be significantly slower than normal conversational speed). Time is not saved by speaking at an excessively rapid pace; instead, time is lost by the necessity of repetition.

- Transmit messages in a normal and impartial tone, if reasonably possible. Emotion can distort one's voice.
- Transmit messages with reasonable brevity without sacrificing accuracy. Messages should be accurate and without extraneous or unnecessary phrases or information. Transmit messages with brevity that resembles a telegram format. Insert reasonable pauses in the transmissions.
- Use the approved department "10" and "11" codes when appropriate unless circumstances dictate otherwise, E. G. During a mutual aid situation in which "clear text/plain English" transmissions are normally utilized or required.
- Use the approved department phonetic alphabet in all radio transmissions regarding vehicle license plates or VIN's.
- Indicate in the initial radio transmission if the vehicle license plate is out-of-state by providing the name of the state.
- Use the approved department phonetic alphabet in all radio transmissions to clarify letters that sound similar and to clarify spellings of names.
- Use the approved department phonetic alphabet to spell all names unless the name has only one common spelling. When in doubt, use the approved department phonetic alphabet to avoid confusion and misinformation.
- Provide long sequences of numbers, E. G. a VIN, a date of birth, or a telephone number, in groups of three numbers, separated by a pause.
- Do not acknowledge a radio transmission unless it is clearly understood. It is better to ask to repeat the radio transmission and not misunderstand or guess at a radio transmission.
- Do not assume a radio transmission has been heard and understood without an acknowledgment. A department member's safety may be in jeopardy if he/she assumes a radio transmission has been heard and understood without an acknowledgment. Be certain that a radio transmission has been heard, understood, and acknowledged before initiating any action in the field.
- Pause after a request for information from the dispatch center, E. G. a 10-27 or 10-29, to allow the Support Services Technician to acknowledge the request and access the proper computer screen to input the information.
- Pause after attempting to contact another department member, E. G. a unit in the field, to allow the member to acknowledge the attempt to contact and be reasonably able to hear, understand, and if necessary write down the information about to be transmitted.
- Utilize the proper sequence when transmitting information to the dispatch center. That sequence should consist of providing the last name, first name, middle name, and lastly the date of birth, if available. Providing the driver's license or identification card number, if available, is appropriate if a name is difficult to articulate or spell phonetically.
- Say the name first, and then spell the name using the appropriate phonetic alphabet if appropriate. If the name is difficult to pronounce, begin the radio transmission with the phrase "phonetics are."

- When in the field and initiating a contact, E. G. “Out with one subject,” after transmitting the imminent contact, pause in the radio transmission to receive an acknowledgment from the Support Services Technician, then transmit the location. In the interest of officer safety, contact should not be initiated until the Support Services Technician has acknowledged the contact and the location.
- Advise the dispatch center of location and activity at all times to ensure officer safety.
- Listen to the radio transmissions from the dispatch center. At times the Support Services Technician may be actively involved with a high priority contact, E. G. a 911 telephone message or a fire department transmission, and may not be able to monitor and/or acknowledge a police radio transmission.
- Request code 7 through a radio transmission so that the dispatch center and/or the watch commander are aware of the status and location of police units in the field. Such a request is necessary to ensure appropriate police service and/or coverage for the safety of the community and department members.

ATASCADERO POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE



#7 JUVENILE MEDICAL/UNDER THE INFLUENCE

Statement of Purpose:

Contacts with juvenile's present significant liability risks for the Department and officers if not documented appropriately. This procedure outlines the protocol for documenting contacts with juveniles who are under the influence of an alcoholic beverage and/or drugs or require medical treatment as a result of being under the influence of an alcoholic beverage and/or drugs or a suicide attempt.

Procedure:

A contact with a juvenile under the influence of an alcoholic beverage and/or drugs may be documented in a crime/ arrest report if the juvenile is taken into custody at the scene of the incident.

A contact with a juvenile under the influence of an alcoholic beverage and/or drugs who requires medical treatment and is not taken into custody at the scene of the incident due to the need for immediate medical treatment should at a minimum be documented in an incident report (IR) detailing the circumstances surrounding the contact/ incident.

- If appropriate given the circumstances surrounding the contact, a crime and/or arrest report should be completed.
- A contact with a juvenile requiring medical treatment as a result of an attempted suicide should at minimum be documented in an incident report (IR) detailing the circumstances surrounding the contact/ incident.
- If appropriate given the circumstances surrounding the contact, a crime and/or arrest report should be completed.

- For details regarding specific procedures governing documentation of a juvenile who is detained under section 5150 of the Welfare and Institutions Code (WIC), refer to Lexipol policy #418.

ATASCADERO POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE



#8 COST RECOVERY

Statement of Purpose:

This procedure outlines the protocol for recovery of the cost occurred by the department from specific types of calls for service.

General Procedure:

- The Atascadero Municipal Code (AMC) was amended to establish procedures for cost recovery for the department's responses to disturbances.
- In order to effectively track and initiate the cost recovery procedures, a notice of cost recovery or administrative citation form was developed that shall be provided to the responsible party at the disturbance that qualifies for cost recovery.
- There are three levels of administrative citations that may be issued for progressive violations of fines, as noted on the front of the citation, are:
 - \$100 for the first citation.
 - \$200 for the second citation.
 - \$500 for the third and subsequent citations issued for the same violations occurring within one year of the issuance of the first citation.
- The fines are cumulative and administrative citations may be issued for each time and/or day that the violations exist.
- A violator has the right to appeal an administrative citation by filing a completed notice of appeal request for hearing form, together with a deposit of the total fine

amount indicated on the citation and a detailed written explanation of the grounds for the appeal. The appeal form is obtained and filed at City Hall. The appeal form must be filed within 15 calendar days of the issuance of the citation. If the appeal form is filed properly, City Hall schedules in administrative appeal hearing.

- Failure to comply with the appeal procedures as noted above shall constitute a waiver of the right to an administrative appeal hearing and adjudication of the administrative citation, or any portion thereof, and a waiver of the right to contest the amount of the administrative fine assessed.
- The violator may pay the fine noted on the front of the administrative citation prior to receiving an invoice from the city by mail or in person at the City Of Atascadero, 6907 El Camino Real, CA,93422. Payment should be made by personal check, cashier's check, or money order, payable to the City of Atascadero. The violator should write the citation number on the face of the check or money order.
- If the administrative citation is not paid or appealed within the allowable time, the violator will receive an invoice from the City of Atascadero Administrative Service Department. The violator should then follow the instructions on the invoice to ensure proper processing of the payment. Payment of the fine shall not excuse the
- failure to correct this cease of violation nor shall be further enforcement actions by the city of Atascadero.

Instructions on completing the administrative citation

- When responding to an incident that may qualify for cost recovery, motorcycle riding or loud parties, it is the responsibility of the responding officer to ask the dispatch center to research the location for any record of a notice of cost recovery form or administered a citation having provided to a responsible party. If the circumstances meet the criteria for cost recovery under section 9 – 14.14 of the AMC prior notice having been provided in a second or subsequent police response within the required time frame, the responding officer shall document the incident with the appropriate report so that the cost recovery can be initiated.
- Confirm the violations such as motorcycle riding is a violation.
 - Revise the text of the administrative citation form to indicate 72 hours rather than “12 hours” for a violation to reflect the change in the AMC that occurred subsequent to the printing of administrative citation form.

- Complete the administrative citation with the violator's personal information.
 - Indicate whether the violation is a first, second or third violation. Confirm through dispatch and CAD if there have been previous administrative citations issued on the same violations so that the correct fine can be noted on the face of the citation.
 - Complete the violation section and description, referring to the appropriate municipal code.
 - For Municipal Code Violations, most commonly encountered by officers, including motorcycle riding violations, the correction date shall be the same date and time as the administrative citation because the violation must cease immediately.
 - Sign the administrative citation with your employee number.
- Fill in the due date for the fine, which is 15 days from the date of issuance.
 - Have the violator sign the administrative citation. A signature of the violator is not required, but the party should be advised that his/her signature is not an admission of guilt. If the violator refuses to sign the administrative citation, right refused on the signature line on the administrative citation but do not physically arrest the violator for refusal to sign the administrative citation.
 - Give the canary copy of the administrative citation to violator.
 - Submit the white copy of the administrative citation with an appropriate department report, crime incident, and/or supplemental reports, for supervisory approval and for the processing and entry into the system by the Support Service Unit.
 - Dispatch will forward a photocopy of the crime report, the supplemental report, and the notice of cost recovery administrative citation to the chief of police for billing.

ATASCADERO POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE



#9 JUVENILE COURT PETITIONS

Statement of Purpose:

This procedure outlines the protocol on how to file a Juvenile Court Petition for use by all department personnel.

Procedure:

- Open the “T” drive
- Open “APD FORMS” folder
- Open “JUVENILE COURT PETITION” folder
- Open “ “New Petition”
- Double click on Case # (top right corner) and enter the case number to reflect your case and hit “close.”
- Type your name and body number in the first sentence, e.g. I, Fred Pflum, 4014.
- Complete and fill in the remaining highlighted areas – juvenile suspect’s full name, DOB, parents or guardians’ names and address, date of case report, offense(s), and date of petition.
- Save the document. Click on File, click on Save As, enter last name and first initial of juvenile (e.g. Smith, J) to name the document and save in “Completed Juvenile Petitions” folder.
- Print a copy of the petition, sign the petition and attach it to the routing sheet.
- The “STATUS” at the end of your narrative should state: “Forward to Juvenile Probation for filing. See attached Juvenile Petition.”
- The following offenses DO NOT REQUIRE a Juvenile Petition:
 - 308(b)PC, Muni Codes, Education Codes, and Curfew Codes.
- All other offenses REQUIRE a Juvenile Petition.

PRINT
RESET FORM

ATPD CASE# [REDACTED]

ATASCADERO POLICE DEPARTMENT
AFFIDAVIT AND APPLICATION FOR FILING OF JUVENILE COURT PETITION
(Welfare and Institutions Code Section 653)

INITIAL/LAST NAME BODY# FIRST, MIDDLE, LAST MM/DD/YYYY
I, Z. Yeaman-Sanchez 5151, a Police Officer, hereby state that [REDACTED], a minor, DOB [REDACTED]

Parent(s)/Guardian Name and Address: [REDACTED]

Committed an offense within sections 601/602 within San Luis Obispo County, and that said minor comes within the provisions of sections 601/602 of the Welfare and Institutions Code of the State of California as evidenced by the case reports dated 06/27/22, which are attached hereto and incorporated by reference herein. On the basis of this information, the undersigned requests that a Juvenile Court Petition be filed on the above named minor for the offense(s) of:

- M F PC 459.5
- M F
- M F
- M F

I declare under penalty of perjury that the facts set forth in this affidavit and its attachments are true and correct to the best of my knowledge.

Dated: 06/27/22 Signed/Body #: 5151

*****OPTIONAL TO FILL OUT COMPANION INFORMATION*****

Companions referred: [REDACTED]
Companions not referred: [REDACTED]

PROBATION DEPARTMENT REVIEW

- Referred to Traffic Court
- Referral Recorded and Handled Informally**
- Active Delinquent Ward (602 W&I)/Offense reported to Juvenile Court**
- 6 Month Probation Supervision (654 W&I)**

****REASON (S):**

- | | |
|--|--|
| <input type="checkbox"/> Active to another jurisdiction | <input type="checkbox"/> Family moving |
| <input type="checkbox"/> Active Dependent Ward (300 W&I) | <input type="checkbox"/> Referred to Community Agency |
| <input type="checkbox"/> Minor offense | <input type="checkbox"/> PC 26 problem |
| <input type="checkbox"/> No prior referral | <input type="checkbox"/> Administrative exception |
| <input type="checkbox"/> No prior arrests (2 yr. period) | <input type="checkbox"/> Minor cannot be located |
| <input type="checkbox"/> Transient | <input type="checkbox"/> Parents handling appropriately |
| <input type="checkbox"/> Restitution paid/property recovered | <input type="checkbox"/> Low maturity/intellectual level |

Other reasons/Additional Information (if any): [REDACTED]

[REDACTED]

[REDACTED] (Date) [REDACTED] (Please Print) (Deputy Probation officer) [REDACTED] (Phone Number)

REPORT OF ACTION AND ENDORSEMENT

The following action was taken on this application:

- Petition requested under section(s)
- D.A. Reject - See D.A. Referral

ATASCADERO POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



#10 CONFIDENTIAL INFORMATION FUNDS

Statement of Purpose:

This procedure outlines the protocol for the proper use and documentation of Special Funds utilized by the Investigations Unit to Confidential Informants (will be referred to as "CI" throughout the remainder of this document) for the purchase of evidence, payments to informants and expenses related to an investigation.

Procedure:

Informant Buys

When a CI purchases evidence or other contraband, the purchase shall be made under the following guidelines:

- When Special Funds are used, all CI buys shall be under the direct control or supervision of the Atascadero Police Department Personnel or allied agency personnel who are associated through special units.
- Any time Special Funds are provided to a CI, one detective, the detective sergeant, or the Watch Commander, or the Commander or the Commander's designee, must be present to witness the furnishing of Special Funds to an informant. All involved from the above will sign the Payment and Expense Voucher, which will be maintained in the CI file.
- CI's will not "front" City of Atascadero money to any suspect without prior authorization from the Detective Supervisor or Commander.
- The CI shall be searched for contraband and money by a detective prior to the buy. This would include a search of the CI's vehicle. Constant visual surveillance should

be maintained on the informant preceding the buy in order to ensure that any evidence or contraband was obtained from the buy location. Visual surveillance should be maintained on the informant upon leaving the buy location to ensure that the evidence or contraband was obtained from the buy location.

- CI's should wear a wire whenever possible, for case integrity and the safety of the CI.
- The CI and their vehicle shall be searched after the buy for contraband and money
- The detective in charge of the investigation will, when practical, monitor telephone conversations between the CI and suspect.
- The CI should be debriefed and a statement obtained.

Informant Payments

The amount of funds to be paid to any CI will be evaluated against the following criteria:

- The extent of the informant's personal involvement in the case
- The quality of the violator arrested, in terms of amount of contraband seized □ The amount of assets seized.
- The quantity of the drugs seized.
- The informant's previous criminal activity.
- The level of risk taken by the informant.

As stated previously **ALL** payments to CI's must have the prior approval of the Commander, or in his absence, his designee. The Commander or his designee will discuss the above factors with the Chief of Police and arrive at a recommended level of payment.

Control and use of Special Funds

Special Funds may be expended for:

- The purchase of Evidence;
- Payments to informants;
- Expenses related to an investigation;

Detectives must get their supervisor's approval prior to any expenditure.

Instructions for Completing Tracking Forms for the use of Special Funds

Any detective/supervisor using Special Funds will track the expenditure of funds using a receipt book, Informant Fee Payment Ledger, Payment and Expense Voucher and a Special Funding Expenditure Log. The results of these operations will be documented in an APD general incident report using the “narcotics information” heading and also on a Performance History Form. Duplicate copies of all of these forms will be maintained in the CI file as well as in the Special Funds designated area.

Any detective using special fund money shall utilize a receipt book receipt system. Each transfer of money from one source to another will be memorialized with a receipt and signed by the detective, Commander or his designee. Copies of the receipts will be maintained in the CI file as well as in the Special Funds designated area. Completed receipt books will be maintained by the Commander.

The Informant Fee Payment Ledger will be completed by the CI handling detective. The detective will ensure the receipt number from the receipt book is documented on the ledger as well as the amount paid to the CI and the balance. For example, if the CI is given \$100.00 in Special Funds and only purchases \$50.00 worth of evidence, then \$50.00 will be documented under the “balance” section of the ledger.

The CI handling detective will also complete a Payment and Expense Voucher. Each Payment and Expense Voucher will be numbered. The completion of this form will include the CI number, case number, date and time of operation, crime heading, and Special Funds amount provided to the CI. The CI's name and signature, along with the detective in charge of the investigation and a detective witness will also be completed on the form. All will certify the amount of money that will be expended and give a complete summary of the purpose for the expenditure in the “Summary/Disposition” heading. For example, “\$20.00 in Special Funds was provided to a Confidential Informant who purchased .3 grams of Methamphetamine). The detective supervisor, as well as, the Commander or his designee, will sign the completed form. Copies will be maintained in the CI file.

At the conclusion of the operation, the Performance History Form will be completed to document the outcome of the operation. The completion of this form will include the case number (of the original offense the CI is performing for leniency under), the date, the number of individuals arrested (if any), the new case number issued for the operation, the evidence seized (grams of Heroin etc.) and the disposition of the operation (arrest, documentation, etc).

Money that is given to an informant for **any** reason will be listed under the “payment” heading on the Informant Fee Payment Ledger. Money given to an informant for an investigative reason, that they do not benefit from, will still be listed as an informant fee,

but the fact that the informant did not benefit from this expenditure will be noted in the summary/disposition heading of the Payment and Expense Voucher.

(Examples: Money provided to go to a business so they can have work performed on their car in an effort to contact crime suspects, gas money so they can drive to a location to further an investigation, money for a motel room so they can stay in a specific area to contact suspects, or money provided to an informant so they can meet the suspects for a meal.)

This type of expense will still be maintained in the informant's informant file and will be released to the court if records are requested. The keeper of records will disclose these expenses with the other informant fees, but they will point out to the court there is money that the informant did not benefit from.

The detective in charge of the investigation will fill out and ensure all forms are completed thoroughly and accurately. Duplicate copies of all forms will be maintained in the CI file as well as in the Special Funds designated area.

Any money expended for an expense related to an investigation will be listed under "Draws (Vouchers)" on the Special Funding Expenditure Log. These would include expenses such as car rental, motel room expenses, or the purchase of anything that is critically needed during the course of an investigation where the normal City of Atascadero Purchasing procedures may hamper the successful completion of the investigation. The circumstances justifying this type of expenditure will be detailed on the expenditure form.

The Commander or the Commander's designee will have access to the Special Funds which will be located in a safe in the Commander's office. The Commander and Chief will maintain keys to this safe in their respective offices. The Chief's Administrative Assistant will have duplicate keys which will also be maintained in the Chief's office, accessible by the Chief's Administrative Assistant and the Chief. Only the Commander or the Commander's designee has the authority to release Special Funds.

The Commander will account for all Special Funds expended with a Special Funding Expenditure Log which will be forwarded to the finance department on a quarterly basis, along with a copy of each coordinating receipt. The Commander will ensure that each detective who expended funds document those expenses on a Special Funding Expenditure Log. The supervisor will complete a monthly activity report which will be submitted to the Commander and kept with the Special Funds designated area. This accounting will be provided to the Commander by the 10th of each month.

ATASCADERO POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE



#11 OBTAINING MEDICAL RECORDS

Statement of Purpose:

Obtaining a person's highly confidential medical records can present significant liability risks for department and officers if not obtained appropriately. This procedure outlines the protocol for explaining the process for release of medical records to a victim/suspect and obtaining the appropriate signatures on the authorization to release medical records.

General Procedure:

Any victim/suspect that has an injury or the potential of sustaining injury as a result of any assault, sexual assault, or any incident where an officer feels that a medical release is appropriate should sign an authorization to release medical records.

- Read the authorization to release medical records in its entirety to the person, making sure it is understood their medical records will be treated as highly confidential and only shared with authorized personnel of the Atascadero Police Department and the San Luis Obispo County District Attorney's Office.
- Write the case number of your report in the upper right-hand corner where labeled "case number."
- Clearly fill in the appropriate personal information of the person you are seeking medical information from under "Patient Name, Home Address, Home Telephone and Date of Birth."
- Place a check mark next to the type of incident that caused you to seek medical records from the person injured. Have the person sign their name next to the titled incident of which you are requesting medical records.

- Insert the medical facility's name where the person seeking medical treatment.
- Print the name of the Investigating Officer or Detective on the appropriate line labeled "Attn:" to insure the records are routed to that person.
- Have the patient or legal guardian of the patient sign and date the form on the appropriate line at the bottom of the page.
- Attach the authorization to release medical records from to your report once the report is completed and turned in.
- Once medical records are released from the medical facility, attach a photocopy of the records to your report and book the originals as evidence.



**CITY OF ATASCADERO
POLICE DEPARTMENT**



Robert Masterson
Chief of Police

AUTHORIZATION TO RELEASE MEDICAL RECORDS

Failure to provide all the information requested may invalidate the Authorization

PATIENT INFORMATION

Patient Name:	[REDACTED]	Date of Birth:	[REDACTED]
Home Address:	[REDACTED]		
SS #:	[REDACTED]	Phone Number:	[REDACTED]

HEALTH INFORMATION

I request and authorize Twin Cities Hospital to release health information on the above named patient concerning the following treatment:
(Facility Name)

By applying a check next to each category of highly confidential information listed below, I specifically authorize the use and/or disclosure of the type of highly confidential information indicated next to my signature, if any such information will be used or disclosed pursuant to this Authorization.

Date(s) of visit or care (please be specific): 10/4/22

INFORMATION TO BE DISCLOSED:

<input checked="" type="checkbox"/> Medical	<input type="checkbox"/> Communicable Disease
<input type="checkbox"/> Developmental Disability	<input type="checkbox"/> Mental Health
<input type="checkbox"/> Psychotherapy Notes	<input type="checkbox"/> Sexual Assault
<input type="checkbox"/> HIV/AIDS Testing, Diagnosis, or Treatment	<input type="checkbox"/> Child Abuse or Neglect
<input type="checkbox"/> Substance Abuse, Prevention or Treatment	<input type="checkbox"/> Genetic Testing
<input type="checkbox"/> Domestic Abuse	<input type="checkbox"/> Elder Abuse
<input type="checkbox"/> Other:	

RECIPIENT INFORMATION

I authorize this information be sent to:

Name:	<u>Atascadero Police Dept</u>	Fax #:	<u>805-461-3702</u>
Title/Position/Relationship:	<u>Records Lead K. Grogan</u>		
Address:	<u>5505 El Camino Real</u> <small>(STREET ADDRESS)</small>	<u>Atascadero, CA</u> <small>(CITY/STATE)</small>	Phone #: <u>805-461-5051</u> <small>(ZIP CODE)</small>

5505 EL CAMINO REAL • ATASCADERO, CA 93422
General Business: (805) 461-5051 Fax: (805) 461-3702

TERM

- This Authorization will remain in effect until (1 year/insert date) 10/2/23

YOUR RIGHTS

You have the right to receive a copy of this Authorization.
 You have the right to revoke (withdraw) this Authorization at any time by signed written request to: Twin Cities Hospital. Your revocation will be effective upon receipt, but will not be effective to the extent that actions to comply with the original request have already been taken, or if authorization was obtained as a condition of obtaining insurance coverage.

I understand that once Twin Cities Hospital discloses my health information to the recipient, Twin Cities Hospital can not guarantee that the recipient will not re-disclose my health information to a third party. The third party may not be required to abide by this Authorization or applicable law governing the use and disclosure of my health information.

MEDICAL FACILITY

Name:			
Address:	(STREET ADDRESS)	(CITY/STATE)	Phone #:
		(ZIP CODE)	

SIGNATURE

I have read and understand the terms of this Authorization and I have had an opportunity to ask questions about the use and disclosure of my health information. By my signature below, I hereby, knowingly and voluntarily, authorize the indicated medical facility to use or disclose my health information in the manner described above.

Signature: [Redacted] Date: 10/4/22
 Print Name: [Redacted] Driver's License # [Redacted]
 Phone number [Redacted]

If not signed by the patient, please indicate relationship and furnish proof:

<input type="checkbox"/>	Parent or guardian of minor patient (to the extent minor could not have consented to care)
<input type="checkbox"/>	Guardian or conservator of an incompetent patient
<input type="checkbox"/>	Beneficiary or personal representative of a deceased patient

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ATASCADERO POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE



#12 IN-CAR VIDEO SYSTEM

Statement of Purpose:

This procedure outlines the protocol on selecting the correct Event Type for videos associated with the In-Car Video System (ICVS)

Lexipol Policy:

446

Definitions:

- The following Event Types are available:
 - Case Number Issued/Arrest: Incidents when a case number has been assigned.
 - No Incident/CFS: Calls for service when a case number is not assigned
 - Traffic Stop No Citation: All traffic stops when a citation is not issued and no case number is assigned
 - Traffic Stop Citation: All traffic stops when a citation is issue and no case number is assigned
 - Code 3: Responding Code 3 to an incident and no case number is assigned
 - Error: ICVS activated in error

Procedure:

- Once an incident has concluded you can only stop the ICVS recording from your Mobile Data Computer (MDT).
- After the recording has been stopped the ICVS software will prompt you to select an Event Type for the video. The Event Type determines how long the video will be retained.
- Select the appropriate Event Type that meets criteria outlined above.

- If you select the Event Type: Case Number Issued/Arrest, input the associated case number in to case number field
- If you select the Event Type: Traffic Stop Citation, input the associated citation number into the citation field
- If you select the wrong Event Definition, case number or citation number it can be corrected utilizing the ICVS software installed on the MDT or a computer at the Department

ATASCADERO POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE



#13 TRAIL BY WRITTEN DECLARATION

Statement of Purpose:

This procedure outlines the protocol on how to complete a written declaration for traffic court requests for use by all department personnel.

Lexipol Policy:

None associated.

Procedure:

- A written declaration request is received and logged in the subpoena book by dispatch. The due date for the declaration shall be the date entered as the appearance date in the log.
- The officer is served the written declaration with signature and date received in the same manner subpoenas are received and signed for.
- The officer completes the court prepared form, checking the appropriate boxes, etc.
- In the narrative portion of the written declaration, the officer will write "See attached."
- Officers can access the "T" drive on the computer and open the "APD Forms" folder, next open the "Written Declaration" form.
- Officer completes the form, including all pertinent information including the citation #, date of citation, officer's name, and a narrative.
- Officer submits the written declaration in the same manner as a crime report submitted for supervisor approval.
- The supervisor will review and approve the declaration.
- The supervisor will return the declaration to the officer.
- The officer will scan the Written Declaration and email the document to the court.



**ATASCADERO
POLICE DEPARTMENT**
5505 EL CAMINO REAL
ATASCADERO, CA 93422
(805) 461-5051

WRITTEN DECLARATION

CITATION NUMBER:	CITATION DATE:
OFFICER'S NAME:	OFFICER'S BADGE NUMBER:
OFFENDER'S NAME:	TODAY'S DATE:

NARRATIVE:

[Large empty light blue rectangular area for narrative text]

OFFICER'S SIGNATURE:	DATE SIGNED:	SUPERVISOR'S SIGNATURE:	DATE SIGNED:
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ATASCADERO POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE



#14 INJURY ON-DUTY REPORTING

Statement of Purpose:

This procedure outlines the protocol for immediate response to injured on duty (IOD) incidents and for reporting those incidents.

Lexipol Policy:

Please refer to Lexipol Policy 1042 for further details.

Procedure:

- *The health and safety of every Department member involved in an IOD incident, both in the immediate aftermath of an incident and in the long term, is the most important consideration.* □ The designated facility for non-emergency treatment of work-related injuries and an illness is Carbon Health, located at 500 First St. Paso Robles, Ca. The facility specializes in occupational medicine and has staff dedicated to Workers Compensation issues. The office hours for Urgent Care are 0830-1900 hours, Monday through Sunday, excluding holidays. The contact telephone number for Urgent Care is (805) 226-4222.
- The designated facility for emergency and after-hours treatment of work-related injuries and illness is Twin Cities Community Hospital Emergency Room at 1100 Las Tablas Road, Templeton, California. The contact telephone number for the Emergency Room is (805) 434-4550.
- In the file cabinet in the Watch Commander's office is a supply of City of Atascadero "Workers' Compensation Injury Report Kits." When the supply becomes low, advise the Administrative Assistant to the Chief of Police so that additional kits can be obtained.
- All work-related injuries or illnesses shall be reported to a supervisor, preferably the Watch Commander, within 24 hours of occurrence. A delay in reporting an injury or illness may jeopardize acceptance of the injury or illness as work-

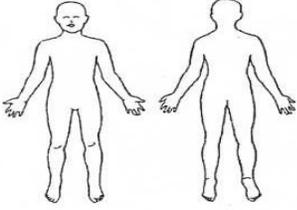
related. Any delay in reporting an injury or illness that exceeds 24 hours should be fully explained to the documenting supervisor by the reporting individual. The reason(s) for the delay should be included in the documentation completed by the supervisor.

- **The decision on whether or not to accept an injury or illness as work-related is not made by the documenting supervisor. If there is any doubt, that decision is made by the Personnel Department and/or the City’s Workers Compensation insurance carrier. The responsibility of**
 - **the documenting supervisor to assist in the decision process is to provide as accurate and detailed information regarding the injury or illness as reasonably possible.**
- The informational pamphlet “The Facts about Workers’ Compensation” shall be provided to the reporting individual.
- The bilingual Workers’ Compensation Claim Form (DWC1) must be provided to the injured or ill individual within 24 hours of knowledge of the injury or illness.
 - Unless he/she is unable due to the extent of the injury or illness, the injured or ill individual should complete and sign items #1 through #8 on the DWC 1 form.
 - The supervisor to whom the injury or ill individual reported the incident must complete and sign items #9 through #18 on the DWC 1 form. A supervisor signature on the DVW 1 form is not an admission of liability for the injury or illness. The injured or ill individual must be provided with a copy or photocopy of the DWC 1 form after it has been fully completed.
- The supervisor to whom the injury or illness is reported must complete the California IPIA Supervisor’s Report of Injury or Illness form as accurately and completely as reasonably possible.
 - Witness information is important.
 - The supervisor should indicate what steps have been taken or recommended to attempt to prevent a recurrence.
 - The supervisor should indicate what the employee was doing at the time of the event that caused the injury or illness and describe how the event occurred.
 - The supervisor must sign and date the form.
- If the injured or ill individual is being immediately referred to a medical provider, e.g. Urgent Care or Twin Cities Community Hospital, if reasonably possible without unnecessarily delaying required medical treatment, the supervisor should

- complete and sign the top portion of the “Medical Services Order’ form and provide that form to the injured or ill individual.
- The injured or ill individual should take the “Medical Services Order” form to the medical facility providing treatment.
 - The treating physician should complete and sign the lower portion of the form.
 - The injured or ill individual should return the completed “Medical Services Order” form to a supervisor, not necessarily the supervisor to whom the injury or illness was reported, as soon as reasonably possible so that the form can be forwarded to the Personnel Department.
- The supervisor to whom an injury or illness is reported should complete as thorough an investigation of the incident as is reasonable possible.
 - The completed “Workers’ Compensation Injury Report Kit” with any applicable explanatory documents that can be released outside the Department must be submitted to the Personnel Department as soon as reasonably possible. **Do not forward the documents using inter-office mail. The documents must be submitted in a confidential manner such that the identity of the injured or ill individual is restricted to authorized personnel.**
 - If a supervisor becomes aware of an unsafe condition that might reasonably have contributed to the reported injury or illness or might reasonably contribute to a future injury or illness, that condition shall be reported to the Chief of Police or his/her designee as soon as reasonably possible. In the interim, it is the responsibility of the supervisor to mitigate the unsafe condition, or limit exposure to the unsafe condition, as much as reasonably possible.



Supervisor's Report of Injury or Illness

1. Name of employer:		2. Name of supervisor:		3. Department:	
3. Employee's name:			4. Job title or position:		
4. Date and time of event:		5. Location or address where event occurred:		5a. On employer property? <input type="checkbox"/> Yes <input type="checkbox"/> No	
6. Date of knowledge of the event:		7. Name and title of person to whom the event was reported:			
7. If the event was not reported immediately, why not?					
8. Was employee given a claim form (DWC-1)? <input type="checkbox"/> Yes (date: _____) <input type="checkbox"/> No			9. Did employee sign and return the claim form (DWC-1)? <input type="checkbox"/> Yes (date: _____) <input type="checkbox"/> No		
10. Type of medical treatment required: <input type="checkbox"/> No treatment needed <input type="checkbox"/> Paramedics or EMT <input type="checkbox"/> Emergency room <input type="checkbox"/> Hospitalized overnight <input type="checkbox"/> Medical treatment refused <input type="checkbox"/> First aid <input type="checkbox"/> Clinic				11. Medical treatment provider: (include name and address of facility) <input type="checkbox"/> Check if this is pre-designated provider	
12. What was the employee doing at the time of the event? (Attach separate sheet if necessary) _____ _____					
13. Describe how the event occurred: (Attach separate sheet if necessary) _____ _____					
14. Type of Injury: <input type="checkbox"/> Amputation/severance <input type="checkbox"/> Bite/sting <input type="checkbox"/> Burn <input type="checkbox"/> Cancer <input type="checkbox"/> Contusion, blunt trauma <input type="checkbox"/> Crush <input type="checkbox"/> Dermatitis <input type="checkbox"/> Dislocation <input type="checkbox"/> Fracture <input type="checkbox"/> Inflammation <input type="checkbox"/> Internal <input type="checkbox"/> Puncture, penetrating trauma <input type="checkbox"/> Repetitive motion injury <input type="checkbox"/> Sprain/strain <input type="checkbox"/> Tendonitis/synovitis <input type="checkbox"/> Other: _____		15. Cause of Injury: <input type="checkbox"/> Absorption, ingestion, inhalation <input type="checkbox"/> Animal or insect <input type="checkbox"/> Burn, scald, temperature extreme <input type="checkbox"/> Caught in or between <input type="checkbox"/> Cumulative trauma <input type="checkbox"/> Cut, puncture or scrape <input type="checkbox"/> Electrical current <input type="checkbox"/> Equipment, tools, machinery <input type="checkbox"/> Explosion <input type="checkbox"/> Foreign body <input type="checkbox"/> Lifting <input type="checkbox"/> Motor vehicle <input type="checkbox"/> Pushing, pulling <input type="checkbox"/> Repetitive motion <input type="checkbox"/> Rubbed or abraded <input type="checkbox"/> Slip, trip or fall <input type="checkbox"/> Struck against, by <input type="checkbox"/> Miscellaneous causes <input type="checkbox"/> Other: _____		16. Mark affected area(s) on diagram: 	
17. Did employee lose time from work?		<input type="checkbox"/> No <input type="checkbox"/> Yes – First day of lost time: _____			
18. Has employee returned to work?		<input type="checkbox"/> No <input type="checkbox"/> Yes – Date returned: _____ <input type="checkbox"/> Full duty <input type="checkbox"/> Modified duty – Describe: _____			

Attachments

Page 1 of 2



Supervisor's Report

Employee's Name: _____

18. Was the event witnessed? No Yes - List witnesses (Attach separate sheet if necessary)

Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Telephone: _____	Telephone: _____

19. Check all conditions or actions that apply:

<p>EQUIPMENT</p> <input type="checkbox"/> Defective machine <input type="checkbox"/> Machine guards not in place <input type="checkbox"/> Machine guards missing - need to be installed <input type="checkbox"/> Improper tools <input type="checkbox"/> Defective tools <input type="checkbox"/> Improper protective equipment <input type="checkbox"/> Defective protective equipment <input type="checkbox"/> Inadequate protective equipment <input type="checkbox"/> Other: _____	<p>PROCEDURE</p> <input type="checkbox"/> Unsafe procedures <input type="checkbox"/> Procedures missing <input type="checkbox"/> Procedures inadequate <input type="checkbox"/> Other: _____
<p>ENVIRONMENT</p> <input type="checkbox"/> Arrangement of equipment, work flow, tools <input type="checkbox"/> Poor housekeeping - cleanliness and organization <input type="checkbox"/> Inadequate lighting <input type="checkbox"/> Inadequate ventilation <input type="checkbox"/> Signs - inadequate signs or other forms of warning <input type="checkbox"/> Walking surface <input type="checkbox"/> Other: _____	<p>TRAINING</p> <input type="checkbox"/> Associate(s) lacks training <input type="checkbox"/> Associate(s) needs retraining <input type="checkbox"/> Other: _____
	<p>SUPERVISION</p> <input type="checkbox"/> Procedures not enforced <input type="checkbox"/> Use of protective equipment not enforced <input type="checkbox"/> Use of machine guards not enforced <input type="checkbox"/> Other: _____
	<p>WORKER</p> <input type="checkbox"/> Horseplay, unsafe behavior <input type="checkbox"/> Short cuts, carelessness <input type="checkbox"/> Distracted, inattentive <input type="checkbox"/> Other: _____

20. Describe the steps recommended or taken to prevent a recurrence:

21. List any employer property that was damaged and describe the damage:

22. Was the event caused by, or involve, a third party? No Yes - complete below:

Auto accident Rented or leased equipment Off-site activity Conference or seminar Construction area

Name and address of third party: _____

Description of involvement: _____

23. Other information:

Photographs taken? No Yes - by whom: _____

Police or fire called to event? No Yes - Agency: _____

Cal/OSHA contacted? No Yes - by whom: _____

Evidence preserved (contact Risk Management for guidance)? No Yes - by whom: _____

24. Comments: (Attach separate sheet if necessary)

Completed by (print name): _____ Date: _____

Signature: _____ Phone #: _____

Attachments



Employee's Report of Injury or Illness

1. Employee's name (please print):	2. Date of birth:	3. Social Security #:
4. Name of employer:	5. Job title, duties or position:	6. Department:
7. Date and time of event:	8. Location of event:	On employer property? <input type="checkbox"/> Yes <input type="checkbox"/> No

Notice of Privacy

Labor Code §3762(c) prohibits insurers, TPAs, and employees who administer claims for self-insured employers, from disclosing medical information relating to a workers' compensation claimant, even to the employer, except information "limited to the diagnosis of the mental or physical condition for which workers' compensation is claimed and the treatment provided for this condition" or "that is necessary for the employer to have in order for the employer to modify the employee's work duties".

Authorization for Release of Employment and Medical Records

To _____:

You are hereby authorized to release to California Joint Powers Insurance Authority (CJPIA), York Insurance Services Group (YISG), or their agents or representatives, the following information regarding the individual named below:

- Medical records, including all office, emergency room, inpatient, outpatient, hospital charts and records, radiology reports, billing records, payments, invoices, and itemized statements of any type, x-rays and results of diagnostic testing, general medical files, including the release of all information regarding charges for treatment and consultation, photographs, videotapes, and records from any media available, workers' compensation records and insurance records, including records regarding payments, time off for individual incidents and any other documents contained within the file.
- Employment and payroll records, including records regarding work absences, incident reports, personnel records, pre-employment examination and fitness for duty records and progress records.

A photocopy or facsimile of this release is as valid as the original. These records are being requested on behalf of the individual signing below for use in the adjudication of a workers' compensation claim. This authorization will remain valid for the pendency of the subject claim. Such revocation must be sent to the party on whose behalf the aforementioned records are requested. This authorization may be revoked up until such time as the records have been released to the requesting party. All records released under this authorization may no longer be protected under HIPAA but may be covered by other Federal and state laws regarding re-disclosure. I hereby waive any and all confidentiality provisions of the Americans with Disabilities Act of 1990, PL 101-336. The individual signing this document may receive a copy of this authorization at their request. Treatment, payment, enrollment or eligibility for benefits for the individual listed below may not be conditional for refusal to sign this authorization. In utilizing this authorization the party requesting the records hereby agrees to inform the attorney for the undersigned individual which documents have been requested, and to furnish duplicates of all documents copied, if so requested.

Employee's name (please print)	Social Security #	Employee's signature	Date
--------------------------------	-------------------	----------------------	------



Employee's Report of Injury or Illness

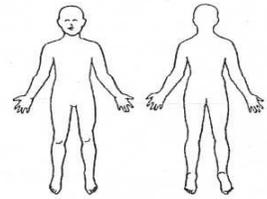
Employee's Name: _____

9. Describe what you were doing at the time the event occurred:

10. How did the event occur?

11. Describe the injury or illness (body parts, condition):

Mark affected area(s) on this diagram



12. Supervisor's name: _____

13. Who did you report the event to? _____

14. Did you get a claim form (DWC-1)? .Yes .No

15. Did you return the claim form? .Yes .No

16. List all witnesses: _____

17. Have you ever sustained an injury or illness to this part of your body before now? .Yes .No (If "no", skip to 19)

18. Please explain any previous condition that may have been aggravated by this incident:

18a. List the name and addresses of all medical providers you have seen for these previous conditions:

19. Do you feel something could have been done to prevent this accident? .Yes .No
If "yes", explain.

20. Please describe any safety hazard(s) you observed:

21. I currently refuse medical treatment.
Employee's signature: _____ Date: _____

I certify that the foregoing is true and correct:
Employee's signature: _____ Date: _____

Employer's representative's name: _____ Date: _____

Employer's representative's signature: _____

ATASCADERO POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE



#15 ANNUAL VACATION REQUEST

Statement of Purpose:

This procedure outlines the protocol for the department's annual vacation sign-up request. During the development of this protocol three areas of concern were identified:

- There are currently no departmental restrictions from an employee putting in for time off in advance of their yearly shift rotations. As a result, an employee could conceivably put in for time off now for the entire duration of his/her employment. IE: An employee can put in for every Christmas off for the next 20 years.
- There are currently no departmental restrictions related to time off during special events and holidays. This often creates minimum staffing situations during periods of time in which staffing levels should be high.
- The current system does not reward seniority. This is not seen as an immediate problem; however, in our discussions staff felt it best to address the issue at this time as a benefit to tenured employees.

The new personnel rules will prohibit employees from banking their vacation hours to the same extent as in prior years. As a result, more employees will be taking more vacation time off in the coming years.

This also indicates a need for improving upon the current selection process.

Lexipol Policy:

Please refer to Lexipol policy 1037 for additional information.

Procedure:

- No time off can be requested for more than 12 months in advance (except as listed in #3 below).
- The scheduling supervisor will identify certain times of the year during which time off authorization will be limited (not eliminated, just limited). Some of the

dates may include Cruise Night, New Year's Eve, 4th of July, and other special events.

- Each year we will recognize our more senior employees by allowing a once yearly vacation selection based on seniority not rank. This selection will be for a single vacation request of between 1 and 3 weeks. Requests of more than three weeks will require administrative authorization. Requests of less than 1 week shall follow the normal procedure for time off requests. Seniority vacation requests shall take place between October 1st and October 15th for the following calendar year as administered by the scheduling sergeant. No more than two employees will be authorized time off during that same time period as part of this selection process. If two employees select the same time period off, it shall be the responsibility of the employee with less seniority to select a different shift during shift selection to ensure that both employees are not on the same shift during their selected vacation period Only one rotation through the seniority list will occur. Employees who chose not to sign up for a vacation time during this selection will not be guaranteed specific dates for time off, but will still be able to request time off later following the normal time off request process. In other words, nothing will change for those of you who choose not to take part in this except the following: Time off requests made at other times within the 12-month time frame can be granted, but are subject to be bumped by the seniority selection process. IE: Prior to October 1st selection process, the officer's request will be considered bumped.
- This policy shall not affect employees that are assigned to the investigations division, as the Investigations Sergeant will administer their vacation requests. If an employee is assigned to the Investigations Division and is due to rotate out within the time period of an annual vacation request, that employee can participate in the annual vacation request.

ATASCADERO POLICE DEPARTMENT

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#16 FORCED BLOOD DRAW

Statement of Purpose:

This SOP will provide a guideline for the procedures surrounding a Force Blood Draw on a DUI arrest.

Lexipol Policy:

Lexipol Policy 514.6, 514.6.1 and 514.6.2

Procedure:

Upon an officer establishing probable cause to affect an arrest for VC 23140, 23152, or 23153 the officer shall inform the arrestee of their requirement to provide a chemical test. If the arrestee refuses to willfully provide a chemical test the officer shall inform the arrestee of the requirement to provide a sample and read to them the DUI admonishment form. Once the refusal has been confirmed officers shall write a warrant to obtain the blood sample from the arrestee. The officer shall follow department procedures for obtaining the warrant and obtain a magistrate's approval. Upon receiving the approved warrant officers shall obtain the arrestees blood in a medically approved manner. Per Lexipol Policy 514.6.1 if the suspect becomes physically resistive or informs the officer they will physically resist the officer shall contact a supervisor to respond. If the supervisor determines, as a result of the arrestee's behavior, that in order to obtain the blood, using the warrant provided, too much physical force would be needed that may "shock the conscience of the people" then the situation shall be fully documented in the officer's report and forwarded to the District Attorney's Office for filing charges with the appropriate enhancement sections. If it is determined that the arrestee has willfully resisted or delay the officer in the commission of his/her duty an additional charge of PC 148(a) (1) may be added.

Obtaining evidence provides the best possible way to obtain a conviction in a court of law; therefore, it is always the recommended practice. Obtaining a warrant in these instances would be the recommended practice. If extenuating circumstances arise and obtaining a warrant is not feasible then the watch commander shall be notified and the officer shall explain the circumstances in the report.

Samples:

The directions for obtaining a DUI Force Blood warrant can be found on the T-drive under “FORCE BLOOD WARRANT”.

Penal Code:

PC 1524(13) When a sample of the blood of a person constitutes evidence that tends to show a violation of Section 23140, 23152, or 23153 of the Vehicle Code and the person from whom the sample is being sought has refused an officer's request to submit to, or has failed to complete, a blood test as required by Section 23612 of the Vehicle Code, and the sample will be drawn from the person in a reasonable, medically approved manner. This paragraph is not intended to abrogate a court's mandate to determine the propriety of the issuance of a search warrant on a case-by-case basis.

Vehicle Code:

23612. (a) (1) (A) A person who drives a motor vehicle is deemed to have given his or her consent to chemical testing of his or her blood or breath for the purpose of determining the alcoholic content of his or her blood, if lawfully arrested for an offense allegedly committed in violation of Section 23140, 23152, or 23153. If a blood or breath test, or both, is unavailable, then paragraph (2) of subdivision (d) applies.

(B) A person who drives a motor vehicle is deemed to have given his or her consent to chemical testing of his or her blood for the purpose of determining the drug content of his or her blood, if lawfully arrested for an offense allegedly committed in violation of Section 23140, 23152, or 23153. If a blood test is unavailable, the person shall be deemed to have given his or her consent to chemical testing of his or her urine and shall submit to a urine test.

ATASCADERO POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



#17 ON-LINE CRIME REPORTING PORTAL

Statement of Purpose:

The purpose of this SOP is to set a standard for use of the online crime reporting system. This SOP is not how to use the Online Crime Reporting system but instead when it should be used. The Online Citizens Service Portal can be accessed at:

<http://report.citizenserviceportal.com/Report.aspx?agency=atpd>

Lexipol Policy:

None.

Procedure:

It will be the procedure of our department to utilize the online crime reporting system when possible for each of the following types of reports:

- Custody Order
- Harassing phone calls
- Hit and Run Collisions
- Lost Property
- Suspicious Circumstances
- Theft
- Vandalism
- Vehicle Burglary
- Vehicle Tampering

Upon initial contact the Support Services Technician (SST) or Officer should confirm the follow four criteria exist prior to recommending use of the portal:

- The incident is not an emergency.
- The incident occurred in the City of Atascadero.
- The incident did not occur on the freeway.

- There is no suspect information and no physical evidence.

Support Services Technicians should, when possible, provide citizens with directions regarding how to access the City website and assist them with navigation to the police department page and the online portal access. From there citizens will be directed to follow the directions on the website. SST's will inform citizens that it is our procedure to have reports that meet the online portal criteria reported online to increase our efficiency and productivity as an agency. SST's should remind citizens that if follow up is needed they will be contacted by a member of this agency. If a citizen wants contact with an officer they will be advised that an officer will contact them when an officer is available.

Citizens who do not have access to online reporting may be sent a "Filing a Police Report" flyer or pick one up in the APD lobby. (See attachment) At the discretion of the Watch Commander, a citizen may be informed the only option is to report their incident via the portal or by using the "Filing a Police Report" Flyer.

If an officer is flagged down by a citizen in the field regarding an incident that should be reported via the online portal the officer may direct the citizen towards the portal or take the report. This should be left up to officer discretion. It will be the standard of SST's and officers to provide excellent customer service while maintaining efficiency and productivity.

ATASCADERO POLICE DEPARTMENT

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#18 ARREST LOGS

Statement of Purpose:

This procedure outlines the protocol for preparation of Arrest Logs.

Lexipol Policy:

None.

Procedure:

Arrest logs are produced weekly and stored as pdf files in the SST folder in a folder labeled Arrest Logs. They are typically done on Monday using the date from the prior Monday through Sunday (day before processing).

- Change the default printer to CutePDF writer.
- In the EIS folder - go to Reports, go to RMS-150 (ARREST SUMMARY REPORT), input date range. The check box for 'include juveniles' should be selected to 'NO'.
- NEVER RELEASE ADDRESSES OR PHONE #'S ON POLICE OFFICERS, STATE EMPLOYEES, EMPLOYEES OF A SCHOOL DISTRICT OR COUNTY BOARD OF EDUCATION (INCLUDES CMC/ASH POLICE CUSTODIAL OFFICERS), (GC 6254.3) In these cases, redact the addresses manually and rescan the pdf via the copiers.

When the report is prepared, 'print'. Rename the pdf in the format as "Arrest Log 1-29-2017" or appropriate date. Save to the Arrest Logs folder found in the SST folder. The arrest logs are kept on a **30-day rotating basis**. Old logs are shredded.

Email to United Reporting at circulation@urpc.com, btilford@unitedreporting.com (Brie Tilford) and to Atascadero News lphillips@atascaderonews.com (Luke Phillips). These addresses are subject to change

ATASCADERO POLICE DEPARTMENT

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#19 UNIDENTIFIED / MISSING PERSONS (CLETS)

Statement of Purpose:

Unidentified / Missing CLETS teletypes received in Dispatch.

Lexipol Policy:

None.

Procedure:

- Match IDENTIFIERS from unknown deceased persons from outstanding Missing Persons/Runaway Juvenile reports.
- CLETS teletypes from DOJ MUPS unit with heading of UNIDENTIFIED / MISSING COMPARE RESULTS are sent to our Department. These identifiers need to be matched up with any of our outstanding Missing Persons reports.
- The hit from CLETS contains a number configured as follows: NIC/U followed by nine numbers.
- In the MUPS Inquiry screen, change the default from MISSING PERSON SYSTEM INQUIRY to UNIDENTIFIED PERSON SYSTEM INQUIRY.
- Under the fourth heading from the type labeled "Numeric Inquiry (NCIC Only):" enter the entire
- "U" number in the first box. Send your message. The CLETS return will list identifiers. Copy (or cut and paste) the hit and the return to the "U" query on the same page, then:
- Put our Case Number on the upper right corner.
- Provide a copy for Investigations for their follow up.
- File original with original case (or upload to Laserfiche if report is maintained in that location).

ATASCADERO POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



#20 LOG ENTRY CONTENT

Statement of Purpose:

SOP for log entry contents:

Lexipol Policy:

None.

Procedure:

Calls for service log entries shall include the time, substance, and location of all complaints or requests for assistance received by the agency including the time and nature of the response thereto. Log entries should also include (to the extent the information regarding crimes alleged or committed or any other incident investigated is recorded) the time, date, and location of occurrence, the time and date of the report, and the factual circumstances surrounding the crime or incident.

Log entries shall not contain any of the following once the disposition is given by the officer and call is to be closed:

- CLETS information
- Dates of birth
- Juvenile names
- Names associated with a medical or mental health call
- Graphic descriptions of an event
- Known or alleged CORI information

Log entries shall not contain context that may endanger a victim as outlined in the following paragraph:

The age and name of a victim of any crime defined by Section 220, 236.1, 261, 261.5, 262, 264, 264.1, 265, 266, 266a, 266b, 266c, 266e, 266f, 266j, 267, 269, 273a, 273d, 273.5, 285, 286, 288, 288a, 288.2, 288.3, 288.3, 288.5, 288.7, 289, 422.6, 422.7, 422.75, 646.9, or 647.6 of the Penal Code shall be withheld at the victim's request, or at the request of the victim's parent or guardian if the victim is a minor.

It shall be the policy of this Department to withhold any identifying information of a victim for any of the above listed crimes.

ATASCADERO POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE



#21 DANGEROUS ANIMAL ESCAPE PROCEDURE

Statement of Purpose:

This procedure outlines the appropriate response when responding to an escaped animal at the Charles Paddock Zoo.

Lexipol Policy:

None

Procedure:

Zoo Personnel and the Atascadero Police Department have identified 4 priorities when responding to an escaped animal:

- Safety of the public
- Safety of employees
- Safety of the animals
- Safety of the facility

There are two types of escapes and three animal classifications related to the levels of potential danger of the animals.

Types of escapes:

- Animal out of exhibit, but contained in zoo grounds
- Animal beyond the zoo's perimeter fence

Levels of danger:

- **MOST DANGEROUS** – Tiger, Venomous species
- **DANGEROUS** – Small cats, Fossa, Fisher, Primates, Non-Domestic Hoof stock

- **LEAST DANGEROUS** – Birds, Lemurs, Small Mammals, Wallabies, Domestic Hoof stock.

If an escaped animal is reported, all responding officers should contact Zoo personnel immediately upon arriving on scene if available.

- Determine the type of escape and the level of danger of the escaped animal. If public is at risk consider a social media/reverse 911 notification to the potentially affected areas.
- Consider reasons for the escape. i.e. accidental or purposely.
- Determine if Zoo personnel have deployed their Escaped Animal Apprehension Team. The Charles Paddock Zoo possesses a **SHOTGUN and a TRANQUILIZER GUN** and will deploy them during a dangerous animal escape.
- Evacuate and contain the area.
- Request outside resources. California Department of Fish and Wildlife has special training and equipment to deal with large animals (308 cal. rifle).
- Once the animal is located, evaluate the area and danger level. If the animal poses an immediate threat to public safety the animal should be neutralized. Deployment of a patrol rifle or shotgun with 1oz slug should be used during this situation.
- If an animal is neutralized, notification to the Chief of Police via the chain of command should be made as soon as possible and an incident report taken.
- If no immediate threat is present, develop a re-capture plan with zoo staff.

ATASCADERO POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE



#22 VEHICLE RELEASES

Statement of Purpose:

This SOP is designed to assistance Support Services Technicians and others with a standard to follow when releasing vehicles.

Lexipol Policy:

Lexipol Policy 510

Procedure:

The following is a general guideline for APD employees and is designed to create structure and consistency in handling vehicle releases, impound releases with the public in accordance with the vehicle code.

A subject requesting a vehicle release, impound hearing, or information regarding a towed/stored or impounded vehicle should provide you with the following information to initiate the release: APD case number, vehicle license plate, arrested party/driver, or year make and model of the towed vehicle.

- Once you have located the report and vehicle information, determine why the vehicle was towed. If impounded, determine the length of time the vehicle has been in storage in calendar days. The impound section can keep vehicles from being released until 5, 15, or 30 calendar days has elapsed. The date the vehicle is towed counts as day one.
- Check the attached 28 return to verify that the correct registered owner and legal owner are listed on the CHP 180. The release of any vehicle must involve the RO or legal owner. The person listed in the release of liability on the CLETS return is *not* considered the RO. Verify the subject's identity through a form of government identification and match the name to the RO. If the RO is not present, they may fax, mail or hand deliver us a legible copy of their DL with a signed notarized note that indicates the specific vehicle

they wish to release and to whom they want to release it to naming that person as an agent acting on their behalf.

- In the event the vehicle is impounded and the appropriate impound time period hasn't elapsed, the vehicle cannot be released and only the RO may request and participate in a tow hearing. Tow hearings should only be completed during normal business hours and preferably by Traffic Officers or the Traffic Sergeant. If none of the aforementioned employees are available for an extended period of time the Watch Commander may complete the tow hearing during normal business hours.
- If the vehicle is eligible for release the following things are required by the state of California for the vehicle to be released:
 - Driver with valid Driver's license
 - Valid registration documentation for vehicle being released (One signed and completed DMV moving permit or a CLETS return showing valid registration are considered registration)
- Proof of insurance is *not* required
- If they have all required items, make a copy of the documents along with the DL to keep with the tow paperwork and case. Run the DL in CLETS to verify the driver is valid.
- Sign and fill out the authorizing release section of the 180 (see example) and have RO (and driver if RO is not valid) sign under "Signature of Person Taking Possession. Collect the appropriate release fee. Make a copy of the 180 for RO to have and turn over to the tow company and attach receipt for vehicle release. Additional fees will be charged by the tow company for the actual tow.
- If the person or agent requesting the release is a vehicle dealer and is listed as the Legal owner or Registered Owner they are NOT exempt from the release fee or registration requirement for stored vehicles. Exemption for legal owners/dealers only references impounded or stolen vehicles.

Vehicles towed for suspended registration

- DMV is now suspending registrations due to lack/lapse of insurance on the vehicle.
- These vehicles are towed under tow authority VC 22651(o) for expired registration. If you look at the vehicle registration and it appears the vehicle is

currently registered, look further down the 28 and you will see a date of suspension.

30 Day Impounds – VC 14602.6

- Copy of 180 must be mailed by certified mail to the RO within 48 hours (see VC 14601 section for instructions)
- The RO can request early release hearing with a Traffic Officer (cannot be issuing officer) or Traffic Sergeant. If the RO has a hearing and the hearing officer can release the vehicle early the release process is the same as those for a stored vehicle. If the hearing officer denies the release, the RO will have to wait the full 30 days before coming in to get the signed release. Storage fees will accumulate at the tow company.
- The RO of the vehicle may have the vehicle released early if the driver who got the vehicle impounded (most likely listed as arrested subject on CHP180) regains their driving privilege and license as verified through CLETS. In such a case, no vehicle release hearing is required.

Impounded Vehicles Being Repossessed by Legal Owner

- The repossessing agent for the legal owner or the legal owner themselves may repossess a vehicle impounded.
- They must provide a hold harmless letter that releases the department from any liability for releasing the vehicle to them instead of the RO.
- You need to ensure the person repossessing the vehicle is licensed.
- Repossessing agent does not pay a release fee per CVC 14602.6(E)(3). For vehicles impounded for 30 days, the repo agent needs to know they cannot legally release the vehicle to the RO prior to the end of the 30 days. They will still have to pay the tow company for tow/storage.
- If the person or agent requesting the release is a vehicle dealer and is listed as the Legal owner or Registered Owner they are NOT exempt from the release fee or registration requirement for stored vehicles. Exemption for legal owners/dealers only references impounded or stolen vehicles.

Recovered Stolen Vehicles

- Recovered stolen vehicles towed per VC 22651(c) are not subject to the \$145 vehicle release fee.

ATASCADERO POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE



#23 IPHONE CAMERA PROCEDURE

Purpose:

This policy establishes guidelines for the use of Department issued iPhone cameras, while on-duty or for authorized work-related purposes. The iPhone cameras will be used primarily for taking photographs and/or videos for evidentiary purposes. Specific Department approved applications will also be available for use on the iPhone camera.

Procedure:

The Atascadero Police Department allows its members to utilize department-issued iPhone cameras while on-duty and are subject to certain limitations. The iPhone cameras will be authorized to be used via Wi-Fi mode only, unless a wireless plan is otherwise authorized by the City of Atascadero. The preferred Wi-Fi network will be the department's Wi-Fi. Personnel should not use an unsecured network from any public or private entity. Secured (password protected) Wi-Fi networks at locations such as the courthouses, hospitals, and other law enforcement agencies are permitted. Any other network shall be approved by a supervisor on a case by case basis.

Evidence photographs taken with the iPhone camera shall not be stored on the camera for an extended period of time and should be handled in a manner consistent with the established guidelines for timeliness in booking evidence. After evidentiary photographs have been uploaded to the P drive the photos shall be deleted from the iPhone.

The department issued iPhone cameras shall be subject to inspection (including all related records and content) and location monitoring at any time without notice and without cause. Department issued iPhone cameras are provided as a tool to facilitate on-duty performance only. Unless a member is specifically authorized by a supervisor for the off-duty use of the iPhone camera, it will remain secured at the workplace at the completion of the work day.

The iPhone cameras shall be pin protected and the pin number shall be provided to the Division Commander or their designee.

In the instance the iPhone is lost, stolen, or otherwise damaged a City of Atascadero Accident or Incident Form shall be completed and submitted to the Division Commander. A report shall also be completed as required by Policy 344.2.4. Upon discovery that the iPhone has been lost or stolen the assigned officer shall immediately notify the on-duty

supervisor. The supervisor should then immediately contact the designated on-call member of the City of Atascadero IT Department and request the “Find my iPhone” feature be used to remotely locate the phone utilizing the City’s Apple account. Once the location is determined on-duty personnel should be dispatched to recover the iPhone as soon as is practicable.

Provisions:

Some authorized applications allowed on department issued iPhone cameras will include, but are not limited to, Outlook, for use in conjunction with the employee’s city email address only; SpeakWrite; CrewSense; iSubpoena; Lexipol KMS; CopQuest; Drugs.com; Mark 43 RMS; and any other LE applications authorized by a supervisor that will assist the member with conducting work-related business. Members will not access their personal social networking sites for any purpose that is not official department business.

ATASCADERO POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE



#24 TRAFFIC COLLISION REPORTING

Statement of Purpose:

The purpose of this procedure is to provide officers and supervisors with guidance for conducting traffic collision investigations. This procedure also details the roles and responsibilities of first responding personnel as well as specialized unit involvement in major injury/fatal traffic collisions.

Lexipol Policy:

Policy 502 Traffic Collision Reporting

1. Traffic Collision Reports

1.1. Traffic collision reports shall be taken on a roadway or highway when:

- Death or injury to any persons involved in the collision
- There is an identifiable vehicle code violation
- Report is requested by any involved driver.

1.2. Private Property Traffic Collision Reports shall be taken when:

- There is death or injury to any person involved
- A hit and run violation
- Vehicle Code violation
- Non-injury private property collision reports shall not be taken. However, a supervisor may authorize a general incident report.

1.3. Refer to Report Writing Manual and CHP Collision Investigation Manual for additional guidance on required elements of collision reports.

2. Collisions Involving City Owned Vehicles

- 2.1. All collisions involving city owned vehicles shall be documented in Crossroads using at-least a summary cause narrative. For collisions involving severe injuries, an investigation narrative and factual diagram shall be attached (Refer to 3 below).
- 2.2. Collisions on private city property that do not involve another vehicle, may be documented using a traffic incident report in RMS, in lieu of a traffic collision report.

3. Collisions involving Police Department or City Employees

- 3.1. When an employee of the department, on or off duty, is involved in a serious injury or fatal collision in the City of Atascadero, the Patrol Lieutenant or Watch Commander should consider notifying the California Highway Patrol for assistance.
- 3.2. When a city employee is involved in a serious injury or fatal traffic collision in the city, the Patrol Lieutenant or on-duty watch commander may consider notifying the California Highway Patrol for Assistance.

4. Serious Injury/Fatal Collision

- 4.1. Serious Injury/Fatal Collision is defined by the Collision Investigation Manual as any injury other than fatal which results in one or more of the following:
 - Severe laceration resulting in exposure of underlying tissues/muscles/organs or resulting in significant loss of blood.
 - Broken or distorted extremity (arm or leg).
 - Crush injuries.
 - Suspected skull, chest or abdominal injury other than bruises or minor lacerations.
 - Significant burns (second and third degree burns over 10% or more of the body).
 - Unconsciousness when taken from the collision scene.
 - Paralysis.
- 4.2. Upon discovery that any involved party in a traffic collision has sustained serious and/or fatal injuries, the on-duty watch commander **shall notify the Operations Lieutenant and/or Traffic (Motor) Officer as soon as practical** and advise him/her of the circumstances of the collision and request additional resources as appropriate.

5. Hit and Run with Injury

- 5.1. Upon discovery of a hit and run whereby any involved party sustains a visible injury and meets the definition of a violation of 20001 VC, the on-duty watch commander **shall notify the Operations Lieutenant and/or Traffic (Motor) Officer as soon as practical** and advise him/her of the circumstances of the collision and request additional resources as appropriate.

6. Non-injury Hit and Run with Prosecution

- 6.1. If upon initial investigation of a non-injury hit and run collision whereby a suspect has been identified and prosecution is being sought, the investigating officer should notify a Traffic (Motor) Investigator in person, via telephone or email as soon as practical.

7. Felony DUI Collisions

- 7.1. Upon discovery of a DUI collision whereby it appears the impaired driver's action caused injury to an involved party other than themselves, the on-duty watch commander **shall notify the Operations Lieutenant and/or Traffic (Motor) Officer as soon as practical** and advise him/her of the circumstances of the collision and request additional resources as appropriate.

8. Scene Preservation by On-Duty Patrol Personnel

- 8.1.1. Upon discovery of a serious injury/and or fatal collision, felony hit and run, and/or felony DUI collision, the primary investigating officer shall make every effort to preserve all available evidence at the scene to include:
 - Tire Friction Marks, gouges, chops, and other pavement markings.
 - Points of Rest of involved parties and/or vehicles.
 - Location of debris and/or vehicle parts.
 - Clothing of pedestrians struck by vehicles.
- 8.1.2. An "inner perimeter" should be established with caution tape that contains all relevant evidence related to the collision. Access should be restricted to essential personnel only.
 - 8.1.2.1. NOTE: Nothing in this section should hamper the access of fire and/or ambulance personnel to the scene. However, command and other support vehicles not essential to immediate life-saving efforts should be staged outside the inner perimeter to reduce the opportunity for evidence to be physically disturbed.

8.1.2.2. At the conclusion of all emergency actions by allied agencies (Fire suppression, haz-mat mitigation, and life-saving efforts), all fire and ambulance vehicles located inside the perimeter, should be escorted out of the perimeter by an officer to assure the vehicle egress will not otherwise disturb any evidence.

8.1.2.3. For all traffic collisions on public property, or where a vehicle code violation may have contributed to the cause of the collision, are considered criminal investigations. As such, media access can be restricted to crime scenes.

8.1.3. The watch commander should consider requesting public works (Or Cal-Trans for collisions involving the State Highway) for long-term street closures and devise an appropriate traffic detour plan as soon as practical that will both allow for the safety of rescue personnel as well as preserve the integrity of the collision scene evidence.

8.1.4. King Units and VIPS should also be requested as soon as practical to relieve on-duty patrol units from traffic control where closures are to be staffed.

8.1.5. Fire personnel should never be allowed to “wash-down” any blood or other human remains at the scene of the collision without express permission of the traffic collision investigating officer.

8.1.6. Persons that are deceased at the scene of a traffic collision should not be moved nor extricated from their vehicles without express permission of the traffic collision investigating officer. Deceased persons should be shielded from public view by onlookers.

8.1.7. Involved vehicles should have their ignitions turned-off and keys removed from the vehicle so the vehicles cannot be restarted. (Vehicles that are restarted following the collision may erase or complicate extraction of information from the event data recorder or airbag control module).

8.1.8. Parties involved in a public property collision should not be allowed access to their vehicles following the collision so as to prevent them from removing and/or potentially destroying evidence.

8.1.9. In cases where there is uncertainty regarding the driver of a vehicle occupied by multiple occupants, no one (Including on-scene personnel), should access the passenger compartment of the vehicle to minimize the potential for contamination of DNA evidence.

8.2. Assess for Potential Intoxication of Involved Party:

8.2.1. Officers should individually assess each driver and/or involved party for potential intoxication as soon as possible. As the evidence is perishable, Officers should not wait for the arrival of additional investigators before making a concerted evaluation. Frequently, FST's are not possible when drivers are injured as a result of a traffic collision, other indicia of intoxication and/or impairment may be discovered including but not limited to:

- Presence of odor of alcoholic (Or marijuana) beverage coming from breath and person.
- Plain-view paraphernalia of alcohol and/or drug use on person or in passenger compartment of vehicle.
- Speech patterns of involved parties.
- Driver's admission to drinking and/or using drugs.
- Driver's admission to being prescribed any medication which may inhibit their ability to operate a motor vehicle.
- Fire and/or Paramedic personnel observations of potential intoxication. Passenger statements regarding potential intoxication of driver.
- Driver's action which caused and/or contributed to collision. For example, a driver that ran off the road for no reason and struck a car.
- Witness statements of drivers that saw a driving pattern consistent with DUI prior to the collision.

8.2.2. Based upon the totality of the circumstances, if an Officer has a reasonable suspicion that an involved driver of a motor vehicle was under the influence of alcohol or drug, the Officers should initiate FST's if the driver is physically able to perform FST's.

8.2.3. If the involved driver was injured, incapacitated and/or unable to perform FST's, then minimally ask the driver the DUI Probable Cause questions and be sure to document these answers in the report. Officer can request written consent from the driver for a release of medical records and/or seek a blood warrant from a judge.

8.2.3.1. Officers seeking a blood warrant should clearly document all the indicia and observations that contributed to the reasonable suspicion.

8.2.3.2. Pedestrians involved in a collision that are involved in a traffic collision are not subject to a blood warrant, and written consent to possible intoxicants should be obtained.

8.3. Officers should attempt to identify all witnesses, drivers and passengers in the collision. Even if statements are not obtained at the scene, each person's information should be available to responding investigators.

- 8.3.1. Officers should ascertain if drivers had a cell phone on their person at the time of the collision and record the telephone number of that phone, make/model of the phone, as well as the phone carrier. If it is later determined the driver had been operating their cell phone prior to the collision, this information will be helpful in obtaining a warrant.
- 8.4. Officers should also actively seek any potential video evidence of the involved vehicles both during and before the collision.

9. Evidence Collection, Documentation and Disposition.

9.1. Photographs

- 9.1.1. All physical evidence at the scene of a collision should be thoroughly photographed.
- 9.1.2. Vehicles should be photographed at the scene as they appear, and again following the collision after the vehicles have been removed so that all sides of the vehicle are visible.
- 9.1.3. Tire Friction Marks should be photographed so that striations are visible throughout the length of the skid.
- 9.1.4. Both overall photos of the tire friction marks/gouges as well as close-ups of each mark should be captured.

9.2. Factual Diagram

- 9.2.1. A factual diagram shall consist of a table of contents and minimally include a scale representation of:
- Vehicle and Party Points of Rest
 - Tire Friction Marks, Tire Furrows, Gouges, Scrapes, Chops, etc.
 - Roadway and striping
 - Traffic control devices
 - Major Vehicle Components/Debris.
 - Any other physical evidence located at the scene used in determining cause of collision.
- 9.2.2. Factual Diagrams shall be 'to-scale' and if generated using electronic CAD software, the data output file should be booked into evidence as a 'pdf' file. The CAD drawing file should be considered 'field notes' as it is a working file.

9.2.3. Unless DNA or other evidence is contained upon a vehicle component located at the scene of a collision, the vehicle component should be photographed only and NOT be booked into evidence.

9.3. Capturing Position of Physical Evidence at The Scene.

9.3.1. Station Line

- A station line can be used for collisions on relatively flat surfaces where the collision occurred at approximately the same elevation and most of the evidence captured is within 25' either side of the station line.
- Multiple station lines may be used for large scenes.
- A station line shall minimally consist of 3 reference points for each station line used at the scene of a collision.
- A station line should not be used for scenes where elevation changes may affect later analysis and calculations.

9.3.2. Total Station

- A total station is effective for larger scenes where the debris field exists over various elevations changes. i.e. Vehicle goes off the roadway and down an embankment.
Vault distances can be calculated for vehicles that are airborne.
- A total station is more accurate than a station line, and should be considered for collisions where tire friction marks are anticipated to be used to calculate speed of involved vehicles.

9.3.3. 3-D Scene Scanner

- The 3-D Scanner both photographs and creates a 3D image of the entire collision scene, referred to as a "Point Cloud." The 3-D Scanner is useful for small to medium collision scenes over medium elevation changes. The 3-D Scanner is also capable of capturing crush data of involved vehicles and should be considered for scanning vehicles following the collision.
- The San Luis Obispo Police Department has made their 3-D scanner available to our agency and has agreed to provide personnel to operate the scanner and scan the collision scenes upon request. Requests should be made to the on-duty watch commander at the San Luis Obispo Police Department.

- One limitation of the 3-D scanner may be the ability capture of tire friction marks, road scars and the precise location of other debris. A total station or station line should still be used to cross-reference all friction marks, road scars and other evidence for later analysis.

9.4. Vehicle Inspection & Tow

9.4.1. A flat-bed shall be used by responding tow company for all evidence tows (Except for Motorcycles, see below). **The vehicles shall not be re-started** following the collision.

9.4.1.1. Evidence tows for motorcycles should be towed with a “Wrecker” and care should be taken so as not to either move the motorcycle out of gear and/or place any pressure on the front forks during the recovery process.

9.4.2. Officers should seek a signed consent to search form from the driver and/or registered owner of the vehicle, where possible.

9.4.3. In circumstances where the vehicle has been towed pursuant VC 22655.5 (Vehicle towed for evidence as instrumentality of a crime), **then a search warrant is not required to perform an inspection of the vehicle** (See CPOLES 4-VIII and Rogers (1978) 21 Cal.3d 542; accord, Bittaker (1989) 48 Cal.3d 1046; Diaz (2013) 213 Cal.App.4th 743 for further analysis and discussion).

Note: "Probable cause" to search a vehicle means exactly the same thing that it does in a search warrant context, namely, enough facts, knowledge, training, etc., to provide a "fair probability" that the object you are looking for will be found in the place (portion of the car) you want to search. If you have enough information to get a warrant, you have sufficient probable cause under the "automobile exception." (Dyson (1999) 527 U.S. 465, 466.)

9.4.4. If the automobile exception to warrantless searches does not exist to tow an involved vehicle for evidence pursuant VC 22655.5 (The “automobile exception” does not extend to warrantless entries into premises, including the curtilage of a residence) then a search warrant must be obtained when investigating any felony traffic collision.

9.4.5. A vehicle inspection should be completed by an Officer using a vehicle inspection form approved by the APD Traffic Bureau.

9.4.6. **Event Data Recorder (EDR)**

9.4.6.1. **A search warrant is statutorily required for retrieval and inspection of the EDR module unless consent is obtained from the registered owner of the vehicle.**

9.4.6.2. California Highway Patrol MAIT has access to an EDR scanner and generally prefer a search warrant (Over a written consent form) before assisting allied agencies in the download of EDR data.

9.4.7. Cell Phone of Involved Party

9.4.7.1. When Officers are investigating any felony traffic collision (23153 VC, 20001 VC, 191.5 PC, PC 192(c)(1) and/or PC 192(c)(3)), if there is probable cause to believe the cell phone contains evidence relevant to the crime being investigated, the cell phone should be seized.

9.4.7.2. A search warrant is generally required to access the phone absent consent.

9.4.7.3. Officers may ask for permission to search the phone from the involved party. Officers having permission should complete the APD Consent to Search form.

Officers are reminded that the password to the phone may be required for certain models.

9.4.8. Autopsy

9.4.8.1. In cases where involved parties have deceased, the case number of the deputy/coroner should be included in the collision report and an autopsy report requested.

9.4.8.2. The autopsy results should be included with the collision report and documented on the original collision or supplemental report.

10. Roles and Responsibilities of Patrol and Specialized Units

10.1. Patrol Team

10.1.1. Preserve scene evidence and manage traffic control until relieved by public works and/or Cal-Trans.

10.1.2. Identify and obtain statements from all involved drivers, passengers and witnesses located at the scene.

10.1.3. Officer Assigned as Primary:

10.1.3.1. Complete Pg 1, 2 and 3 of the CHP 555 Report in Crossroads.

10.1.3.2. Complete Sketch and Narrative in Crossroads.

10.1.3.3. For Narrative, the primary patrol officer will complete at-least the following headings: Notification, Scene, Parties, Other Factual Information and Statements (Traffic Collision Investigator will usually complete Summary, AOI and Cause and/or document physical evidence). Report Status should be “Forward to Traffic Unit for follow-up.” Under each of the remaining required heading sections, the reporting officer should write, “Refer to supplemental report.”

10.1.3.4. Assist Traffic Collision Investigator processing the collision scene.

10.2. **Traffic Collision Investigating Officer**

10.2.1. A Traffic Collision Investigator (Motor Officer) should be assigned to the collision and requested to respond to the scene as soon as possible. If available to respond, the motor officer should be assigned as the primary investigating officer and assume overall responsibility for the investigation.

10.2.1.1. A motor officer may direct the primary assigned patrol Officer on the scope of the

“initial report, (i.e. assigning party numbers and heading sections in narrative)” while the motor officer will document their investigative actions in Crossroads as described in the Report Writing Manual and CIM in a supplemental report.

10.2.2. If a Motor Officer is not available to respond to the scene, a member of California Highway Patrol MAIT should be consulted to assist the patrol officer assigned as primary to investigate the collision. If CHP does not have a MAIT member available, then an experienced traffic collision investigator should be requested from the SLO Division CHP Office to respond to the scene and assist the primary patrol officer).

10.2.2.1. SLO PD should also be requested to respond to the scene with their 3D Scanner and a complete scan of the scene should be initiated (Where the scene would be conducive to scanning).

10.2.2.2. The primary patrol officer will complete the traffic collision report in Crossroads and submit the report to the Traffic Bureau as soon as possible for follow-up. A Motor Officer will then assume responsibility for the collision investigation and all follow-up activities and analysis. A motor officer will complete a supplemental report in Crossroads.

10.2.3. For collisions involving commercial trucks, a CHP Commercial Division Officer should also be requested to respond to the scene and/or tow yard to assist the primary collision investigator.

10.3. **CSI Technician**

10.3.1. A CSI Technician should be considered for photographing the scene and vehicles at the tow-yard following the collision. A CSI responsible for photography should request adequate lighting during night-time conditions.

10.3.2. A CSI Technician cross-trained in the utilization and set-up of the Total Station should be requested any-time a total station is requested at the scene of a traffic collision. The total station is at-least a two-person task and a third person (Second CSI Tech. in addition to a motor officer) is desirable if the scene requires the use of a total station.

10.3.3. A CSI Technician can also be requested to help on-scene personnel operate a station line.

10.3.4. A CSI Technician will assist in the collection of property (Both for safekeeping and evidentiary) and booking at the APD. All reports shall be completed in Crossroads and property booked in RMS.

10.4. **Property & Evidence Specialist**

10.4.1. A PES should be considered for recovering video surveillance from private video recording systems.

10.4.2. A supplemental report should be created in Crossroads.

10.5. **Detectives**

10.5.1. A detective should be utilized to write search warrants (Other than suspected DUI blood warrants) related to the traffic collision investigation at the request of a motor officer.

10.5.2. Detectives may also be used to assist the motor officer in conducting interviews of involved parties, witnesses, etc.

10.5.3. Detectives should document their actions in Crossroads in an appropriate supplemental report.

ATASCADERO POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE



#25 NALOXONE (NARCAN)

PURPOSE:

The purpose of this order is to establish guidelines and regulations governing the administration of naloxone (Narcan) by the Atascadero Police Department. The objective is to reduce injuries and fatalities associated with opioid overdoses.

Lexipol Policy:

Refer to Lexipol policy 469.9 for additional information.

A. DEFINITIONS

- **NALOXONE**— Naloxone is a medication used to block the effects of opioids that can reverse the life-threatening effects of opioid overdose.
- **NARCAN** — Narcan is a brand name for naloxone.
- **OPIOID** — An opiate (synthetic or otherwise) that includes, but is not limited to, heroin, morphine, oxycodone (OxyContin), hydrocodone (Vicodin), fentanyl, methadone, and codeine.
- **OVERDOSE** — The consumption of excessive quantities of opioid-related drugs that results in physical illness, including a condition of a decreased level of consciousness, respiratory depression, coma, or the ceasing of respiratory or circulatory function. An overdose can be accidental or deliberate. Overdose Symptoms can include being non-responsive to touch or voice stimuli, constricted pupils, slow or no pulse, slow or irregular breathing, or fingernails and lips turning blue or grey in color.

B. TRAINING

- **Initial training** — Atascadero Police Department (APD) officers will receive initial training that will include the following as detailed by EMS and POST standards;
 - Overview of California Civil Code 1714.22, which permits law enforcement administration of naloxone (Narcan).
 - Patient assessment for signs and symptoms of overdose,
 - Scene safety
 - Universal precautions
 - Rescue breathing f, Seeking medical attention

- Use of intra-nasal naloxone (Narcan).
- Post naloxone (Narcan) care.
- Continuing education — APD employees will receive refresher training every two (2) years.

C. DEPLOYMENT

- Naloxone spray kits Will be stored in the equipment room near the tasers. Officers trained in the use of naloxone should draw a kit at the beginning of their shift and provide the Watch Commander with the kit number at briefing. In the event they did not attend briefing, the officer will ensure the information is added to the daily log before going in service. Due to the temperature sensitivity of naloxone, the kits must be returned to the equipment room at the end of shift. During the shift Naloxone kits may be stored in the glove box of the unit or on the officer's person.
- Officers will use their training and experience in deciding whether a subject is suffering from a suspected overdose of opioids when determining whether to administer Naloxone. This assessment should include:
 - The officer observing overdose symptoms.
 - Whether the person has a history of opioid use.
 - Statements from individuals at the scene, along with drug paraphernalia.
- Only trained officers can administer naloxone. Upon administering naloxone, officers shall monitor patient vital signs (e.g., respirations, pulse) and start/continue CPR if necessary until
 - - Fire/EMS personnel arrive on scene. If the patient has a pulse and is breathing, the officer shall place the patient in the recovery position if possible.
- If the initial dose of naloxone is ineffective, officers may consider administering a second dose and shall continue to monitor vital signs.

D. MAINTENANCE AND REPLACEMENT

- 1. The officers assigned the naloxone (Narcan) nasal sprays shall inspect them periodically.
- Missing, damaged, or expired naloxone shall be immediately reported to a supervisor.
- When the naloxone has been used, the officer should obtain a replacement nasal spray as soon as reasonably possible.

E. DOCUMENTATION AND REPORTING

- After each administration of naloxone in the field, officers shall

- Notify their supervisor.
- b, Complete the San Luis Obispo County Naloxone Use Form (attached) by the end of shift and submit it to the Watch Commander.
 - Complete the applicable report(s) (crime/incident) and include a complete description of how and why Narcan was used.
- The Watch Commander shall forward the SLO County Naloxone Use Form to the following:
 - The Department naloxone (Narcan) coordinator. The Department naloxone coordinator shall report all naloxone usages to San Luis Obispo County EMSA.



PUBLIC SAFETY/LAW ENFORCEMENT NALOXONE USE FORM

DATE	INCIDENT*	AGENCY	RESPONDING
PATIENT NAME			AGE <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE
INCIDENT LOCATION		DISPATCH TIME	PATIENT CONTACT TIME
INDICATIONS. DECREASED RESPIRATIONS ALTERED LEVEL OF CONSCIOUSNESS SUSPICIOUS CIRCUMSTANCE FOR OPIOID USE <input type="checkbox"/> OTHER,			
BREATHING		NOT BREATHING	
RESCUE BREATHS GIVEN, <input type="checkbox"/> YES <input type="checkbox"/> NO TIME NALOXONE ADMINISTERED: _____ AMOUNT GIVEN: _____ MG RESPONSE. <input type="checkbox"/> IMPROVED <input type="checkbox"/> DECLINED <input type="checkbox"/> NO RESPONSE		CPR ADMINISTERED: <input type="checkbox"/> YES <input type="checkbox"/> NO AED APPLIED: <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, COMPLETE AED USE _____ PERFORMED: <input type="checkbox"/> YES <input type="checkbox"/> NO VENTILATIONS _____ NO TIME NALOXONE ADMINISTERED: _____ AMOUNT GIVEN: _____ MG RESPONSE; <input type="checkbox"/> IMPROVED <input type="checkbox"/> DECLINED <input type="checkbox"/> NO RESPONSE	
PATIENT TRANSPORTED: YES <input type="checkbox"/> NO		BYSTANDER NALOXONE ADMINISTRATION, YES	
PRESUMED SUSPECT AGENT, DRUG; _____			
COMMENTS.			
This report must be returned to the EMSA on or before the 15 th day of the month following the date of the call.			
COMPLETED BY PRINT NAME		COMPLETED BY SIGNATURE	

submit this document with to: county of san Luis Obispo EMS Agency, 2180 Johnson Ave, Floor San Luis Obispo, CA Fax (805) 733-2517